



COUNCIL MINUTES

August 26, 2013

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on August 26, 2013 at 5:46 p.m.

COUNCIL PRESENT

Scott Smith
Alex Finter
Chris Glover
Dennis Kavanaugh
Dave Richins
Scott Somers

COUNCIL ABSENT

None

OFFICERS PRESENT

Christopher Brady
Debbie Spinner
Dee Ann Mickelsen

Invocation by David Martinez, Augusta Ranch 2nd Ward of the Church of Jesus Christ of Latter-Day Saints.

Pledge of Allegiance was led by Hyrum Goss, Scout Troop # 557.

Mayor's Welcome.

Mayor Smith welcomed everyone to the meeting. A videotaped presentation was aired that outlined meeting procedures and provided attendees with instructions relative to addressing the Council.

Awards, Recognitions and Announcements.

Mayor Smith stated that he was very proud of the quality of education that students receive in Mesa's public, private and charter schools. He noted that such quality is exemplified by the recognition that many school leaders receive, as well as the affirmation from third parties.

Mayor Smith remarked that he was pleased to announce that Taylor Junior High School was recently named the National Junior High School of the Year by the National Association of Middle School Principals. He invited Gina Piraino, Principal of Taylor Junior High School, to come forward and address the Council.

Ms. Piraino noted that she was very appreciative of the fact that Taylor Junior High School was the recipient of this award. She explained that the school was recognized, in part, for its philosophy of mainstreaming special education students and offering programs not only for students who excel in their classes, but also for those who require extra help and guidance.

Vice Mayor Finter recognized a number of outgoing board and commission members who have served the City of Mesa for many years. He expressed appreciation to the citizens for their hard work and dedication and wished them well in their future endeavors.

Mayor Smith presented awards to the recipients.

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 Councilmember Glover, seconded by Councilmember Richins, that the consent agenda items be approved.

Carried unanimously.

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

Minutes from the August 19, 2013 Council meetings.

3. Take action on the following liquor license application:

*3-a. Ultimate Imaginations, Inc.

This is a one-day charitable event to be held on Friday, September 6, 2013, from 4:00 p.m. to 11:00 p.m., on Main Street from Robson to Center Street, and on Macdonald from Pepper Place to Main Street. **(District 4)**

4. Take action on the following contracts:

*4-a. Purchase of Twenty-One (21) Replacement Police Patrol SUVs for the Police Department. **(Citywide)**

This purchase will provide 21 Police Patrol SUVs (Chevrolet Tahoes) for the Police Department. Twenty of the proposed replacement vehicles will replace vehicles that have met established criteria for replacement. One vehicle to be replaced resulted from a vehicle being damaged beyond repair. The vehicles that are being replaced will be retired and sold at auction.

Fleet Services, Police and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder, Midway Chevrolet, at \$792,709.46. These purchases are funded by the Vehicle Replacement Fund.

*4-b. Dollar-Limit Increase and One-Year Renewal of the Term Contract for Vehicle Rental Services for the Police Department. **(Citywide)**

The Police Department requires a dollar-limit increase of \$160,000 to pay invoices for the current contract period through September 30, 2013. During the current contract period, the actual number of rental vehicles has increased from 35 to 39, resulting in higher monthly rental invoices than the original bid estimated amount. The department continues to monitor the lease fleet and high-priced rental vehicles are replaced with lower-priced vehicles when available.

Police and Purchasing recommend authorizing a dollar-limit increase of \$160,000, from \$388,800 to \$548,800, for the current period, and a one-year renewal with Enterprise Fleet Management, at \$480,000 annually, based on estimated requirements.

*4-c. One-Year Renewal of the Term Contract for Fire Protective Clothing for the Fire and Medical Services Department. **(Citywide)**

This contract provides fire protective clothing (turnout coats and turnout pants) for Fire personnel during firefighting operations and when certain physical hazards are likely to be encountered, such as during non-fire related rescue operations, emergency medical operations and victim extrication. The fire protective clothing specified meets the National Fire Protection Association (NFPA) Standard.

Fire and Medical requires continuing replacement of individual turnout items that are ten-plus years-old per NFPA standards. The department has estimated replacements of 92 coats and 53 pants, plus 2 sets for new recruits in the fall of 2013 (10-12 recruits). Fire protective clothing is purchased on an as-needed basis during the contract period.

Fire and Medical and Purchasing recommend authorizing a one-year renewal with United Fire Equipment Company, at \$220,000 annually, based on estimated requirements.

*4-d. Two-Year Term Contract for Large Print Library Books for the Library Services Department. **(Citywide)**

A committee representing Library Services and Purchasing evaluated the Request for Proposal responses. The evaluation committee recommends awarding the contract to the highest scored proposals from Cengage Learning, Inc., at \$40,000; and Center Point, Inc., dba Center Point Large Print, at \$10,000; annually, based on estimated requirements, for a combined total award of \$50,000 annually.

*4-e. Two-Year Term Contract for Library Books, Spoken Word, DVDs and Digital Media for the Library Services Department. **(Citywide)**

This contract will provide for a high percentage of the Library's purchases to facilitate the entire selection, ordering, receiving and invoicing process. Materials covered by the Request for Proposals included: books, standing orders, digital media including, but not limited to, electronic books and digital audiobooks, spoken word including, but not limited to, compact disc and playaway, DVD/BluRay, large print, and Spanish language.

A committee representing Library Services and Purchasing evaluated the responses. The evaluation committee recommends awarding the contract to the highest scored proposals from Baker & Taylor, Inc., at \$265,000 annually, based on estimated requirements.

*4-f. **Two-Year Term Contract for Library Media Materials for the Library Services Department. (Citywide)**

This contract will allow the purchase of library materials to build and maintain Mesa Public Library's resource collection to include audio-visual materials and related services. Materials covered by the Request for Proposals included: Spoken word (compact disc/MP3), Playaway (preloaded dedicated media player), Spoken word (digital format), DVD/BluRay, Downloadable digital media (including, but not limited to, streaming audio/video/music, electronic books or magazines) and materials in Spanish.

A committee representing Library Services and Purchasing evaluated the responses. The evaluation committee recommends awarding the contract to the highest scored proposals from Midwest Tape, at \$175,000, and Recorded Books, LLC, at \$75,000; annually, based on estimated requirements, for the combined total award of \$250,000.

*4-g. **Two-Year Renewal of the Term Contract for Vactor Services for the Transportation and Fleet Services Departments. (Citywide)**

This contract provides experienced contractors for storm drain cleaning, storm drain pipe cleaning, culvert cleaning, box culvert cleaning, pressure washer separators/vaults, sumps, wet well, drywell cleaning and inspections on an as-needed basis for Transportation and Fleet Services. Services include high pressure hydro-jetting, vacuuming (vactor truck) and pumping of storm drains for on-call, scheduled and emergency services. Vactor services are also required to maintain the vehicle wash rack for Fleet Services. Work is performed at various City locations including City-owned property, privately-owned property, commercial property and property owned by other government agencies.

The initial term of the contract was one year. This is the first two-year renewal.

Transportation, Fleet Services and Purchasing recommend authorizing a two-year renewal with multiple vendors: Reddi Services, at \$212,900; Pipeline Video Inspection, dba PVIC, LLC, at \$1,000; and Thermo Fluids, Inc., at \$5,500; for the combined total contract award of \$219,400 annually, based on estimated requirements.

*4-h. **Three-Year Term Contract for Hydraulic Hose and Fittings for the Fleet Services Department. (Citywide)**

This contract will provide for the purchase and delivery of Parker-brand automotive and truck hydraulic hose and fittings required for the City's medium and heavy-duty vehicles and equipment.

A protest based on the City's decision to use Parker brand products was received on July 18, 2013. A protest based on the specifications should have been filed by July 2, 2013, and therefore, their protest was denied as untimely. Parker products are specified primarily for two reasons: (1) Excessive and increasing time, labor costs and loss of equipment use during hose repairs using another brand hydraulic hose and fittings from December 2012 through July 2013; and (2) The majority of the City's Solid Waste trucks come standard with Parker hydraulic hose and fittings. Using non-Parker replacement

may void vehicle warranty and result in increased in-house repairs due to premature hydraulic hose failures. No appeal was filed by the appeal deadline.

Fleet Services and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder, FleetPride (a Mesa business), at \$102,000 annually, based on estimated requirements.

- *4-i. Six-Month Term Contract for Automotive and Equipment Parts and Supplies for the Fleet Services Department. **(Citywide)**

Fleet Services has requested using the City of Phoenix contract while continuing work on the City's solicitation for Automotive and Equipment Parts and Supplies. The City will have its contracts in place with the same types of vendors by January 2014.

Fleet Services and Purchasing recommend authorizing a six-month Contract using the City of Phoenix cooperative contract with Balar Equipment Corporation, at \$30,000; Freightliner, Sterling, Western Star of AZ, at \$75,000; Wayne Industrial Holding, LLC (formerly OEM Parts and Service), at \$25,000; RLS Services, Inc., at \$60,000; and Rush Truck Center of Arizona, at \$65,000; annually. The combined six-month total contract award is \$255,000, based on estimated requirements.

- *4-j. Three-Year Term Contract for Original Equipment Manufacturer Heavy-Duty Truck Repair Services for the Fleet Services Department. **(Citywide)**

Fleet Services provides preventative maintenance for a fleet of approximately 200 heavy-duty trucks. This contract will provide original equipment manufacturer heavy-duty truck repair parts and services for the following models: American LaFrance, Case, Caterpillar, Cummins, DaDee Manufacturing (Scorpion Solid Waste Truck), Detroit Diesel, Freightliner and Heil. Vendors will be used for heavy-duty repairs that require special tools, special training and repairs or repairs that may be covered by a partial warranty.

Fleet Services and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidders, Freightliner of Arizona and Western States Fire Equipment, at \$75,000; Cummings Rocky Mountain, LLC (a Mesa business), at \$242,000; Arizona Refuse Sales, LLC, at \$20,000; W.W. Williams Southwest, Inc., at \$25,000; and RWC International, Ltd., at \$25,000; annually. The combined total contract award is \$387,000 annually, based on estimated requirements.

- *4-k. One-Year Renewal of the Term Contract for Centrifuge Parts and Service for the Water Resources Department (Sole Source). **(Citywide)**

This contract provides for the purchase of GEA Westfalia centrifuge parts, repair services and maintenance services from the sole source vendor/contractor. A total of nine centrifuges are used with four located at the Northwest Plant and five located at the Greenfield Plant. Centrifuges are large complex pieces of machinery that operate at high speeds and produce high gravitational forces. Because of the fine tolerance needed to keep the equipment working properly, it is critical that manufacturing specifications be maintained. This is best done by using factory authorized repair, service and parts. The parts and service to be performed would include centrifuge overhauls, bearing replacements, scroll retiling and parts replacement.

Purchasing recommends authorizing a one-year renewal with the sole source vendor/contractor, GEA Mechanical Equipment US, Inc., at \$400,000, based on estimated requirements.

- *4-l. Three-Year Term Contract for Generator Maintenance Services for the Water Resources, Facilities Maintenance and Communications Departments. **(Citywide)**

This contract will provide qualified contractors to perform periodic and routine backup generator preventative maintenance, inspections and repair services for 104 emergency generators at various Citywide facilities. The contracts are essential to minimize equipment failure at utilities facilities and provide regularly scheduled maintenance of emergency generators for Water Resources, to maintain critical City emergency generators that back up City systems for Facilities Maintenance and the annual maintenance and inspections of 11 generators used for emergency power at radio tower sites for Communications.

Water Resources, Facilities Maintenance, Communications and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidders, W.W. Williams, at \$290,000; and Valleywide Generator Service, at \$143,000; annually, based on estimated requirements. The combined contract award is \$433,000 annually.

- *4-m. Purchase of Network Computer Hardware for the New Cubs' Training Facility. **(Citywide)**

In November 2010, City of Mesa voters approved and authorized the City to expend funding to design and construct a City-owned baseball stadium, training and practice facility for the Chicago Cubs. This purchase will provide the necessary network computer hardware to allow City personnel the ability to access the City's network plus irrigation system, pump controls, splash-pad controls for City-maintained facilities and amenities.

Information Technology, Engineering and Purchasing recommend authorizing the purchase using the State of Arizona cooperative contract with Enterasys, at \$66,000, including applicable use taxes.

- *4-n. Three-year Licensing Agreement to provide a Residential Service Line Warranty Program. **(Citywide)**

Utility Service Partners (USP) provides residential customers with affordable warranty protection for both water and sewer line repairs. USP desires to enter into a license agreement with the City to market its program to Mesa residents. This program is offered at no cost to the City. The licensing agreement authorizes USP to use the City's logo on its spring and fall mail marketing campaigns to Mesa households. In exchange, the City receives a per-product-sold royalty and a licensing fee spread across the term. Mesa has chosen to establish this program as a non-exclusive licensing agreement, but it is based on the National League of Cities' Service Line Warranty Program administered by USP.

Water Resources, Public Information and Communications and Business Services recommend awarding a non-exclusive licensing agreement to Utility Service Partners Private Label, Inc., dba Service Line Warranties of America.

- *4-o. Authorize the Mayor to sign an Employment Contract with the City Auditor.

- *4-p. Authorize the Mayor to sign an Employment Contract with the City Attorney.

5. Take action on the following resolutions:

- *5-a. Approving and authorizing the City Manager to accept funding made available through a SubGrantee Agreement with the Arizona Department of Homeland Security. This Agreement provides \$26,050 to the Mesa Police Department to upgrade the radios in the Police Department aircraft. **(Citywide)** – Resolution No. 10317.
- *5-b. Approving and authorizing the City Manager to execute an Airport Improvement Program Grant Agreement with the Federal Aviation Administration in an amount not to exceed \$661,873 for the construction of a runway guard light system for Runways 4R-22L and 4L-22R at Falcon Field Airport. The total estimated cost of the project is \$726,854, with the FAA paying 91.06% (\$661,873). Funding for the remaining 8.94% (\$64,981) is the responsibility of the Airport (the Airport will seek to obtain a matching grant from the Arizona Department of Transportation in the amount of \$32,490.50; and if obtained, the Airport would only need to fund the remaining \$32,490.50). **(District 5)** – Resolution No. 10318.

6. Introduction of the following ordinance and setting September 9, 2013, as the date of the public hearing on this ordinance:

- *6-a. A12-06 **(District 1)** Annexing the 2600 block of East Lehi Road, located between McDowell and Thomas Roads. 10.94+ ac. Initiated by the property owners, City of Mesa.

7. Discuss, receive public comment, and take action on the following ordinance introduced at a prior Council meeting. Any citizen who wants to provide comment should submit a blue card to the City Clerk before the item is voted on. If a citizen wants to comment on an item listed with an asterisk (*), a blue card must be given to the City Clerk before Council votes on the Consent Agenda.

- *7-a. Amending Title 1, Chapter 12 of the Mesa City Code to repeal the Court User Fee and establish a Court Sustainability Fee to enhance and maintain the technological, operational and security capabilities of the Municipal Court – Ordinance No. 5172.

8. Take action on the following resolution and ordinance introduced at a prior Council meeting:

- *8-a. A resolution approving and authorizing the City Manager to execute a Development Agreement with Milling Machinery, Incorporated, for the development of 1014, 1015, 1029 and 1042 South Lewis and 1014 and 1022 South Serrine – Resolution No. 10319.
- *8-b. **Z13-31 (District 4)** Properties at 1014, 1015, 1029 and 1042 South Lewis and 1014 and 1022 South Serrine. Located on the south side of 10th Avenue, west of Serrine and east and west of Lewis (4.4± acres). Rezone from LI and GI to GI-PAD and Site Plan Review. This request will allow redevelopment and expansion of an existing industrial use. Milling Machinery, Inc., owner; Bret Harris, applicant – Ordinance No. 5173.

Staff Recommendation: Approval with Conditions

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

Items not on the Consent Agenda

9. Conduct public hearings and take action on the following resolutions relating to the following Minor General Plan Amendments GPMInor13-03 and GPMInor13-04 and zoning ordinances introduced at a prior Council meeting:

- 9-a. **GPMInor13-03 ((District 6)** The 10800 to 10900 blocks of East Broadway Road (south side) and the 400 to 500 blocks of South Signal Butte Road (13.03±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 du/acre (MDR 6-10) to Medium Density Residential 4-6 du/acre (MDR 4-6). This request will allow future residential development of a lower density on the site. Intravest Holdings LLC, owner; Ed Reichenberg/Project Design Consultants, applicant – Resolution No. 10320.

Staff Recommendation: Adoption

P&Z Recommendation: Adoption (Vote: 7-0)

Mayor Smith announced that this was the time and place to conduct a public hearing regarding Minor General Plan Amendment GPMInor13-03.

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

It was moved by Councilmember Somers, seconded by Councilmember Kavanaugh, that Resolution No. 10320 be approved.

Carried unanimously.

- 9-b. **Z13-29 (District 6)** The 10800 to 10900 blocks of East Broadway Road (south side) and the 400 to 500 blocks of South Signal Butte Road. Located south of Broadway and east of Signal Butte Road (13.03±acres). Rezone from LC-PAD and RS-6-PAD to RS-6-PAD and Site Plan Review. This request will allow development of a single-residence subdivision. Intravest Holdings LLC, owner; Ed Reichenberg/Project Design Consultants, applicant – Ordinance No. 5174.

Staff Recommendation: Approval with Conditions

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

It was moved by Councilmember Somers, seconded by Councilmember Kavanaugh, that Ordinance No. 5174 be approved.

Carried unanimously.

- 9-c. **GPMInor13-04 (District 3)** The 2200 to 2300 blocks of South Country Club Drive (west side). Located south of Baseline on the west side of Country Club Drive (24.35± acres). Minor General Plan Amendment to adjust the boundaries of the existing Mesa 2025 General Plan Land Use designation from Business Park (BP) to High Density Residential 15+ (HDR 15+). This request will allow multi-residence development on the site. Lowe's HIW, Inc., owner; Stephen Earl, Earl, Curley and Lagarde, applicant. – Resolution No. 10321.

Staff Recommendation: Adoption

P&Z recommendation: Adoption (Vote: 7-0)

Mayor Smith announced that this was the time and place to conduct a public hearing regarding Minor General Plan Amendment GPMInor13-04.

Bob Emmelkamp, a Mesa citizen, stated that for many years, the residents of the Rancho Del Mar and Hunter's Ridge subdivisions have struggled to find a compatible neighbor to develop the land adjacent to their homes. He expressed support for the proposed multi-residence development and noted that the developer, Mark Taylor, has worked to address many of the neighbors' concerns and even implemented certain changes with respect to the construction of the project.

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

It was moved by Councilmember Kavanaugh, seconded by Councilmember Glover, that Resolution No. 10321 be approved.

Carried unanimously.

- 9-d. **Z13-30 (District 3)** The 2200 to 2300 blocks of South Country Club Drive (west side). Located south of Baseline on the west side of Country Club Drive (24.35± acres). Rezone from LI-CUP to RM-3-PAD and Site Plan Review. This request will allow the development of a multi-residence project. Lowe's HIW, Inc., owner; Stephen Earl, Earl, Curley and Lagarde, applicant – Ordinance No. 5175.

Staff Recommendation: Approval with Conditions

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

It was moved by Councilmember Kavanaugh, seconded by Councilmember Somers, that Ordinance No. 5175 be approved.

Carried unanimously.

10. Items from citizens present.

There were no items from citizens present.

11. Adjournment.

Without objection, the meeting adjourned at 6:08 p.m.

SCOTT SMITH, 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 26th day of August, 2013. 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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