



COUNCIL MINUTES

February 9, 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 9, 2015 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 Councilmember Dave Richins.

Pledge of Allegiance was led by Boy Scout John Padilla of Troop 10.

Awards, Recognitions and Announcements.

Councilmember Luna recognized Grant Laufer, a Mountain View High School senior and a participant of the Mayor's Youth Committee. He explained that Mr. Laufer has received the 2015 U.S. Senate Scholarship award and will spend a week in the nation's capital to get an up-close look at national government.

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 Glover, that the consent agenda items be approved.

Carried unanimously.

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

Minutes from the January 26 and 29, 2015 Council meetings.

3. Take action on the following liquor license applications:

*3-a. It Ain't Chemo Inc.

This is a one-day charitable event to be held on Saturday, February 21, 2015 from 9:00 a.m. to 9:00 p.m., at 2100 West Rio Salado Parkway. **(District 1)**

*3-b. Ultimate Imaginations

This is a one-day charitable event to be held on Friday, March 6, 2015 from 6:00 p.m. to 10:00 p.m. on Main Street from Center to Macdonald and Macdonald from Main Street to Pepper Place. **(District 4)**

*3-c. Ultimate Imaginations

This is a one-day charitable event to be held on Friday, April 3, 2015 from 6:00 p.m. to 10:00 p.m. on Main Street from Center to Macdonald and Macdonald from Main Street to Pepper Place. **(District 4)**

*3-d. Ultimate Imaginations

This is a one-day charitable event to be held on Friday, May 1, 2015 from 6:00 p.m. to 10:00 p.m. on Main Street from Center to Macdonald and Macdonald from Main Street to Pepper Place. **(District 4)**

*3-e. Ultimate Imaginations

This is a one-day charitable event to be held on Friday, June 5, 2015 from 6:00 p.m. to 10:00 p.m. on Main Street from Center to Macdonald and Macdonald from Main Street to Pepper Place. **(District 4)**

*3-f. Sheraton Mesa Hotel

A hotel is requesting a new Series 11 Hotel/Motel Liquor License for River View Hotel LLC, 860 North Riverview – Randy Nations, agent. There is no existing license at this location. **(District 1)**

*3-g. Fiesta Liquors

A liquor store is requesting a new Series 9 Liquor Store License with Sampling privileges for Shadia Foods Inc, 753 South Alma School Road, Suite 1 – Michael Rahhal, agent. The existing license held by Shadia Foods, Inc., will revert back to the State. **(District 4)**

*3-h. D'Vine Wine Bar & Bistro

A wine bar with a restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Arizona – For Better Business Association LLC, 2837 North Power Road, Suite 101 – Randy Nations, agent. There is currently no existing license at this location. **(District 5)**

4. Take action on the following contracts:

- *4-a. Purchase of Six Replacement Vehicles including Two Light-Duty Extended Cab Pickup Trucks, One Light-Duty Crew Cab Pickup Truck and Three Sport Utility Vehicles for the Fire and Medical Department. **(Citywide)**

This purchase will replace four ½-ton extra cab pickup trucks and two vans. The Sport Utility Vehicles will be equipped for emergency response and have the capability to carry emergency medical service equipment in the rear of the vehicle. The replacement vehicles have met established criteria and will be retired and sold at auction.

Fire and Medical and Purchasing recommend authorizing the purchases from contracts with Berge Ford (a Mesa Business), at \$78,859.74, PFVT Motors, Inc., at \$93,907.15 and LSH Lights, at \$16,567.86; for a combined total award of \$189,334.75. This purchase is funded by the Capital-General Fund.

- *4-b. Purchase of Three Replacement Light-Duty Animal Control Transport Trucks for the Neighborhood Outreach/Animal Control Department. **(Citywide)**

This purchase will provide three replacement vehicles to transport domestic animals to support Animal Control's daily operations. The vehicles being replaced have met established criteria and will be retired and sold at auction.

Fleet Services, Neighborhood Outreach/Animal Control and Purchasing recommend authorizing purchase from the lowest, responsive and responsible bidder, Courtesy Chevrolet, at \$163,043.13. This purchase is funded by the Vehicle Replacement Fund.

- *4-c. Three-Year Term Contract for Tire Maintenance and Repair Services for the Fleet Services Department. **(Citywide)**

This contract will provide tire maintenance and repair services on approximately 1,600 pieces of equipment maintained by the Fleet Services Department. Work includes providing all labor, equipment, tools, service trucks and services required for inspection, scheduled maintenance and repairs and emergency road calls.

An evaluation committee representing Fleet Services and Purchasing evaluated responses and recommends awarding the contract to the highest scored proposal from Jack's Tire and Oil, LLC, dba Jack's Tire and Oil, at \$497,000.00 annually, based on estimated requirements.

- *4-d. Purchase of a Safety Analysis Software Upgrade for the Transportation Department (Sole Source). **(Citywide)**

Transportation has been using Intersection Magic for safety analysis for several years. An upgraded web-based version of this crash analysis software, Crash Magic Online, is now available with increased functions and analytical abilities. Eight Maricopa Association of Governments agencies, including Mesa, were awarded a federal aid grant to update their crash analysis software.

Transportation and Purchasing recommend authorizing the purchase using the Arizona Department of Transportation contract with the sole source vendor, Pd' Programming, Inc., at \$26,400.00. This purchase is funded: 94.3% (\$23,575.00) by the Federal

Highway Administration Grant, 5.7% City match (\$1,425.00) and Tax (\$1,400.00) by the Transportation Department operating budget.

- *4-e. Three-Year Term Contract for Concrete Supplies for the Transportation Department. **(Citywide)**

This contract will provide various concrete supplies including tools and equipment used for concrete placement, right-of-way maintenance, and storm drain maintenance for use by Transportation, Field Operations staff.

Transportation and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder, Border Construction Specialties, at \$31,200.00 annually, based on estimated requirements.

- *4-f. Three-Year Term Contract for Weed Control and Landscaping Services for the Water Resources Department. **(Citywide)**

This contract will provide bare ground weed management, minor landscaping including tree and shrub trimming and removal of debris at the Brown Road Water Treatment Plant, Southeast Water Reclamation Plant, Greenfield Water Reclamation Plant and Northwest Water Reclamation Plant.

Water Resources and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder, Environmental Earthscapes, dba The Groundskeeper, at \$57,120.00 annually, based on estimated requirements.

- *4-g. Replacement Purchase of One Medium-Duty Truck equipped with a Telescopic Crane for the Water Resources Department. **(Citywide)**

This purchase will provide one replacement vehicle equipped with a 9-foot service body and crane to support Wastewater Utility's daily operations. The vehicle being replaced has met established criteria and will be retired and sold at auction.

Fleet Services, Water Resources and Purchasing recommend authorizing purchase from the lowest, responsive and responsible bidder, PFVT Motors, Inc., dba Peoria Ford, at \$44,562.44. This purchase is funded by the Utility Replacement Extension and Renewal Fund.

- *4-h. Three-Year Term Contract for Water Meters for the Water Resources Department. **(Citywide)**

This contract will provide 3/4", 1", 1.5" and 2" water meters for use at new and replacement residential and commercial locations.

Water Resources and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder, Zenner USA, at \$1,045,000.00 annually, based on estimated requirements.

- *4-i. Falcon Field Airport Terminal Upgrades. **(District 5)**

This project is a comprehensive remodeling and update of the entire Falcon Field Airport terminal building to create a uniquely identifiable gateway to Mesa that is an

economically vibrant and functionally efficient multi-use facility serving the tenants, businesses, visitors and general public at one of the top six general aviation airports in the nation.

Recommended award to Builders Guild, Inc. (a Mesa business), in the amount of \$1,868,296.00 based on the GMP proposal of \$1,746,071.00, plus an additional \$122,225.00 (7% allowance for change orders). This project is funded by the FY 14/15 Falcon Field Capital Program.

5. Take action on the following resolution:

- *5-a. Approving and authorizing the City Manager to enter into a Morris Plaza License Agreement with Valley Metro Rail, Inc. for the Central Mesa Light Rail Extension Project. The agreement allows Valley Metro to construct a Traction Power Sub Station (TPSS) in Morris Street right-of-way. The City will receive a license fee of \$94,700. Valley Metro Rail, Inc. will continue to be responsible for all costs associated with the operation and maintenance of the light rail transit system and all costs resulting from any accident or damage that may occur in the operation within the City property. **(District 4)** – Resolution No. 10577.

6. Introduction of the following ordinances and setting February 23, 2015 as the date of the public hearing on these ordinances:

- *6-a. **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.

Staff Recommendation: Approval with Conditions.

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

- *6-b. **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.

Staff Recommendation: Approval with Conditions.

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

- *6-c. **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.

Staff Recommendation: Approval with Conditions

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

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

- *7-a. Ordinance amending Title 2, Chapter 18 of the Mesa City Code and adopting by reference Personnel Appeals Board Hearing Procedural Rules for Classified Employees (Excluding Sworn Law Enforcement) and Personnel Appeals Board Hearing Procedural Rules for Sworn Law Enforcement Employees relating to increasing the total number of Boardmembers from 3 to 5. – Ordinance No. 5272.
- *7-b. Amending Mesa City Code Title 4 (Building Regulations), Chapter 1, Section 1(E) the definition of “Owner” to include other legal entities; amending 4-1-9(A) to add that it is a violation to allow occupancy or failing to prevent occupancy of unsafe buildings and to add that a failure to comply with a written order to abate a violation of the Building Regulations is unlawful; and amending Chapter 1, Section 9 (E) penalty clause. **(Citywide)** – Ordinance No. 5273.
- *7-c. Amending Mesa City Code Title 8 (Health, Sanitation and Environment), Chapter 6, Section 2, the definitions of “Owner” and “Person”, and Section 19 Individual Residential Rental Inspection to add a new subsection (E) stating that it is a violation to allow a condition that materially affects the health and safety of occupants of residential rental property. **(Citywide)** – Ordinance No. 5274.

8. Take action on the following subdivision plat:

- *8-a. “Eastmark 7-51” **(District 6)** 4816 South Eastmark Parkway. Located east of Ellsworth Road and north of Ray Road. Subdividing one lot and establishing LUG-CS for a Charter School within Development Unit 7 at Eastmark. (4± acres). Doug Pike, Sequoia Pathfinder Academy LLC, owner; Ryan H. Raab, PE, Hoskin Ryan Consultants, Inc., engineer.

Items not on the Consent Agenda

9. Items from citizens present.

There were no items from citizens present.

10. Adjournment.

Without objection, the Regular Council Meeting adjourned at 5:57 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 9th 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

abg