



COUNCIL MINUTES

January 26, 2015

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on January 26, 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 Lucia Anderson with Family Federation for World Peace and Unification.

Pledge of Allegiance was led by Boy Scout Bryant Barber.

Awards, Recognitions and Announcements.

Councilmember Luna recognized Guadalupe Martinez and Ana Gonzalez, Benedictine University students participating in the college's Leadership Program, who shadowed him today.

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 8, 12 and 15, 2015 Council meetings.

3. Take action on the following liquor license applications:

*3-a. All Saints Roman Catholic Parish Mesa

This is a one-day religious event to be held on Friday, February 13, 2015 from 6:30 p.m. to 11:30 p.m. at 1534 North Recker Road. **(District 5)**

*3-b. St. Timothy Catholic Church

This is a one-day religious event to be held on Saturday, February 14, 2015 from 6:30 p.m. to 10:30 p.m. at 1730 West Guadalupe Road. **(District 3)**

*3-c. A&E Market

A convenience store is requesting a new Series 10 Beer and Wine Store License for Brar's, LLC, 1231 South Mesa Drive; Terry L. Winter, agent. The existing license held by Dulari Enterprises, Inc., will revert back to the State. **(District 4)**

*3-d. Dobson Ranch Inn & Suites

A hotel is requesting a new Series 11 Hotel/Motel Liquor License for Kadash, LLC, 1666 South Dobson Road; Alfonso Gomez, agent. The existing license at this location held by PI Properties No 11 LLC will revert back to the State. **(District 3)**

4. Take action on the following contracts:

*4-a. Three-Year Term Contract for Police Vehicle Maintenance and Repair Services for the Fleet Services Department. **(Citywide)**

This contract provides preventative maintenance and repair services for the City's Police vehicle fleet consisting of police patrol, undercover and administrative vehicles.

The evaluation committee recommends awarding the contract to the highest-scored proposals from the following vendors: B & T Vivian Investment Co., LLC, dba Thompson's Auto Repair and Towing (a Mesa Business) (Primary); JTDCE Auto Repair Clinic, LLC, dba Dave's Auto Repair Clinic (a Mesa Business) (Secondary); AutoNation, dba AutoNation Chevrolet of Gilbert (OEM General Motors); and Berge Ford, Inc., dba Berge Ford (a Mesa Business) (OEM Ford). The total contract amount for this recommendation is \$150,000.00 annually, based on estimated requirements.

*4-b. Three-Year Term Contract for Plumbing Services for the Facilities Maintenance Department. **(Citywide)**

This contract will provide plumbing contractors that have been pre-qualified to provide quotes for Facilities Maintenance general plumbing and preventive maintenance activities.

An evaluation committee representing Facilities Maintenance and Purchasing recommends awarding the contract to the highest-scored qualification statements from Hernandez Companies, Inc., RKS Plumbing and Mechanical, Inc., and Eagle Plumbing Services, LLC, dba Eagle Services, cumulatively not to exceed \$28,000.00 annually, based on estimated requirements.

- *4-c. Pump Repairs for FlowRider at Rhodes Aquatics Complex for the Parks, Recreation and Commercial Facilities Department. **(District 3)**

While performing the multiple-quoted preventative maintenance, the vendor found that one of two of the pumps will require additional repair work to bring the FlowRider back to a functional state.

Parks, Recreation and Commercial Facilities and Purchasing recommend awarding the contract to Precision Electric Co., Inc., at \$25,530.19.

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

This contract provides for the treatment of mosquito vector control at 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.

Parks, Recreation and Commercial Facilities and Purchasing recommend authorizing a one-year renewal with Checker Exterminating (a Mesa Business), at \$76,500.00 annually, based on estimated requirements.

- *4-e. Dollar-Limit Increase to the Term Contract for Replacement Commercial Grade Fitness Equipment and Supplies for the Parks, Recreation and Commercial Facilities Department. **(District 5)**

The Parks, Recreation and Commercial Facilities Department is requesting to replace equipment at the Red Mountain Multigenerational Center. The strength fitness equipment is 15 years old and the cardio equipment is seven years old. Purchase in years one and two of the contract were less than anticipated, and with this request, the cumulative three-year purchases will still be less than the original award estimate.

Parks, Recreation and Commercial Facilities and Purchasing recommend authorizing a dollar-limit increase of \$120,000.00 with Fitness 4 Home Superstore, Inc., dba Commercial Fitness Superstore, increasing the contract amount from \$106,000.00 to \$226,000.00 for this fiscal year, based on estimated requirements.

- *4-f. Change Order and Dollar-Limit Increase to the Term Contract for Landscape Maintenance Services for Zones 1, 2 and 4 – Parks, Retention Basins and Sports Fields for the Parks, Recreation and Commercial Facilities (PRCF) Department. **(Districts 4 and 6)**

The increase is necessary to add landscaping maintenance services for Mariposa Park, Phase II of Eastmark Park, City View Park and for storm cleanup work.

Parks, Recreation and Commercial Facilities and Purchasing recommend authorizing a change order and dollar-limit increase of \$205,089.40 with Mariposa Landscape Arizona, Inc., increasing the contract amount from \$2,414,019.77 to \$2,619,109.17 annually, based on estimated requirements.

- *4-g. One-Year Renewal of the Term Contract for Automatic Vehicle Locating System Devices and Service for the Facilities Maintenance, Development and Sustainability, Solid Waste, Engineering, Transportation and Water Resources Departments. **(Citywide)**

This contract provides equipment and service for a GPS-based Automatic Vehicle Locating System for multiple departments, providing information including vehicle location, speed and stop/idle time. The information can be used for process improvements, operational and cost efficiencies, vehicle inspections for CDL operators and in the event of an emergency, locating a vehicle or dispatching a nearby vehicle for assistance.

Facilities Maintenance, Development and Sustainability, Solid Waste, Engineering, Transportation, Water Resources and Purchasing recommend authorizing a one-year renewal with Zonar Systems, Inc., at \$104,500.00 annually, based on estimated requirements.

- *4-h. Purchase of One New Truck with 77-Foot Aerial Device and Telescopic Boom for the Energy Resources Department. **(Districts 1 and 4)**

This purchase will provide a larger aerial truck which the Electric crews will use in order to access the taller poles in the Electric Service Area.

Fleet Services, Energy Resources and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder, Altec Industries, Inc., at \$308,274.91. This purchase is funded by the Utility Replacement Extension and Renewal Fund.

- *4-i. Three-Year Term Contract for Reduced Pressure Backflow Prevention Assemblies for the Water Resources Department. **(Citywide)**

This contract will provide various sizes of backflow prevention assemblies. Water Resources requires these backflow prevention assemblies when refurbishing existing water meter vaults to protect against back-siphoning and back-pressure of contaminated water into the potable water supply.

Water Resources and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder, FWC Supply, LLC, at \$93,600.00 annually, based on estimated requirements.

- *4-j. Three-Year Term Contract for Traffic Signal Meter Pedestals for the Materials and Supply Warehouse (for Transportation). **(Citywide)**

This contract will provide Traffic Signal Electrical Service Meter Pedestals used by Transportation for maintenance of and modifications to existing traffic-signalized intersections, as well as construction of new traffic-signalized intersections.

Materials and Supply, Transportation and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder, Wesco Distribution, at \$70,000.00 annually, based on estimated requirements.

- *4-k. Dollar-Limit Increase to the Term Contract for Luminaires and Components for Street Light Lamps for the Materials and Supply Warehouse (for the Transportation and Facilities Maintenance Departments). **(Citywide)**

The increase is requested because of a backlog of orders processed immediately after the contract was implemented due to issues with the previous contract, as well as the warehouse adding a new LED module for Transportation's use.

Materials and Supply, Transportation, Facilities Maintenance and Purchasing recommend authorizing a dollar-limit increase of \$65,000.00 with Independent Electric Supply/ESSCO, Voss Electrical Co., dba Voss Lighting, Wesco Distribution, dba Brown Wholesale Electric, and Wesco Distribution, Inc., increasing the contract amount from \$290,000.00 to \$355,000.00 for the current contract year, based on estimated requirements.

- *4-l. Three-Year Term Contract for Trench Shoring Safety Equipment Rental Services for the Water Resources and Energy Resources Department. **(Citywide)**

This contract will provide for rental of trench shoring safety equipment and related services to support City utility and maintenance crews in the Water Resources and Energy Resources Departments as needed.

An evaluation committee representing Water Resources, Energy Resources and Purchasing evaluated responses and recommends awarding the contract to United Rentals (North America), Inc. (Primary); and Woudenberg Enterprises, Inc., dba Trench Shore Rentals (Secondary), at \$150,000.00 annually, based on estimated requirements.

- *4-m. Northwest Water Reclamation Plant Miscellaneous Improvements, 2015. **(District 1)**

As part of periodic operations and maintenance, the Water Resources Department has developed a comprehensive list of miscellaneous improvements needed to maintain the reliability and efficiency of the existing plant. Currently, the needed improvements include various valve replacements, mechanical equipment replacements, restoration of coatings, and process control replacements and upgrades.

Recommended contract award to Hunter Contracting for a total amount of \$69,825.00. This project is funded by 2014 authorized Waste Water bonds.

- 5. Take action on the following recommendation from the Audit, Finance and Enterprise Committee:

- *5-a. Accepting the City's Comprehensive Annual Financial Report (CAFR) for the Fiscal Year ended June 30, 2014.

- 6. (Note: This item was renumbered 12-a for the final agenda.)

- 7. Take action on the following resolution and introduction of the following ordinance amending Title 2, Chapter 18 of the Mesa City Code relating to the Personnel Appeals Board Hearing Procedural Rules and setting February 9, 2015 as the date of the public hearing on this ordinance:

- *7-a. Resolution declaring that certain documents filed with the City Clerk and entitled "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" dated February 9, 2015, a public record – Resolution No. 10574.

- *7-b. 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 Board members from three to five.

8. Introduction of the following ordinances and setting February 9, 2015 as the date of the public hearing on these ordinances:

- *8-a. Amending Mesa City Code Title 4 (Buildings 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)**
- *8-b. 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)**

9. Take action on the following zoning ordinance and resolution regarding the development agreement relating to the property located from the 8000 through 8200 blocks of East Ray Road.

- *9-a. **Z14-060 (District 6)** Ordinance – The 8000 through 8200 blocks of East Ray Road (north and south sides). Located east of Sossaman Road on the north and south sides of Ray Road (79.2± acres). Rezone from LI AF and AG AF to LI AF PAD. This request will facilitate the development of a future employment park. John J. Gilmore, applicant; Peter Martens, Marwest, owner – Ordinance No. 5263.

Staff Recommendation: Approval with Conditions.

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

- *9-b. A resolution approving and authorizing the City Manager to enter into a Development Agreement with Marwest Enterprises LLC, Santan 74 LLLP, Ray 39a LLLP, and Ray 39c LLLP to facilitate industrial development of the property located from the 8000 to 8200 blocks of East Ray Road. The purpose of the Agreement is to limit some of the uses permitted in the Light Industrial district that are incompatible with the Mesa Gateway Strategic Development Plan. **(District 6)** – Resolution No. 10575.

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

- *10-a. **Z14-052 (District 3)** 2628 West Birchwood Circle. Located north of Broadway Road and east of the Loop 101 Freeway (1.7± acres). Rezone from LI and LI PAD to LI PAD and modification of the PAD overlay. This request will allow the subdivision of an existing business park. Vernon P. Anderson, VPA Architects, applicant; Danny Jones, Birchwood Circle Investors, owner – Ordinance No. 5264.

Staff Recommendation: Approval with Conditions.

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

- *10-b. **Z14-053 (District 6)** The 8200 to 8400 blocks of East Ray Road (north and south side). Located west of the northwest and southwest corners of East Ray Road and South Hawes Road (33± acres). Rezone from AG AF and LC PAD AF to LC PAD AF and modification of the PAD overlay. This request will allow expansion of the Gateway Park PAD. Morgan Neville, Park Corp., applicant; Mesa Airport Growth Properties, LLC, owner – Ordinance No. 5265.

Staff Recommendation: Approval with Conditions.

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

- *10-c. **Z14-055 (District 6)** 10309 East Hampton Avenue. Located south of Southern Avenue and east of Crismon Road (11.1± acres). Rezone from LI to LI BIZ and Site Plan Review. This request will allow for the development of a medical center. Casey Carlton, Ascension Group, applicant; V. Marshall, VJ Crismon LLC, owner – Ordinance No. 5266.

Staff Recommendation: Approval with Conditions.

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

- *10-d. **Z14-054 (District 5)** Parcel 13 at Mountain Bridge, the 8800 to 8900 blocks of East McKellips Road (south side) and Parcel 16 at Mountain Bridge, the 8900 to 9100 blocks of McKellips Road (south side). Located west of Ellsworth Road and south of East McKellips Road. Rezone from RS-15 PAD PAD and RS-35 PAD PAD to RS-15 PAD PAD for Parcel 13 (14.22± acres) and Rezone from RS-35 PAD to NC PAD for Parcel 16 (3.31± acres). This will allow the development of a residential subdivision for Parcel 13 and establish commercial zoning for Parcel 16. Paul Dugas, Pinnacle Ridge Holdings, LLC, applicant; Paul Dugas, Phoenix Land Division, LLC, owner – Ordinance No. 5267.

Staff Recommendation: Approval with Conditions.

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

- *10-e. **Z14-056 (District 4)** 457, 505 and 507 South Morris. Located south of Broadway Road and east of Country Club Drive (0.6± acres). Rezone from RM-2 to LI. This request will allow for the future expansion of a mechanical business. David Willis, Orange Street Mechanical, LLC, applicant/owner – Ordinance No. 5268.

Staff Recommendation: Approval with Conditions.

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

- *10-f. **Z14-057 (District 6)** 6751 South Mountain Road. Located east of Signal Butte Road on the north side of Pecos Road (8.3± acres). Rezone from AG to GI and Site Plan Review. This request will allow for the development of an industrial building. Randolph L. Carter, NCARB, AIA, Sketch Architecture Company, applicant; Reece Bawden, Signal Butte 20, DJB, LLC, owner – Ordinance No. 5269.

Staff Recommendation: Approval with Conditions.

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

- *10-g. **Z14-058 (District 6)** 2333 South Power Road. Located south of Baseline Road on the east side of Power Road (1.1± acres). Rezone from LC PAD to LC BIZ PAD and Site Plan Modification. This request will allow for the expansion of a veterinary clinic. Brian Johns, Associated Architects, applicant; Richard Caldwell, VVAH, owner – Ordinance No. 5270.

Staff Recommendation: Approval with Conditions.

P&Z Board Recommendation: Approval with Conditions (Vote: 4-1, Boardmember Allen, nay; Boardmembers Hudson and Clement, absent.)

- *10-h. **Z14-059 (District 5)** 8650 East Brown Road. Located west of Ellsworth Road on the south side of Brown Road (5.44± acres). Rezone from RS-43 to RSL2.5 PAD and Site Plan Review. This request will allow for the development of a single-residential subdivision. Sean B. Lake, Pew & Lake, PLC, applicant; Mark Funk, Bellago Development LLC, owner – Ordinance No. 5271.

Staff Recommendation: Approval with Conditions.

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

11. Take action on the following subdivision plats:

- *11-a. “Dahlia Pointe” **(District 6)** The 3100 block of South Power Road (east side). Located south and east of South Power and East Guadalupe Roads. 100 RSL2.5 PAD lots (16.38± acres). Andrew Gasparro, KB Homes, Developer; Daniel Auxier, EPS Group, Inc., engineer.
- *11-b. “Hendrix Point” **(District 5)** The 10100 block of East Brown Road (north side). Located east of Crismon Road on the north side of Brown Road. 37 RS-15 PAD lots (19± acres). Laurin Hendrix, Developer; Troy Peterson, Bowman Consulting Group, Ltd., engineer.
- *11-c. 1810 Rosemont Business Condominiums **(District 5)** 1810 North Rosemont. Located south of McKellips Road and west of Higley Road (1.2± acres). Final Plat for three commercial condo parcels. Brian Bartishell, Standage & Associates, Ltd., applicant; DCSJ, LLS, owner.

Items not on the Consent Agenda

12. Take action on the following resolution:

- 12-a. Approving and authorizing the City Manager to enter into a Pre-Annexation and Development Agreement with the City of Coolidge, AZ and Pinal Land Holdings, LLC. The agreement provides for vested development rights to property in Pinal County

currently owned by Mesa and the City's buyers, Pinal Land Holdings, LLC. **(Citywide)** – Resolution No. 10576.

Councilmember Finter declared a potential conflict of interest on this agenda item and said he would refrain from discussion/consideration of this item.

It was moved by Vice Mayor Kavanaugh, seconded by Councilmember Glover, that Resolution No. 10576 be adopted.

Upon tabulation of votes, it showed:

AYES – Giles-Glover-Kavanaugh-Luna-Richins-Thompson
ABSTAIN – Finter

Mayor Giles declared the motion carried unanimously by those voting and Resolution No. 10576 adopted.

13. Items from citizens present.

There were no items from citizens present.

14. Adjournment.

Without objection, the Regular Council Meeting adjourned at 5:58 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 26th day of January 2015. I further certify that the meeting was duly called and held and that a quorum was present.

DEE ANN MICKELSEN, CITY CLERK