



COUNCIL MINUTES

February 24, 2014

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on February 24, 2014 at 5:45 p.m.

COUNCIL PRESENT

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

COUNCIL ABSENT

None

OFFICERS PRESENT

Christopher Brady
Debbie Spinner
Dee Ann Mickelsen

Invocation by Pastor Mark Rice, Mesa Baptist Church.

Pledge of Allegiance was led by Vice Mayor Finter.

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.

Mayor Smith stated that a citizen requested that item 6-b be removed from the consent agenda.

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

Carried unanimously.

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

Minutes from the January 27 and February 10, 2014 Council meetings.

3. Take action on the following liquor license applications:

*3-a. Arizona Museum of Natural History Foundation

This is a one-day charitable event to be held on Friday, March 14, 2014, from 5:00 p.m. to 11:00 p.m., at 53 North Macdonald. **(District 4)**

*3-b. Leukemia Ironman Fundraiser for Eric

This is a one-day charitable event to be held on Saturday, April 5, 2014, from 9:00 a.m. to 2:00 p.m., at 7745 East Brown Road. **(District 5)**

*3-c. Mesa Chamber of Commerce

This is a three-day civic event to be held on Friday, March 14, 2014, from 3:00 p.m. to 10:00 p.m., Saturday, March 15, 2014, from 12:00 p.m. to 10:00 p.m., and Sunday, March 16, 2014, from 10:00 a.m. to 5:00 p.m., at 1061 North Dobson Road. **(District 1)**

*3-d. Mesa Family YMCA – Valley of the Sun YMCA

This is a two-day charitable event to be held on Friday, March 28, 2014, from 12:00 p.m. to 10:30 p.m., and Saturday, March 29, 2014, from 12:00 p.m. to 6:00 p.m., at 922 South Country Club Drive. **(District 4)**

*3-e. Ultimate Imaginations

This is a one-day charitable event to be held on Friday, April 4, 2014, from 10:00 a.m. to 11:00 p.m., on Main Street from Robson to Center. **(District 4)**

*3-f. Su Vino Winery

This is a one-day wine festival event to be held on Saturday, March 1, 2014, from 9:00 a.m. to 3:00 p.m., at Sunland Village, 4601 East Dolphin Avenue. **(District 2)**

*3-g. Tombstone Wine Works

This is a one-day wine festival event to be held on Saturday, March 1, 2014, from 9:00 a.m. to 3:00 p.m., at Sunland Village, 4601 East Dolphin Avenue. **(District 2)**

*3-h. The Village of Elgin Winery

This is a one-day wine festival event to be held on Saturday, March 1, 2014, from 9:00 a.m. to 3:00 p.m., at Sunland Village, 4601 East Dolphin Avenue. **(District 2)**

*3-i. Allegiant Air

An airline is requesting a new Conveyance License for Allegiant Air, 6229 South Sossaman Road, Allegiant Air LLC – Latanja Danyell Leshoure, agent. This location has not previously been issued a liquor license. This business currently has a Conveyance License at 5835 South Sossaman Road that will be voided. **(District 6)**

*3-j. Red Owl

A bar is requesting a Location Transfer of a Bar License for Red Owl, 1306 West University Drive, Red Owl LLC – Randy D. Nations, agent. This location has not previously been issued a liquor license. This business is relocating from Tempe, Arizona. **(District 3)**

4. Take action on the following contracts:

*4-a. Two (2)-Year Renewal of the Service Agreement for the Maintenance and Repair of Three (3) Production Printers for the Business Services Department. **(Citywide)**

This contract provides maintenance and repair services for two black and white and one color production printers as needed at the City's Print Shop. The contract is based on "per-page" pricing and includes all labor, parts, drums, staples and supplies.

Business Services and Purchasing recommend authorizing a two-year renewal using the Mohave Educational Services cooperative contract with Konica Minolta Business Solutions U.S.A., Inc., at \$88,000 annually, based on estimated requirements.

*4-b. One (1)-Year Term Contract for Vector Control Services for the Parks, Recreation and Commercial Facilities (PRCF) Department. **(Citywide)**

This contract will provide for the treatment of mosquito vector control at all inlets and drains in 28 parks and 113 retention basins on a monthly or semi-monthly basis as designated. The contract will also provide as-needed services for the control of rodents, pests and weeds at all sites maintained by the PRCF Department. PRCF will provide all chemicals used by the service vendor.

An evaluation committee representing Parks, Recreation and Commercial Facilities and Purchasing evaluated responses and recommends awarding the contract to the highest scored proposal from Checker Exterminating, Inc. (a Mesa business), at \$70,392 annually, based on estimated requirements.

*4-c. Purchase of an Additional Seventy-Six (76) Handheld Mobile Fingerprint Recognition Identification Devices for the Police Department (Sole Source). **(Citywide)**

This purchase will provide 76 handheld mobile fingerprint identification devices for the Mesa Police Department. The devices have been very successful in helping the officers make better decisions in the field and improving officer safety. The additional units will increase the inventory from 30 to 106. These units enable real-time identification based on MorphoTrak's fingerprint recognition technology, which allows officers to verify a

subject's identification against the State's identification system managed by the Arizona Department of Public Safety.

Police and Purchasing recommend authorizing the purchase using the Arizona Department of Public Safety cooperative contract with MorphoTrak Inc., at \$126,585.60. This purchase is funded by the 2013 Byrne Justice Assistance Grant Program.

- *4-d. Purchase of One (1) Replacement Genetic Analyzer for the Police Department (Sole Source). **(Citywide)**

This contract will provide a Genetic Analyzer for typing of human DNA samples following the amplification procedure for the purpose of human identification. The Forensics Services unit currently has two outdated 310 Genetic Analyzers that process one sample at a time (low throughput). Both instruments will be traded in for this new instrument that will process eight samples at a time.

Police and Purchasing recommend awarding the contract to the sole source vendor, Life Technologies Corporation, at \$117,675.15. This purchase is funded by the National Institute of Justice, DNA Backlog Reduction Program (\$110,000) and Crime Lab Assessment funds (\$7,675).

- *4-e. Five (5)-Year Contract for Photo Safety Enforcement Program Services for the Police Department (Sole Source). **(Citywide)**

This agreement will continue to provide for the photo safety program, including all personnel, equipment, software and construction/maintenance costs associated with the support of the Photo Safety Program. The program is funded by revenue from the collection of fines from traffic violations and/or citations.

The Police Department and Purchasing recommend awarding the contract to sole source vendor, American Traffic Solutions, Inc., at \$1,868,361 annually, based on estimated requirements.

- *4-f. Five (5)-Year Master Purchase Agreement for Pierce Fire Apparatus and Repair Parts for the Fire and Medical Department (Sole Source). **(Citywide)**

The Fire Department has been purchasing Pierce fire apparatus for the past 25 years and is 100% standardized on this manufacturer. This has proven to be efficient, economical and cost effective through greater reliability and ease of repair and operation.

This Master Purchase Agreement will provide a source for replacement parts, as well as setting forth the process for obtaining apparatus, which includes Mesa providing specifications, the vendor providing a proposal which includes agreed-to discounts and trade-in credits, and the parties resolving any discrepancies in the proposals.

The Mesa Fire and Medical Department recommends approval of a five-year purchase agreement with Pierce Manufacturing, Inc., through their authorized dealer, Hughes Fire Equipment, Inc. The annual dollar amount for repair parts is \$300,000, based on estimated requirements. Each apparatus purchase will be brought to Council for approval as needed during the term of the agreement.

- *4-g. Three (3)-Year Term Contract for Self-Contained Breathing Apparatus (SCBA) Air Equipment and Repair Parts for the Fire and Medical Department (Single Bid). **(Citywide)**

This contract will provide Scott SCBA air equipment used to provide breathable air to firefighters in environments that are immediately dangerous to life or health. Mesa Fire and Medical has standardized with Scott SCBA air equipment. All parts used for repair and maintenance are original equipment manufacturer type only because the manufacturer recommends it for dependability, safety and warranty coverage.

Fire and Medical, and Purchasing recommend awarding the contract to the qualified, single bidder, Municipal Emergency Services, Inc., at \$131,000 annually, based on estimated requirements.

- *4-h. Purchase of a Computer-Aided Dispatch (CAD) System Upgrade for the Police and Fire and Medical Departments. **(Citywide)**

The recommended upgrade to the City's CAD System and mobile data terminals for the Public Safety System will provide enhanced functionality deemed critical by Police and Fire and Medical to provide optimal service to City departments and to the citizens of Mesa. The upgrade will also bring the system up to current versions, improve usability and workflow, improve map capabilities and enhanced communications and redundancy. This upgrade also maintains interoperability compatibility with the Town of Gilbert and other Arizona jurisdictions.

Information Technology, Police, Fire and Medical, and Purchasing recommend awarding the contract to Intergraph Corporation (sole source), at \$558,736.38, and authorizing purchases to Insight Public Sector, at \$104,540.80, to Dell, Inc., at \$98,144.32, to SHI International, at \$61,487.11, to EMC Corporation, at \$51,590.38, to IT Partners, at \$15,768.48, to August Schell Enterprises, at \$9,979.59, to Gosserco, Inc., (sole source) (a Mesa business), at \$5,400.00, to CDW-G, at \$2,428.52 and a project contingency of \$81,924.42, for a combined total award of \$990,000.

- *4-i. Four (4)-Month Extension and Dollar-Limit Increase for the Term Contract for Heavy-Duty Equipment Parts and Supplies for the Fleet Services Department. **(Citywide)**

This contract provides parts for American LaFrance, Ford/Sterling, Peterbilt and Freightliner Truck Parts trucks; Wayne, Heil and Leach refuse truck parts; and Caterpillar engine parts. Fleet Services has requested continuing use of the City of Phoenix cooperative contract while continuing work on the City's solicitation for Automotive and Equipment Parts and Supplies. The City anticipates having contracts in place with the same types of vendors by late June, 2014. Fleet Services and Purchasing are continuing work on the solicitation.

Fleet Services and Purchasing recommend authorizing a four-month extension and dollar-limit increases using the City of Phoenix cooperative contract with: Freightliner, Sterling, Western Star of AZ, at \$50,000; Wayne Industrial Holding, LLC, at \$50,000; ACS Acquisition, LLC, dba Stepp, at \$50,000; and Rush Truck Center of Arizona, at \$100,000. The combined increase is \$250,000, increasing the contract amount from \$255,000 to \$505,000, through June 30, 2014.

- *4-j. Three (3)-Year Term Contract for Original Equipment Manufacturer (OEM) Heavy-Duty Equipment Repair Services for the Fleet Services Department. **(Citywide)**

This contract will establish a qualified vendor list of pre-qualified repair firms to provide nonexclusive repair service on Caterpillar Engines, Schwarze Street Sweepers and Heil and Wayne Industries Solid Waste Truck Equipment on an as-needed-basis. The selected firms will furnish all labor, tools, materials, garage facility and insurance to perform body and related mechanical repair work for the City's fleet of equipment as directed by the City.

Fleet Services and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidders, Empire Southwest, LLC (a Mesa business), at \$25,000; Balar Holding Corp., dba Balar Equipment Corp., at \$60,000; and Wayne Industrial Holdings, LLC, dba OEM Parts and Service, at \$75,000; annually, based on estimated requirements. The combined total award is \$160,000 annually.

- *4-k. Dollar-Limit Increase to the Term Contract for AC Delco and Motorcraft Vehicle Parts for the Fleet Services Department. **(Citywide)**

The fleet consists of approximately 340 General Motors automobiles, vans and light trucks and 605 Ford automobiles, vans and light trucks. Fleet Services has requested the dollar increase because USD, Inc. is able to provide a greater selection of Delco (GM) and Motorcraft (Ford) parts than originally anticipated and at a lower cost than the OEM suppliers. Spending with the OEM vendors will be reduced and will offset the increased use of this contract.

Fleet Services and Purchasing recommend authorizing a dollar-limit increase of \$140,000 with USD, Inc., from \$125,000 to \$265,000 annually, based on estimated requirements.

- *4-l. Three (3)-Year Term Contract for Utility Adjustment Services for the Transportation Department. **(Citywide)**

This contract will provide utility adjustment services, including minor concrete work and height adjustment of gas and water valves, survey monuments, sewer cleanouts and manholes associated with utility cut repairs or failed utility frames and other related services on an as-needed-basis.

Transportation and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder, Spear Construction Company, LLC, at \$188,000 annually, based on estimated requirements.

- *4-m. Three (3)-Year Term Contract for Illuminated Street Name Signs and Maintenance Services for the Transportation Department. **(Citywide)**

This contract will provide for maintenance of illuminated street name signs mounted on traffic signal poles, sign face replacement, retrofit of existing illuminated street name signs with LED light source, fabrication and installation of new LED-illuminated street name signs and removal of existing illuminated street name signs.

An evaluation committee representing Transportation and Purchasing evaluated responses and recommends awarding the contract to the highest-scored proposal from Fluoresco Lighting-Sign Maintenance Corp., dba Fluoresco Lighting & Signs, at \$531,700 annually, based on estimated requirements. This purchase is funded by Local Streets sales tax (\$40,000) and by Capital Improvement Program projects (\$491,700).

- *4-n. One (1)-Year Renewal of the Term Contract for Class 250 Gas Meters for the Materials and Supply Warehouse (for the Energy Resources Department). **(Citywide)**

This contract provides new and remanufactured meters for residential gas customers. The meters are ordered and stored in the Materials and Supply Warehouse inventory.

Materials and Supply, Energy Resources and Purchasing recommend authorizing a one-year renewal with Energy Economics, Inc., at \$237,000, based on estimated requirements.

- *4-o. Three (3)-Year Term Contract for Radio-Based Endpoint Encoders for the Water Resources Department (Single Bid). **(Citywide)**

This contract will provide Itron radio-based endpoint encoders for use in the City's existing Itron automated reading system. The encoders are attached to select water meters and they transmit the meter read to the meter reader's handheld device as they walk by. Generally, this type of remote read is done when it is not possible or safe for the meter reader to access the meter directly.

Water Resources and Purchasing recommend awarding the contract to the qualified, single bidder, Itron, Inc., at \$44,900 annually, based on estimated requirements.

5. Take action on the following resolution:

- *5-a. Approving the modified Fees and Charges for the Parks, Recreation and Commercial Facilities Department – Resolution No. 10383.

- *5-b. Extinguish a drainage easement located west of Mountain Road and south of Ray Road within the Mountain Horizons Phase 2 development. **(District 6)** – Resolution No. 10384.

The property owner has requested the City extinguish a drainage easement to accommodate a proposed residential subdivision. New public drainage easements that will better accommodate the proposed development will be dedicated by the property owner on the final plat.

- *5-c. Extinguish a sewer easement located south of Ray Road between Ellsworth Road and Signal Butte Road on Assessor's Parcel Nos. 304-35-004D and 304-34-005D. **(District 6)** – Resolution No. 10385.

The property owner has requested the City extinguish a sewer easement to accommodate future development. New sewer improvements have been installed in the right-of-way for Ray Road. The sewer easement requested for extinguishment is no longer necessary.

- *5-d. Approving and authorizing the City Manager to execute an Intergovernmental Agreement with Maricopa County Department of Transportation for the maintenance of paint on the Broadway Road Bridges over the Tempe Canal. **(District 3)** – Resolution No. 10386.

In accordance with the terms of the IGA, Mesa will be solely responsible for and maintain the paint. The anticipated costs of the program are currently covered by the City's Transportation Operational Budget.

6. Introduction of the following ordinances and setting March 3, 2014 as the date of the public hearing on these ordinances:

- *6-a. Amending the Mesa Zoning Ordinance; Title 11 of the Mesa City Code; Chapter 41 (Sign Ordinance) regarding the definition of a 'public transportation sign,' creating an exception for public transportation signs to the prohibition of off-site billboards, and creating an allowance for public transportation signs when placed in association with public transportation facilities. **(Citywide)**

Staff Recommendation: Approval

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

- 6-b. **(See Items not on the Consent Agenda)**

- *6-c. **Z13-062 (District 5)** The 10500 to 10700 blocks of East Adobe Road (north side) and the 800 to 900 blocks of North Signal Butte Road (west side). Located at the northwest corner of Signal Butte Road and Adobe Road. (40.0± acres). Rezone from RS-35 to RS-15-PAD to allow the development of a single-residence subdivision.

Staff Recommendation: Approval with Conditions

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

7. Discuss, receive public comment, and take action on the following ordinances that were 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. **Z14-004 (District 5)** 4004 East Hermosa Vista Drive (north side). Located south and east of McDowell Road and Val Vista Drive (12.7± acres). Rezone from RS-35 to RS-35-PAD and Site Plan Review. This request will allow the development of a single-residence subdivision. **(FOR CONTINUANCE TO THE MARCH 3, 2014 COUNCIL MEETING.)**

Staff Recommendation: Approval with Conditions

P&Z Recommendation: Approval with Conditions (Vote: 6-0-1, abstain, Vice Chair Coons.)

- *7-b. **Z14-002 (District 5)** The 3200 to 3300 blocks of East McKellips Road (north side) and the 2000 to 2100 blocks of North 32nd Street (east side). Located at the northeast corner

of McKellips Road and 32nd Street. Rezone 4± acres from LC to RS-35-PAD and rezone 33.07± acres from AG to RS-35-PAD and Site Plan Review. This request will allow the development of a single-residence subdivision. **(FOR CONTINUANCE TO THE MARCH 3, 2014 COUNCIL MEETING.)**

Staff Recommendation: Approval with Conditions

P&Z Recommendation: Approval with Conditions (Vote: 6-0-1, abstain, Boardmember Hudson)

8. Take action on the following subdivision plat:

- *8-a. "Signal Butte Estates" **(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 and east of Broadway and Signal Butte Roads. 61 RS-6 PAD Lots (13.03± acres) Intravest Development, LLC, Owner; David Soltysik, Terrascope Consulting, engineer.

Items not on the Consent Agenda

- 6-b. **Z13-061 (District 5)** The 10500 to 10700 blocks of East Adobe Road (north side) and the 800 to 900 blocks of North Signal Butte Road (west side). Located at the northwest corner of Signal Butte Road and Adobe Road (40.0± acres). Rezone from Maricopa County Rural-43 to City of Mesa RS-35. This request will establish City of Mesa zoning on recently annexed property.

Staff Recommendation: Approval with Conditions

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

Deb Krmptotic, a Mesa resident, stated that about a month ago, she addressed the Council and voiced a series of concerns regarding this case. She thanked the Council for listening to her comments and offering their support. She explained that since that time, Planning Director John Wesley has worked with the builder in an effort to resolve any issues that the surrounding property owners might have with respect to the project.

Ms. Krmptotic further remarked that although the builder has verbally proposed a solution to resolve the neighbors' concerns, they have yet to receive anything in writing. She stated that once the builder submits such a document, she was confident that the neighborhood could reach consensus in this regard.

Development and Sustainability Department Director Christine Zielonka clarified that this item is merely the introduction of the ordinance. She assured the Council that prior to the March 3, 2014 Regular Council meeting, staff would obtain a written agreement from the developer outlining their proposal to the neighborhood as discussed by Ms. Krmptotic.

Mayor Smith noted that Ms. Krmptotic agreed to Ms. Zielonka's suggestion.

In response to a question from Mayor Smith, Ms. Zielonka stated that the final ordinance would contain an instrument/agreement that was acceptable to the surrounding neighborhood and the developer.

It was moved by Councilmember Richins, seconded by Councilmember Somers, that the ordinance be introduced and that March 3, 2014 be set as the date of the public hearing on the ordinance.

Carried unanimously.

9. Items from citizens present.

There were no items from citizens present.

10. Adjournment.

Without objection, the Regular Council Meeting adjourned at 5:58 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 24th day of February 2014. 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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