



COUNCIL MINUTES

February 23, 2015

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on February 23, 2015 at 5:45 p.m.

COUNCIL PRESENT

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

COUNCIL ABSENT

None

OFFICERS PRESENT

Christopher Brady
Debbie Spinner
Dee Ann Mickelsen

Mayor's Welcome.

Invocation by Pastor Lois Hildenbrand with First Presbyterian Church of Mesa.

Pledge of Allegiance was led by Councilmember Glover.

Awards, Recognitions and Announcements.

Interim Police Chief John Meza addressed the Council and spoke regarding the ever-increasing number of alcohol-related fatalities in this country. He noted that last year, two Valley police officers, including one from Mesa, lost their lives due to impaired drivers. He also remarked that the duty to enforce traffic safety in this community is a foundational aspect of the Mesa Police Department (MPD).

Chief Meza, in addition, reported that in 2014, the East Valley DUI Task Force, which is comprised of nine Valley law enforcement agencies, made 1,368 DUI arrests. He pointed out that the MPD was responsible for 288 of those arrests and led all of the agencies with 2,187 traffic stops. He added that although the MPD is committed to keeping Mesa's streets safe, it takes significant resources in order to do so.

Chief Meza further commented that today he was pleased to recognize Alberto Gutier, Director of the Arizona Governor's Office of Highway Safety, who has been instrumental in allocating valuable resources to the MPD and the community.

Chief Meza presented an award to Mr. Gutier as a token of the City of Mesa and the MPD's sincere gratitude for his efforts and hard work in helping to keep Mesa safe.

Mr. Gutier thanked the Mayor, the City Council and the MPD for their support.

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 Luna, that the consent agenda items be approved.

Carried unanimously.

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

Minutes from the February 5 and 9, 2015 Council meetings.

3. Take action on the following liquor license applications:

*3-a. The Village of Elgin Winery

This is a one-day wine festival event to be held on Saturday, March 7, 2015 from 9:00 a.m. to 5:00 p.m., at 4601 East Dolphin Avenue. **(District 2)**

*3-b. Fountain of the Sun Community Association

This is a one-day civic event to be held on Saturday, March 7, 2015 from 4:00 p.m. to 11:00 p.m., at 560 South 80th Street. **(District 5)**

*3-c. St. Bridget Catholic Church

This is a one-day religious event to be held on Saturday, March 7, 2015 from 6:00 p.m. to 9:00 p.m., at 2213 North Lindsay Road. **(District 1)**

*3-d. Soccer Village Foundation

This is a two-day charitable event to be held on Saturday, March 14, 2015 from 7:00 a.m. to 7:00 p.m. and Sunday, March 15, 2015 from 7:00 a.m. to 6:00 p.m., at 11349 South Ellsworth Road. **(District 6)**

*3-e. Ultimate Imaginations

This is a one-day charitable event to be held on Saturday, March 7, 2015 from 2:00 p.m. to 7:00 p.m. on Macdonald from Main Street to 1st Avenue. **(District 4)**

*3-f. Superstition Springs Golf Club

A bar is requesting a new Series 6 Bar License for Eagle AZ Beverage, LLC, 6542 East Baseline Road – Andrea Dahlman Lewkowitz, agent. The existing license at this location is held by Fore Golf Management, LLC. This is a person-to-person transfer. **(District 6)**

*3-g. Mango Mini Mart

A convenience store is requesting a new Series 10 Beer and Wine Store License for Canus Investments, LLC, 760 South Alma School Road – Lauren Kay Merrett, agent. The existing license held by C Store, LLC will revert back to the State. **(District 4)**

4. Take action on the following contracts:

*4-a. Three-Year Term Contract for Software and Services for Microsoft Email, Office 365 Cloud, Identify Management and SharePoint Solutions. **(Citywide)**

This contract will provide for the planned upgrade of the City's Microsoft productivity platform for Office Suite of Word, Excel, PowerPoint, Outlook and Access and SharePoint through Microsoft 365 services. Mesa will use the new subscription model, which places these software products in the Cloud where users can access applications from multiple devices including City desktop, tablet, smartphone, home PC or while traveling.

Information Technology and Purchasing recommend authorizing a three-year term contract using the State of Arizona cooperative contract with SHI International, Inc., at \$363,453.52 for the first year and \$757,352.42 annually for years two and three, based on estimated requirements.

*4-b. Purchase of New Furniture for Mesa Counts on College Access Center. **(Citywide)**

Mesa Counts on College will open a full-service college access center in June of 2015. The center is a free one-stop shop for any and all post-secondary services, such as college application support, college selection and scholarship search.

Mesa Counts on College and Purchasing recommend authorizing the purchase using the State of Arizona cooperative contract with Interior Solutions, at \$69,311.34. This purchase is funded by a grant from the Salt River Pima-Maricopa Indian Community.

*4-c. Three-Year Term Contract for Urban Lake Maintenance for the Parks, Recreation and Commercial Facilities Department (PRCF). **(Citywide)**

PRCF currently maintains and operates two urban fishery lakes and four community lakes. This contract will provide urban lake maintenance for Riverview Park Lake, Red Mountain Lake, Dobson Ranch Lake, Carriage Lane Lake, Greenfield Park Lake and Eastmark Park Lake. The Contractor will be responsible for lake maintenance, water testing and analysis, mechanical equipment maintenance, fish management and chemical treatment of these lakes.

The evaluation committee recommends awarding the contract to the highest scored and lowest proposal from Aquatic Consulting and Testing, Inc., at \$30,528.00 annually, based on estimated requirements.

*4-d. Three-Year Term Contract for Overhead Door Maintenance and Repair Services for Citywide Facilities as requested by the Facilities Maintenance Department. **(Citywide)**

This contract will provide on-call routine maintenance, as well as annual and biannual preventative maintenance service for overhead doors Citywide.

The evaluation committee recommends awarding the contract to the highest scored proposal from Vortex Industries, Inc., at \$35,000 annually, based on estimated requirements.

- *4-e. Three-Year Term Contract for Maintenance Services for Automated Driveway Gate Operators for the Facilities Maintenance Department. **(Citywide)**

This contract will provide on-call routine maintenance, as well as quarterly preventative maintenance and repairs for the City's automated driveway entrance/exit gate operators and annual maintenance on motorized pedestrian (ADA accessible) doors.

The evaluation committee recommends awarding the contract to the highest scored proposal from Vortex Industries, Inc., at \$35,000 annually, based on estimated requirements.

- *4-f. Three-Year Term Contract for Landscape Maintenance Services for City Facilities for the Facilities Maintenance Department. **(Citywide)**

This contract will provide landscape maintenance services for City facilities, including cleaning, irrigation, sprinkler system maintenance, trimming, mowing, weed control and fertilization.

The evaluation committee recommends awarding the contract to the highest scored proposal from Environmental Earthscapes, dba The Groundskeeper, at \$623,900.00 annually, based on estimated requirements.

- *4-g. Three-Year Term Contract for Custodial Services for City Buildings as requested by the Facilities Maintenance Department. **(Citywide)**

This contract will provide custodial services for City buildings, providing personnel, insurance, transportation, supplies and tools of the trade to perform services per the schedules and frequencies specified.

The evaluation committee recommends awarding the contract to the highest scored proposal from Varsity Contractors, dba Varsity Facility Services, at \$1,844,100.00 annually, based on estimated requirements.

- *4-h. Dollar-Limit Increase to the Term Contract for Helicopter Airframe Parts and Repairs as requested by the Police Department, Aviation Unit. **(Citywide)**

Due to unforeseen maintenance needs at the beginning of the fiscal year, additional funds are required to cover the projected needs through April 2015 and potentially beyond while a new solicitation is completed.

Police and Purchasing recommend authorizing a one-time dollar-limit increase of \$137,000.00 with Seaside Helicopters, from \$313,000.00 to \$450,000.00 through the contract expiration.

- *4-i. One-Year Renewal of the Term Contract for Itinerant Aircraft Tie-Down Management Services for the Falcon Field Airport. **(Citywide)**

This contract provides a qualified business to manage and provide services to customers using the itinerant aircraft tie-downs and terminal parking apron at Falcon Field Airport. The airport terminal ramp is comprised of approximately 300,000 square feet of ramp space, 30 open tie-down spaces and two helipads. The vendor collects revenue from the operation and management of the itinerant aircraft tie-downs/terminal parking apron and remits \$300 per month to the City.

Falcon Field Airport and Purchasing recommend authorizing a one-year renewal with Falcon Executive Aviation, Inc.

- *4-j. Emergency rental of a Mobile Chiller Unit at the Communications Building for the Facilities Maintenance Department. **(Citywide)**

Facilities Maintenance previously determined that the building chiller system for the Communications Building (Public Safety 911 Dispatch) was failing. One cooling tower was replaced as an emergency purchase (authorized by ratification of the Council in April 2014) to temporarily maintain the existing system while a new replacement air cooled chiller system is engineered, acquired and installed. However, an additional rental mobile chiller unit is necessary to provide redundancy for the critical 911 Dispatch systems until the replacement system is completed, now estimated for June 2015.

Facilities Maintenance and Purchasing recommend emergency rental of a mobile chiller unit from Aggreko, LLC through June 2015 for a total of \$47,477.62.

- *4-k. Purchase of Four Replacement Influent Pump Discharge Valve Actuators at the Greenfield Water Reclamation Plant for the Water Resources Department (Sole Source). **(Citywide)**

This contract will provide replacement influent pump discharge valve actuators at the Greenfield Water Reclamation Plant. The actuators being replaced are obsolete and spare parts are not available.

Water Resources and Purchasing recommend authorizing the purchase from MISCO Water, at \$36,194.00. This purchase is funded by the Greenfield CIP for Equipment Replacement.

- *4-l. Three-Year Term Contracts for Portable Two-Way Radio Batteries for Citywide Departments as Requested by the Communications Department. **(Citywide)**

The rechargeable batteries being purchased under these contracts provide power to the handheld two-way radios used by the Police and the Fire and Medical Departments. One type of battery is certified for use in hazardous environments (Intrinsically Safe) and the other is not (Non-Intrinsically Safe). These batteries have a useful life of one to two years in normal daily use.

Communications and Purchasing recommend awarding the contracts to the lowest, responsive and responsible bidder for both solicitations, Global Technology Systems, Inc., Year 1, at \$59,600.00; Year 2, at \$55,300.00; and Year 3, at \$50,900.00, based on total estimated requirements.

*4-m. Upper Zone Reliability Improvements – Phase II, Request for Additional Funds. **(District 5)**

On March 3, 2014, the Council awarded a contract for Upper Zone Reliability Improvements, Phase II, which included improvements at four separate pump station sites. Much of the equipment could not be inspected thoroughly until the pump station was under construction. There were unforeseen conditions that were associated with bringing existing electrical equipment up to code, recoating corroded equipment, adding safety features to chlorine equipment, and addressing unforeseen utility conflicts. This request is to increase the construction contract amount to cover the cost of conditions unforeseen during the design.

The funding request for this additional work includes the cost of the work, for a total of \$103,416.92. Funding for this work will come from 2010 authorized Water Bond Funds.

5. Take action on the following resolutions:

*5-a. Approving and authorizing the City Manager to enter into the Airport Development Reimbursable Grant Agreement with the State of Arizona for the design of high speed exits for Runway 4L/22R at Falcon Field Airport. The total estimated project cost is \$175,000, with 90% (\$157,500) funded by the Arizona Department of Transportation (ADOT) and the remaining 10% (\$17,500) match funded by the Falcon Field Airport Enterprise Fund **(District 5)** – Resolution No. 10578.

*5-b. Approving and authorizing the City Manager to enter into the Third Amendment to the Gilbert Road Light Rail Transit Extension Agreement in the amount of \$606,045 to continue project design and real estate acquisition activities and initiate the procurement of services for final design, construction, and public art for the 1.9 mile light rail extension. Funding is 94.3% (\$571,500) from the Federal Congestion Mitigation Air Quality Fund from the Maricopa Association of Governments, and 5.7% (\$34,545) matching City funds **(District 4)** – Resolution No. 10579.

*5-c. Approving and authorizing the City Manager to approve the First Amendment to an existing Public Way Use Agreement with Valley Metro Rail, Inc. for the Gilbert Road Light Rail Transit (LRT) Extension Project. Valley Metro Rail, Inc. will continue to be responsible for all costs associated with the operation and maintenance of the LRT System and all costs resulting from any accident or damage that may occur in the operation within the City Property **(District 4)** – Resolution No. 10580

*5-d. Approving and authorizing the City Manager to enter into a Design and Construction Agreement with Valley Metro Rail, Inc. (Metro) for the Gilbert Road Light Rail Transit Extension Project. By entering into this Agreement, the City is identifying and agreeing to the roles, responsibilities, and expectations for the design and construction of the light rail extension. Additionally, the City is agreeing to provide the local match (5.7%) for additional federal grant advances and/or Metro Reallocated Funds if the City is able to obtain such funding (the federal grant advances and/or Metro Reallocated Funds may be up to \$35,000,000; and, therefore, the local match on these funds may be up to \$1,995,000). The remainder of the project will be funded with Transportation Project Advancement Notes (TPANs). The City is responsible for the local match (5.7%) for the federal grant advances, Metro Reallocated Funds, and the TPAN's on the Project **(District 4)** – Resolution No. 10581.

6. Take action on the following resolution and introduction of the following ordinance modifying electric terms, rates, fees and charges for City-owned utility services, and setting March 2, 2015 as the date of the public hearing on this ordinance:

- *6-a. Resolution declaring modified electric terms, rates, fees and charges for City-owned utility services filed with the City Clerk to be a public record and providing availability of the documents for public use and inspection (**Districts 1 and 4**) – Resolution No. 10582.
- *6-b. Ordinance adopting modified electric terms, rates, fees and charges for City-owned utility services, Schedule E3.6 Non-residential – Customer Retention/Economic Development, which expands eligibility, adjusts the minimum monthly electric energy consumption levels required for eligibility and extends the term of eligibility. (**Districts 1 and 4**)

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

- *7-a. **Z15-004 (District 5)** 4558 East Virginia Street. Located east of Greenfield Road and north of McDowell Road (20.2± acres). Rezone from GI-PAD to HI with a Council Use Permit and Site Plan Review. This request will allow for the expansion of an existing industrial development. Reese Anderson, Pew and Lake, applicant; RD Greenfield, LLC, owner – Ordinance No. 5275.

Staff Recommendation: Approval with Conditions

P&Z Board Recommendation: Approval with Conditions (Vote: 6-0, Boardmember Allen, absent.)

- *7-b. **Z15-001 (District 3)** 1600 West Main Street. Located east of Dobson Road on the north side of Main Street (1.14± acres). Rezone from GC to T5 Main Street Flex (T5MSF). This request will establish form-based zoning on the property. William Schneider, Turnstone Development Corporation of Arizona, applicant; Amelia/Tenth, LLC: Auret 1, LLC; PHD Equities, LLC, owners – Ordinance No. 5276.

Staff Recommendation: Approval with Conditions

P&Z Board Recommendation: Approval with Conditions (Vote: 6-0, Boardmember Allen, absent.)

- *7-c. **Z15-002 (District 3)** The 500 through 800 blocks of East Auto Center Drive (north side). Located east of Mesa Drive on the south side of the Superstition Freeway (21.5± acres). Rezone from LI-PAD to LI-PAD and Site Plan Review to allow for the modification of the PAD for the development of an industrial park. Mike Withey, Withey Morris, applicant; Puppyfeathers Limited Partnership, owner – Ordinance No. 5277.

Staff Recommendation: Approval with Conditions

P&Z Board Recommendation: Approval with Conditions (Vote: 6-0, Boardmember Allen, absent.)

Items not on the Consent Agenda

8. Items from citizens present.

Lynn Gorton, a Mesa resident, stated that he was a volunteer with the American Cancer Society and currently serves as the event lead for the upcoming Relay for Life of Greater Mesa. He noted that the agency was in the process of expanding the event and introduced Kelly Williams, a cancer survivor, to tell the Council more about the Relay for Life.

Ms. Williams reported that during her cancer treatment, she was invited to participate in the Relay for Life event last April. She noted that her participation in the relay made her journey through cancer a much more positive experience. She said that the event celebrates the lives of people battling cancer and remembers those who were lost to the disease. She added that people assemble teams in order to raise funds, all of which is donated to the American Cancer Society in an effort to find a cure for cancer.

Ms. Williams further remarked that this year's event will be held on Saturday, April 11, 2015 at Skyline High School. She said that it is an overnight event, with the teams camped out on the athletic field and the individual members walking around the track. She pointed out that at the beginning of the event, the cancer survivors participate in the Survivor Lap which, in her opinion, was a very empowering experience.

Ms. Williams invited the Mayor and the Council to attend the Relay for Life and encouraged everyone in the community to participate as well. She stressed the importance of continuing to raise money so that a cure can be found for this deadly disease.

Councilmember Richins stated that he lost his mother to cancer 19 years ago and thanked Ms. Williams and Mr. Gorton for their efforts and hard work in this regard.

Councilmember Kavanaugh noted that he has been fortunate to participate in the Survivor Lap for a number of years and concurred with Ms. Williams' comment that it was a very uplifting experience. He added that he looked forward to completing the Survivor Lap with Ms. Williams in April.

Councilmember Luna thanked Ms. Williams and Mr. Gorton for coming tonight and said that he also participated in the Relay for Life.

9. Adjournment.

Without objection, the Regular Council Meeting adjourned at 6:06 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 23rd day of February 2015. 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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