

## COUNCIL MINUTES

June 1, 2015

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

### COUNCIL PRESENT

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

### COUNCIL ABSENT

Dave Richins

### OFFICERS PRESENT

Christopher Brady  
Debbie Spinner  
Dee Ann Mickelsen

Mayor Giles excused Councilmember Richins from the entire meeting.

(Items on the agenda were discussed out of order, but for purposes of clarity will remain as listed on the agenda.)

Mayor's Welcome.

Invocation by Pastor Mark Rice with Mesa Baptist Church.

Pledge of Allegiance was led by Travis Tingey and Mason Robles of Boy Scout Troop No. 590.

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 Vice Mayor Kavanaugh, seconded by Councilmember Glover, that the consent agenda items be approved.

Mayor Giles declared the motion carried unanimously by those present.

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

Minutes from the April 6, 16, 23, and 30, and May 14 and 18, 2015 Council meetings.

3. Take action on the following liquor license applications:

\*3-a. Corner Store #1676

A convenience store is requesting a new Series 10 Beer and Wine Store License at 809 North Dobson Road – Andrea Dahlman Lewkowitz, agent. There is no existing license at this location. **(District 1)**

\*3-b. TBK Beverage Company

A distributor who sells liquor to licensed Arizona retailers is requesting a new Series 4 Wholesaler Liquor License for TBK Partnership LLC, 2452 West Birchwood Avenue – Peter Schelstraete, agent. The existing license held by Frank-lin Beverage Group of Arizona Inc., will revert back to the State. **(District 3)**

\*3-c. Tasty Joe's Asian Diner

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Wing on LLC, 1152 North Power Road, Suite 108 – Wilson Woo, agent. There is currently no existing license at this location. **(District 5)**

4. Take action on the following contracts:

\*4-a. Purchase of Two Upgraded Medium-Duty Cab and Chassis Utility Vehicles equipped with Service Body and Crane for the Fleet Services Department. **(Citywide)**

This purchase will provide two 2016 Ford F-550 XL utility trucks, equipped with a 13 foot service body and crane. The vehicles being replaced have met established criteria and will be retired and sold at auction.

The Fleet Services Department and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder, PFVT Motors Inc., at \$166,731.82. This purchase is funded by the Vehicle Replacement Fund and Fleet Services Department operating budget.

\*4-b. Emergency Purchase for a Three-Month Agreement for Landscape Maintenance Services for Parks and Retention Basins – Zone 3 for the Parks, Recreation and Commercial Facilities Department. **(Districts 1, 2, 3 and 4)**

This contract will provide landscape maintenance services for City parks and retention basins from the City's northern and southern boundaries between Stapley Drive and Val Vista Drive, an area referred to as Zone 3. The current contract is being cancelled for cause on May 31, 2015. This interim contract will provide necessary services until a permanent landscape service contract can be awarded for September 1, 2015.

The Parks, Recreation and Commercial Facilities Department and Purchasing recommend awarding a three-month agreement to Mariposa Landscape Arizona, Inc., at \$315,812.37, from June 8, 2015 through August 31, 2015.

- \*4-c. Purchase of 57 FileNet Software Licenses for the Information Technology and Police Departments (Sole Source). **(Citywide)**

This purchase for additional licenses for the City's Electronic Document Management System will allow for an additional 570 users to meet the current demand and provide future growth in the number of employees that need to use the system.

The Information Technology and Police Departments and Purchasing recommend awarding the contract to the sole source vendor, enChoice, Inc., at \$49,130.93

- \*4-d. Purchase of One Replacement CNG Powered Heavy-Duty Front Loading Refuse Truck for the Solid Waste Management Department. **(Citywide)**

This purchase will provide one front loader refuse truck for trash collection for the City's commercial accounts. Solid Waste will be replacing a diesel with this CNG front-end loading refuse truck. It is part of the conversion of the fleet to CNG. The vehicle being replaced has met established criteria and will be retired and sold at auction.

The Fleet Services and Solid Waste Management Departments and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder, Rush Truck Centers of Arizona, Inc., dba Rush Truck Center, Phoenix, at \$350,908.25. This purchase is funded by the Utility Replacement Extension and Renewal Fund.

- \*4-e. Purchase of Replacement Ballistic Body Armor for the Police Department. **(Citywide)**

This contract will provide replacement ballistic body armor for the Police Department's SWAT Team. The body armor being replaced have exceeded their warrantied service life of five years. The initial order is for 17 sets and the contract may be used to purchase additional body armor as necessary for one year.

The evaluation committee recommends awarding the contract to the highest scored proposal from GMS Tactical, LLC (a Mesa business), at \$100,000.00 annually, based on estimated requirements. This purchase is funded by Arizona Department of Homeland Security Grant Funds.

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

This contract provides parts, tooling, technical assistance and labor to overhaul and/or exchange airframe components, avionics and accessories, plus related services for the Police Department's three MD Helicopters. This contract has been extended through August 31, 2015 to allow the City to re-solicit proposals for a new contract. The initial solicitation was unsuccessful and is being reworked and reissued. The increase is required to obtain parts and repairs through the contract extension.

Police and Purchasing recommend authorizing a dollar-limit increase of \$100,000.00, increasing the contract amount from \$450,000.00 to \$550,000.00 with Seaside Helicopters, based on estimated requirements.

- \*4-g. One-Year Renewal of the Term Contract for Spray Marking Paint for the Materials and Supply Warehouse (for various City Departments). **(Citywide)**

This contract provides various types of spray marking paint for the City of Mesa and the City of Chandler. Spray marking paint is used by several City departments in a variety of applications, including utility line location marking, lines for striping layout and maintenance of spray painted surfaces.

The Business Services Department and Purchasing recommend authorizing a one-year renewal with Border Construction Specialties, LLC, at \$46,000.00 annually, based on estimated requirements.

- \*4-h. Purchase of One Replacement Medium-Duty Cab and Chassis Vehicle with a Flatbed Body for the Energy Resources Department. **(Citywide)**

This purchase will provide one 2016 Ford F-450 XL truck, equipped with a flatbed body. The vehicle being replaced has met established criteria and will be retired and sold at auction.

The Fleet Services Department and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder, PFVT Motors Inc., at \$46,830.80. This purchase is funded by the Utility Replacement Extension and Renewal Fund.

- \*4-i. Dollar-Limit Increase to the Term Contract for Concrete Installation and Repair Services for the Transportation, Energy and Water Resources Departments. **(Citywide)**

This contract is used to repair concrete assets throughout the City, including sidewalks, drive approaches, curb/gutter, storm infrastructure, and service cuts on an as-needed, where-needed basis. Additionally, there was deferred concrete maintenance in the Downtown area in preparation of light rail opening. With the routine concrete work and the additional work in Downtown, it is anticipated that the remaining balance of the contract will be exhausted before the end of the contract term.

The Transportation Department and Purchasing recommend authorizing a dollar-limit increase of \$560,000.00, increasing the contract amount from \$1,244,000.00 to \$1,804,000.00 with CPC Construction, LLC, based on estimated requirements.

- \*4-j. One-Year Renewal of the Term Contract for Streetlight and Traffic Signal Poles, Mast Arms and Anchor Bolts for the Materials and Supply Warehouse (for the Transportation Department). **(Citywide)**

This contract provides streetlight and traffic signal poles, mast arms, and anchor bolts. These items are used for maintenance and replacement of existing poles, as well as for smaller projects constructed by City staff.

The Business Services Department and Purchasing recommend authorizing a one-year renewal with A&M Nut & Bolt; Southwest Fabrication; and Valmont Industries; cumulatively not to exceed \$741,200.00 annually.

- \*4-k. Three-year Term Contract for Mainline and Short Line Pavement Marking Services for the Transportation Department. **(Citywide)**

This contract will provide mainline and short line markings used for traffic control throughout the City. Mainline markings include lane, center, edge, gore and storage lines. Short line markings include traffic marking symbols and legends.

The Transportation Department and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidders, Pavement Marking, Inc.; and RoadSafe Traffic Systems; cumulatively not to exceed \$342,000.00 annually, based on estimated requirements.

- \*4-l. One-Year Renewal of the Term Contract for Sludge Grinder Repairs and Replacements for the Water Resources Department (Sole Source). **(Citywide)**

This contract provides sludge grinder cutter cartridges for repairs to the 11 grinders located at the Greenfield and two grinders at the Southeast Water Reclamation Plants. Their purpose is to grind any material in the transfer of sludge to prevent the clogging of pumps and lines. The cutter cartridges are repaired or rebuilt on a rotational basis at least every five years.

The Water Resources Department and Purchasing recommend authorizing a one-year renewal with sole source vendor, JWC International, LLC, at \$76,000.00, based on estimated requirements.

5. Take action on the following resolutions:

- \*5-a. Authorizing and supporting the submittal of a grant application by the Arizona Museum of Natural History to the Tohono O'odham Nation in the amount of \$25,280 to enhance the Mesa Grande site infrastructure to support an increase in Field Trip education programming visits, and approving the City Manager to accept and administer subsequent awarded funds. **(District 1)** – Resolution No. 10636.
- \*5-b. Authorizing and supporting the submittal of a grant application by the City of Mesa Fire and Medical Department to the Tohono O'odham Nation in the amount of \$130,000.00 to purchase high-fidelity training mannequins in order to enhance life-saving training and simulations, and approving the City Manager to accept and administer subsequent awarded funds. **(Citywide)** – Resolution No. 10637.
- \*5-c. Authorizing and supporting the submittal of a grant application by Gene Lewis Boxing Club to the Tohono O'odham Nation in the amount of \$15,000 to provide supportive educational activities, classes and instruction to at-risk students, and approving the City Manager to accept and administer subsequent awarded funds as a pass-through grant. **(Citywide)** – Resolution No. 10638.
- \*5-d. Authorizing and supporting the submittal of a grant application by Gene Lewis Boxing Club to the Pascua Yaqui Tribe in the amount of \$7,500 to provide supportive educational activities, classes and instruction to at-risk students, and approving the City Manager to accept and administer subsequent awarded funds as a pass-through grant. **(Citywide)** – Resolution No. 10639.
- \*5-e. Authorizing and supporting the submittal of a grant application by Visit Mesa to the Fort McDowell Yavapai Nation in the amount of \$62,000.00 to support sales and marketing to promote tourism for the area, and approving the City Manager to accept and administer subsequent awarded funds as a pass-through grant. **(Citywide)** – Resolution No. 10640.

- \*5-f. Approving and authorizing the City Manager to execute all documents related to the IBM Software License Review findings by acquiring additional licenses in the amount of \$43,982.06. **(Citywide)** – Resolution No. 10641.
- \*5-g. Approving and authorizing the City Manager to enter into a Grant Agreement with the City of Tucson to accept funding in the amount of \$40,000 for the Police Department's Violent Offender Unit for overtime. These funds are made available from a High Intensity Drug Trafficking Area Grant Agreement with the City of Tucson. **(Citywide)** – Resolution No. 10642.
- \*5-h. Approving and authorizing the City Manager to enter into an Intergovernmental Agreement and related documents for the acquisition and redevelopment of a portion of the former Powell Junior High School site located at 936 South Extension Road for construction of Fiesta Sports Park. **(District 3)** – Resolution No. 10643.
- \*5-i. Approving and authorizing the City Manager to enter into an Intergovernmental Agreement and related documents for the acquisition and redevelopment of the former Mesa Junior High School site located at 828 East Broadway Road for construction of Eagles Park. **(District 4)** – Resolution No. 10644.
- \*5-j. Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with the Town of Gilbert for shared use of information technology and other related services. **(Citywide)** – Resolution No. 10645.

The Agreement enables both organizations to draw upon the technical advantages currently possessed by both and promotes a teamed approach to solving technology challenges that can benefit the community at large. There is no financial obligation to the City pertaining to this Agreement.

6. Introduction of the following ordinance and setting June 15, 2015 as the date of the public hearing on this ordinance:

- \*6-a. Adopting new Title 1, Chapter 33 (Candidate Election Dates), of the Mesa City Code relating to the establishment of election dates and term of office for candidates for the offices of Mayor and City Council Member. **(Citywide)**

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

- \*7-a. A10-01 **(District 6)** Repealing Ordinance No. 5001, which annexed a portion of the Power Road right-of-way from Baseline Road to approximately 1,300 feet south of Guadalupe Road. – **REMOVED.**
- \*7-b. A14-08 **(District 6)** Annexation of a portion of the Power Road right-of-way that is within Maricopa County, from approximately 1,300 feet south of Guadalupe Road north to Baseline Road. 15.77± acres. – **REMOVED.**
- \*7-c. A14-09 **(District 6)** Annexation of de-annexed territory from the Town of Gilbert in compliance with an Intergovernmental Agreement for the improvements to Power Road right-of-way. 2.79± Acres. This annexation is contingent on the Town of Gilbert's de-annexation of the territory and the County's determination of compliance with A.R.S. §9-471.02. – **REMOVED.**

8. Take action on the following subdivision plat:

- \*8-a. "Desert Place at Morrison Ranch – Phase 3" **(District 6)** The 7000-7200 blocks of East Guadalupe Road (south side). Located west of the southwest corner of Guadalupe and Sossaman Roads. 92 RS-6-PAD-PAD lots, 50 RS-7-PAD-PAD lots and 57 RS-9-PAD-PAD lots (52.8± acres). Morrison Ranch, Inc., owner; Joe Kraft, EPS Group, Inc., surveyor.

9. Take action on the following resolution and subdivision plats related to the Pacific Proving Grounds North Development (Cadence):

- \*9-a. Approving and authorizing the City Manager to enter into a Community Maintenance Agreement with PPGN-Ray, LLLP and PPGN-Core, LLLP for maintenance of specialty features and materials associated with the development of Pacific Proving Grounds North (Cadence), a master planned residential community. **(District 6)** – Resolution No. 10646.
- \*9-b. "Map of Dedication Ellsworth Road" **(District 6)** The 5200 block of South Ellsworth Road. Located south of Ray Road. (1.78± acres) PPGN Ellsworth, LLLP, owner; Joe Kraft, EPS Group, land surveyor.
- \*9-c. "Final Plat Crismon Road" **(District 6)** The 5300 to the 5500 blocks of South Crismon Road. Located south of Ray Road. (2.76± acres) PPGN – Ray, LLLP, owner; Joe Kraft, EPS Group, land surveyor.
- \*9-d. "Final Plat Cadence Parkway" **(District 6)** The 9200 to the 9700 blocks of East Cadence Parkway. Located south of Ray Road between Ellsworth Road and Crismon Road. (170.50± acres) PPGN – Ray, LLLP, owner; Joe Kraft, EPS Group, land surveyor.
- \*9-e. "Final Plat Parcel A at Pacific Proving Ground North" **(District 6)** The 9500 to the 9600 blocks of East Cadence Parkway. Located south of Ray between Ellsworth Road and Crismon Road. (14.57± acres) PPGN – Ray, LLP, owner; Joe Kraft, EPS Group, land surveyor.
- \*9-f. "Final Plat Parcel B at Pacific Proving Ground North" **(District 6)** The 9600 to the 9700 blocks of East Cadence Parkway. Located south of Ray between Ellsworth Road and Crismon Road. (11.94± acres) PPGN – Ray, LLP, owner; Joe Kraft, EPS Group, land surveyor.
- \*9-g. "Final Plat Parcel C at Pacific Proving Ground North" **(District 6)** The 9700 to the 9800 blocks of East Cadence Parkway. Located south of Ray between Ellsworth Road and Crismon Road. (14.69± acres) PPGN – Ray, LLP, owner; Joe Kraft, EPS Group, land surveyor.

10. Take action on the following tentative proposed Fiscal Year 2015-16 Budget Plan:

- 10-a. (See: Items not on the Consent Agenda)

**Items not on the Consent Agenda**

**10. Take action on the following tentative proposed Fiscal Year 2015-16 Budget Plan:**

10-a. Take action on the adoption of the tentative proposed Fiscal Year 2015-16 Budget Plan.

Fire Captain Brian Jeffries addressed the Council regarding the Public Safety budget cuts made over the past few years. He highlighted a series of events since 2003 relating to increases in Mesa's population, call volumes and decreases in emergency response times.

Mr. Jeffries pointed out that DMB, the developer of the new Eastmark community, has agreed to help fund a new fire station, but stated that Mesa cannot afford to build or staff the facility. He noted that another 55+ community is also being built adjacent to Eastmark, which requires that medical services be provided in the area. He further remarked that by 2020, it is estimated that Mesa's population will reach 500,000 residents.

Mr. Jeffries, in addition, stated that the Federal Government awarded Mesa \$12.5 million in grant monies for the Community Care Program, which subsidizes thousands of calls that used to be served by Mesa's front line units. He indicated that in 2020, if the program ends, the City will have 15,000 to 20,000 additional calls per year with no new emergency units to serve them. He stressed the importance of such budget and revenue concerns being conveyed to the citizens of Mesa.

It was moved by Councilmember Glover, seconded by Vice Mayor Kavanaugh, that the tentative proposed Fiscal Year 2015-16 Budget Plan be approved.

Mayor Giles declared the motion carried unanimously by those present.

**11. Items from citizens present.**

Ana Gallegos, a Mesa Royal Palms resident, addressed the Council regarding the homes being torn down. She stated that residents were told that the City of Mesa would send letters to the residents informing them of what needed to be fixed in order to stay in their homes, but instead they received notice that they had 180 days to vacate the property because the land was no longer going to be used for a mobile home park. She added that the last time the residents attended a Council meeting, there was no one available to translate.

Luis Madrid, a Mesa Royal Palms resident, stated that the City provided only 280 days' notice for residents to evacuate their homes and has failed to offer a place to relocate or payment for the properties the residents have purchased. He noted that the residents do not own the land, but rather the trailers and pay the taxes. He added that the residents deserve to be respected.

Rosa Ramirez, a Mesa Royal Palms resident, said that she understands that the Council is doing its job, but the residents are in a desperate situation. She commented that the property owner, Jim Hamm, should be present tonight, or at least have a representative to respond to residents' concerns. She further remarked that some of the residents are sick and disabled and added that they are desperate for someone to listen before their homes are condemned.

Mayor Giles apologized to the residents and said that the Council was unable to discuss their concerns because the matter was not agendaized.



12. Adjournment.

Without objection, the Regular Council Meeting adjourned at 6:14 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 June, 2015. 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

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