



# COUNCIL MINUTES

December 1, 2014

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

## COUNCIL PRESENT

John Giles  
Alex Finter  
Christopher Glover  
Dennis Kavanaugh  
David Luna  
Dave Richins  
Scott Somers

## COUNCIL ABSENT

None

## OFFICERS PRESENT

Christopher Brady  
Debbie Spinner  
Dee Ann Mickelsen

Mayor's Welcome.

Invocation by Pastor David Land with New Life Assembly of God.

Pledge of Allegiance was led by Councilmember Somers.

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.

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

Carried unanimously.

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

Minutes from the November 13 and 17, 2014 Council meetings.

3. Take action on the following liquor license applications:

\*3-a. Venture Out Social Club, Inc.

This is a one-day fraternal event to be held on Monday, January 26, 2015 from 6:00 p.m. to 10:00 p.m., at 5001 East Main Street. **(District 2)**

\*3-b. Venture Out Social Club, Inc.

This is a one-day fraternal event to be held on Monday, February 9, 2015 from 6:00 p.m. to 10:00 p.m., at 5001 East Main Street. **(District 2)**

\*3-c. Quick Cash Market

A convenience store is requesting a new Series 10 Beer and Wine Store License for FMV LLC, 1107 North Mesa Drive – Fred Vakilzadeh, agent. The existing license held by Dekho & Najim LLC will revert back to the State. **(District 1)**

4. Take action on the following contracts:

\*4-a. Annual Replacement Program of Computers, Ruggedized Laptops and Field-Based Tablets for Various City Departments. **(Citywide)**

The Cycle Replacement Program supports the replacement of approximately 835 devices across City resources, including the Engineering, Police, Fire, Transportation and other departments. For some applications, ruggedized models are necessary since the devices are placed in vehicles and/or used outdoors and must withstand extreme temperatures and rough conditions. Semi-rugged devices provide rugged support at a lower cost and tablets provide a cost-effective option for some field-based staff. Both alternatives are included in the replacement program.

Information Technology and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder CLH, at \$398,970.70; Insight Public Sector, at \$75,539.25; and authorizing purchases using the State of Arizona cooperative contract with Dell, Inc., at \$629,247.97; and Apple Store for Government, at \$3,180.00, for the combined total award of \$1,106,937.92.

\*4-b. Dollar-Limit Increase to the Term Contract for Landscape Maintenance Services for Zone 2 **(Districts 2 and 5)** – Parks, Retention Basins and Sports Fields for the Parks, Recreation and Commercial Facilities Department (PCRF).

This contract encompasses Landscape Maintenance Services for PRCF for Zones 1, 2 and 4. This increase is necessary to add landscaping maintenance services for the Desert Trails Park (\$14,520). When factoring in previous management-approved increases for Zone 4 (\$14,584 for the new Sagebrush Park and a walkway at the Dobson PD), this increase now requires Council approval.

Parks, Recreation and Commercial Facilities and Purchasing recommend authorizing a dollar-limit increase of \$14,520.00 with Mariposa Landscape Arizona, Inc. This will increase the Zone 2 amount from \$751,713.43 to \$766,233.43 annually and the overall contract value to \$2,414,019.77 annually, based on estimated requirements.

- \*4-c. One-Year Renewal of the Term Contract for Fiberglass Waterslide Repair for the Parks, Recreation and Commercial Facilities Department. **(Citywide)**

This contract provides for the inspection, repair, waxing, and buffing of the City's nine fiberglass waterslides at various locations. Each year, preventive maintenance and repairs are conducted on every waterslide at the City's aquatics facilities to ensure the slide's fiberglass is safe for riders.

Parks, Recreation and Commercial Facilities and Purchasing recommend authorizing a one-year renewal with 8 Blocks Maintenance Co., LLC, at \$45,000.00, based on estimated requirements.

- \*4-d. Three-Year Term Contract for Medical Billing Services for the Fire and Medical Department. **(Citywide)**

As part of the Mesa Fire and Medical Department's Community Care Initiative, this contract with Advanced Data Processing, Inc. will develop and implement a billing system to collect and track data, process timely invoices for payment of medical claims, generate reports for the MFMD describing the outcomes of the demonstration model and collect service cost data that can be compared to current industry care delivery models to demonstrate overall cost savings and the feasibility of implementing the model in a real-time environment. The data collection requirements are mandated by the CMS grant award.

An evaluation committee representing Fire and Medical and Purchasing evaluated responses and recommends awarding the contract to the highest scored and lowest proposal from Advanced Data Processing, Inc. (a subsidiary of Intermedix Corp.), at \$60,000.00 annually, based on estimated requirements. This annual contract is funded by the Center for Medicare and Medicaid Services – CMS Grant.

- \*4-e. Purchase of Replacement Camera Equipment for the Police Department. **(Citywide)**

This purchase will provide camera equipment for Forensic Services, Crime Scene Unit. The existing equipment was purchased in 2008 and the life expectancy of the equipment is approximately five years and is beginning to experience problems and needs to be replaced. The new camera equipment includes 20 Canon 70D cameras, lenses, general and macro flash units, and extended warranties; filters; memory cards; lithium-ion batteries; memory card wallets; and shoulder bags.

The Police Department and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidders: F & E Trading, LLC, at \$39,409.92; Adorama, at \$19,710.85; B & H Photo & Electronics Corp., at \$1,387.58; and Business Services (a Mesa business), at \$1,101.74; for the combined total amount of \$61,610.09. This purchase is funded by the Police Department operating budget.

- \*4-f. Dollar-Limit Increase to the Term Contract for Ammunition for the Police Department. **(Citywide)**

Ammunition was not purchased in fiscal year 2012/13 due to budget constraints and these additional purchases are necessary to reestablish ammunition levels to continue normal Range operations and provide quarterly training. Also, training new Police Officer recruits and Police Officer lateral hires has increased due to staffing turnover. In addition

to this first contract year, the Department is requesting an increase for Years 2 and 3, due to the ammunition's long delivery times, which can be up to a year.

The Police Department and Purchasing recommend authorizing a dollar-limit increase of \$90,000.00 with San Diego Police Equipment Co., Inc., Miwall Corporation and Professional Police Supply, dba Adamson Police Products, based on estimated requirements. This will increase the annual contract amount from \$355,086.64 to \$445,086.64 annually. The \$90,000.00 increase is funded by Asset Forfeiture (RICO) funding for Year 2, and the Police Department operating budget for Year 3.

- \*4-g. Three-Year Term Contract for Helicopter Engine Parts and Repairs for the Police Department. **(Citywide)**

This contract will furnish parts and provide aviation turbine engine overhauls, repairs, modifications, tooling, rental, technical assistance and labor for complete engines, engine modules, engine components, and engine accessories for the Police Department Aviation Unit's three MD helicopters.

Police and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder, Aeromaritime (a Mesa business) at \$500,000.00 annually, based on estimated requirements.

- \*4-h. Dollar-Limit Increase to the Term Contract for Fire Hose as requested by the Transportation Department. **(Citywide)**

Transportation is requesting the increase to purchase its storm pump hoses from this contract through the remainder of the contract term. Using the existing contract will allow City departments to standardize the type of hoses and fittings used and will allow departments to work together in the event of another severe monsoon storm in Mesa.

Transportation and Purchasing recommend authorizing a dollar-limit increase of \$70,000.00 with L.N. Curtis & Sons; and Municipal Emergency Services, Inc.; increasing the dollar limit for the current contract period from \$71,000.00 to \$141,000.00.

- \*4-i. Three-Year Term Contract for Landscape Maintenance Services for Parkway Medians and Right-of-Way, Section I **(Districts 1, 2, 3 and 4)** for the Transportation Department.

This contract provides landscape maintenance services including irrigation, sprinkler system maintenance, trimming, mowing, weed control and fertilization. The awarded contractor will furnish all necessary labor, tools, equipment, and supplies to perform the required landscape maintenance services.

Transportation and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder, Environmental Earthscapes, dba The Groundskeeper, at \$206,114.21 annually.

- \*4-j. Six-Month Extension and Dollar-Limit Increase to the Term Contract for Fire System Water Meters for the Water Resources Department. **(Citywide)**

Water Resources has requested the contract extension and increase to facilitate the rebidding of the contract. The Department is completing research and testing two new types of maintenance-free, fire-rated meters prior to re-bidding the contract. These new

meters could potentially provide a substantial cost savings in annual maintenance costs to the City.

Water Resources and Purchasing recommend authorizing a six-month extension and a dollar-limit increase of \$100,000.00 with Badger Meter, Inc., increasing the contract amount from \$165,241.04 to \$265,241.04, through May 31, 2015.

- \*4-k. Dollar-Limit Increase to the Term Contract for Bio-Solids Removal and Reuse Disposal Services for the Water Resources Department. **(Citywide)**

This contract provides for all materials, equipment and labor to load, transport and reuse/dispose of dewatered bio-solids from Mesa's Northwest and Greenfield Water Reclamation Plants (GWRP). During the past eleven months, GWRP has experienced a 9% (or 383 million gallon) increase in influent flow and the Southeast Water Reclamation Plant has experienced a 10% increase in the amount of mixed sludge that is sent to the GWRP.

Water Resources and Purchasing recommend authorizing a dollar-limit increase of \$85,000.00, increasing the annual contract amount from \$300,000.00 to \$385,000.00 for this third year of the contract term.

- \*4-l. One-year Renewal of the Term Contract for Uninterruptable Power Supplies Products, Maintenance and Repair Services for the Water Resources Department. **(Citywide)**

This contract provides Uninterruptable Power Supplies (UPS), including maintenance and repair services, to existing UPS equipment. The contracted vendor supplies all labor, materials, transportation and equipment. The existing UPS units are located at the Utilities Building, Southeast Water Reclamation Plant, Brown Road Water Treatment Plant, Signal Butte Treatment Plant and Greenfield Water Reclamation Plant.

Water Resources and Purchasing recommend authorizing a one-year renewal with Titan Power, Inc., at \$45,000 annually, based on estimated requirements.

- \*4-m. Dollar-Limit Increase to the Term Contract for Bulk Methanol for Wastewater Treatment for the Water Resources Department. **(Citywide)**

The Northwest Water Treatment Plant uses bulk methanol as a carbon source to assist the biological nutrient removal (BNR) process in removing nitrogen from the water produced. Nitrogen levels in the effluent discharged have strict limits enforced by the Arizona Department of Environmental Quality. In 2014 during an improvement project, a known air leak in the BNR process was corrected. In doing this, the BNR requires an extra carbon feed to maintain the permit. Water Resources anticipates bulk methanol usage will continually increase each year through the contract term.

Water Resources and Purchasing recommend authorizing a dollar-limit increase of \$50,000.00, increasing the annual contract amount from \$185,000.00 to \$235,000.00 through the three-year contract term.

- \*4-n. Purchase of Two Replacement Magnetic Drive Centrifugal Pumps for the Southeast Water Reclamation Plant for the Water Resources Department (Sole Source). **(Council District 6)**

These pumps will replace two existing pumps that have reached the end of life at the Southeast Water Reclamation Plant (SEWRP), West Tower. The pumps are used to recirculate process water in the plant's primary odor control scrubbers and are important in meeting the compliance standards of the SEWRP Air Quality permit. The original chemical recirculation pumps for the SEWRP were installed with the Odor Reduction Tower in 2001.

Water Resources and Purchasing recommend awarding the contract to sole source vendor, JCH/James, Cooke & Hobson, Inc., at \$28,488.00. This purchase is funded by the Utility Replacement Extension and Renewal Fund.

\*4-o. Mesa Counts on College Access Center Rehabilitation. **(District 4)**

This project will renovate approximately 5,000 square feet of leased space on the second floor of the A New Leaf/MesaCAN facility located at 635 East Broadway Road to create and establish an educational access center that will provide supportive programs and services focused on college access and completion.

Recommend award to the lowest bidder, Blackhawk Construction LLC, in the amount of \$557,675.00, plus an additional \$55,767.50 (10% allowance for change orders), for a total award of \$613,442.50. This project is funded by Community Development Block Grant funds.

\*4-p. Southern Avenue Improvements, Tempe Canal to Sycamore. **(District 3)**

This is the second project from the City's Fiesta District Implementation Plan along Southern Avenue, which "seeks to create a uniquely identifiable area for Mesa that is economically vibrant, pedestrian friendly and an active urban destination." This project will include a variety of improvements from the Tempe Canal to Sycamore to support this concept.

Recommend award to Haydon Building Corp. as the CMAR for this project and execute a Pre-Construction Phase Services contract in the amount of \$253,249.00. Funding is available from the 2013 authorized Street Bond Program.

5. Take action on the following resolution:

- \*5-a. Canvassing, declaring and adopting the results of the General Election consolidated with the Statewide General Election held on November 4, 2014 – Resolution No. 10565.

6. Introduction of the following ordinances and setting December 8, 2014 as the date of the public hearing on these ordinances:

- \*6-a. **Z14-49 (District 4)** 155 South Hibbert. Located south of Main Street and west of Mesa Drive (1.7± acres). Rezone from DR-2 and DR-3 to T4-Neighborhood Flex (Form-Based Code). This request will allow for live/work development.

Staff Recommendation: Approval with Conditions

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

- \*6-b. Amending the Mesa City Code Title 6, Chapter 21, Sections 2 and 3 titled “Fireworks Prohibited; Exceptions” and “Sale of Fireworks” to align with the new state law time periods during which the sale of permissible consumer fireworks is allowed. **(Citywide)**

7. Take action on the following resolution and introduction of the following ordinance repealing and replacing Mesa City Code Title 5, Chapter 10, Article III through the adoption of the language in that certain public document titled “Licensing Record Keeping,” and repealing certain Mesa City Code Regulations for Privilege and Excise Taxes, and setting December 8, 2014 as the date of the public hearing on this ordinance:

- \*7-a. Resolution declaring that certain document titled “Licensing and Record Keeping” filed with the City Clerk to be a public record and providing availability of the document for public use and inspection. **(Citywide)** – Resolution No. 10566.
- \*7-b. Ordinance repealing and replacing Mesa City Code Title 5, Chapter 10, Article III to update Mesa City Code Title 5, Chapter 10, Article III through adoption of the language in that certain public document titled “Licensing and Record Keeping:” repealing Mesa City Code Regulations for Privilege and Excise Taxes 5-10-300.1, 5-10-300.2, 5-10-310.1, 5-10-310.2, 5-10-310.3, 5-10-350.1, 5-10-350.2, 5-10-350.3, 5-10-360.1, and 5-10-360.2. **(Citywide)**

This ordinance is to adopt the changes made to the Model City Tax Code by the Municipal Tax Code Commission for the purpose of uniform tax licensing by all Arizona municipalities effective January 1, 2015. These changes are part of the state’s Tax Simplification Initiative.

8. Take action on the following resolution and introduction of the following ordinance modifying terms, rates, fees and charges for electric utility services, and setting December 8, 2014 as the date of public hearing on this ordinance:

- \*8-a. Resolution declaring as a public record a modification of terms, rates, fees and charges for electric utility service, Schedule and Title E3.6 Non-residential – Customer Retention/Economic Development, and providing the record shall be filed with the City Clerk and available for public use and inspection. **(Districts 1, 3 and 4) – REMOVED.**
- \*8-b. Ordinance adopting modified terms, rates, fees and charges for electric utility services, Schedule E3.6 Non-residential – Customer Retention/Economic Development, which adjusts the minimum monthly electric energy consumption levels required for eligibility and extends the term of eligibility. **(Districts 1, 3 and 4) – REMOVED.**

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

- \*9-a. **Z14-47 (District 2)** 6335 East Main Street. Located east of Recker Road on the south side of Main Street (7± acres). Council Use Permit request for the conversion of an existing shopping center to accommodate a private school. Richard Buckingham, Faith Christian Church, applicant/owner. **Continued to the December 8, 2014 City Council meeting.**

Staff Recommendation: Approval with Conditions

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

- \*9-b. Amending the Mesa City Code Title 10 (Traffic), by adding Subsection 10-3-18 (Q) (Maximum Allowable Vehicle Weight on Certain Streets); amending Section 10-4-9 (Emergency or Construction Speed Limits); and amending Section 10-4-11 (Speeds of 35 Miles Per Hour Permitted on Certain Streets During Certain Hours). These modifications authorize the City Traffic Engineer to establish emergency, construction or contingent speed limits and to establish reduced speed limits adjacent to schools. The modifications also explicitly provide for establishing maximum allowable vehicle weights on certain streets. **(Citywide)** – Ordinance No. 5258.

10. Take action on the following subdivision plat:

- \*10-a. “Morada” **(District 5)** The 2000 block of North Sossaman Road (east side) and the 7600 block of East McKellips Road (north side). Located at the northeast corner of Sossaman Road and McKellips Road. 20 RS-15 PAD lots (8.4± acres). Foresight Group, LLC, and Arizona Limited Liability Company, owner; Mary Kennedy, EPS Group, Inc., surveyor.
- \*10-b. “Higley Heights Phase 3C” **(District 5)** The 1200 to 1300 blocks of North Higley Road (west side) 66 RSL-2.5 PAD lots (8.4± acres). KB Home Phoenix, Inc., owner; Gail A. Morgan, EPS Group, Inc., surveyor.

**Items not on the Consent Agenda**

11. Items from citizens present.

Ivy Coppo, a Mesa resident, addressed the Council relative to the Ghost rider Subdivision. She stated that based on state law and City code, annexations require development agreements and plats, which provide for infrastructure (water, sewer, streets). She explained that this subdivision was annexed, but since it does not have a development agreement or plats, infrastructure was never built and further development cannot proceed. She added that she looks forward to working with Council and staff on the resolution of these issues.

Jerry Barron, a Mesa resident, spoke regarding the Ghost rider Subdivision. He stated that he was one of the original property owners in the Ghost rider Subdivision and purchased his land in 2005. He added that there has been no development or growth since its annexation in 2007. He further stated that he is looking forward to a meeting with the Mayor in the hopes of resolving the issues related to the annexation and development of this subdivision.

12. Adjournment.

Without objection, the Regular Council Meeting adjourned at 6:00 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 1<sup>st</sup> day of December 2014. 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