



## COUNCIL MINUTES

March 3, 2014

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on March 3, 2014 at 5:48 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 Isiah Claytor, Jr., Rock City Church International.

Pledge of Allegiance was led by Councilmember Kavanaugh.

Mayor's Welcome.

Awards, Recognitions and Announcements.

Mayor Smith stated that over the past few years, one of the best undertakings the City has been involved in is the Extraordinary Properties campaign, which recognizes Mesa residents and businesses for the pride that they take in their property and "going the extra mile." He noted that tonight, the Council will recognize the tenth group of recipients and introduced Deputy Director of Development and Sustainability Laura Hyneman, who provided a brief historical overview of the campaign.

Ms. Hyneman reported that nominations for Extraordinary Properties are received from the City Council, employees and residents and said that the winners are selected by a citizen panel. She advised that the winners are announced on a quarterly basis and receive a yard sign and certificate. She added that each of this year's winners will also be nominated for the Mayor's Award for Building a Better Mesa.

Ms. Hyneman and Mayor Smith presented awards to the Extraordinary Properties winners as follows:

- Residential Property – Ivy Cunningham (Vice Mayor Finter joined in the presentation.)
- Residential Property – Richard and Charlotte Polfliet (Councilmember Somers participated in the presentation.)
- Residential Property – Frances Lindblom (not present)

- Commercial Property – American Metals (Councilmember Glover joined in the presentation.)
- Community Property – Mesa Urban Garden (MUG) (Councilmember Glover participated in the presentation.)

Ms. Hyneman congratulated the recipients and thanked Administrative Supervisor Trudi Arledge and the City's Code Compliance Officers for their efforts. She also acknowledged the members of the Extraordinary Properties Citizen Panel as follows: Linda Flick, Cynthia Dunham, Pat Gilbert and Stephanie Wright. She added that nominations are being accepted for the next group of Extraordinary Properties winners.

Mayor Smith thanked staff and the winners for their efforts.

Planning Director John Wesley, who also serves as the Historic Preservation Officer for the City of Mesa, stated that the Historic Preservation Board (HPB) recently sponsored a Historical Fiction Writing Contest. He introduced Clara Ziervogel, Chairwoman of the HPB, who was prepared to present certificates to the contest winners.

Ms. Ziervogel addressed the Council and reported that the writing contest, which was open to 4<sup>th</sup> through 6<sup>th</sup> grade Mesa students, was designed to help children learn about the history of Mesa and strengthen the fabric of the community. She stated that the topic for the essay was a historical event during World War II at Falcon Field Airport, Williams Air Force Base or Mesa Grande.

Ms. Ziervogel invited the contest winners to come forward and be recognized for their achievements as follows:

- Carolina Meza – First Place
- Aubrey Boberg – Second Place
- Sophia Hackett – Third Place

Mayor Smith congratulated the winners for their hard work and creativity.

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.

Responding to a question from Councilmember Luna, Planning Director John Wesley clarified that with respect to items 6-a (**A13-04**) and 6-b (**Z13-061**), the property that would be annexed and rezoned will be located within Mesa's City limits. He explained that at a prior Council meeting, the Council discussed possibly paving a portion of Adobe Road to address the neighbors' concerns regarding noise and dust. He further stated that particular section of the road would be situated in the County and noted that it would be the responsibility of the County and the adjacent property owners to maintain the road in the future. He stressed the fact that the City would not be obligated to maintain that portion of Adobe Road.

Mayor Smith commented that it was his understanding that a written agreement has been prepared, but not yet executed by the parties. He also remarked that City staff has made it clear to the applicant that further processing of these cases, as it relates to the final plat, was dependent upon the successful execution of such an agreement.

Mr. Wesley confirmed Mayor Smith's statement.

It was moved by Councilmember Kavanaugh, seconded by Councilmember Glover, that the consent agenda be approved.

Carried unanimously.

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

Minutes from the February 6 and 24, 2014 Council meetings.

3. Take action on the following contracts:

- \*3-a. Purchase of City of Mesa's Website Redesign, Maintenance and Hosting Services as requested by the Public Information and Communications Department. **(Citywide)**

This contract will provide a vendor to redesign the City's website, phased over six to eight months, and ongoing hosting of the website. Redesign elements will include: a comprehensive content management system; tools for direct integration with social media; integrated calendars, forms and other critical tools; and the flexibility to build sub-themed websites.

Public Information and Communications, and Purchasing recommend authorizing the purchase using the City of Tempe cooperative contract with Vision Internet Providers, Inc., at \$132,270.

- \*3-b. One (1)-Month Extension and Dollar-Limit Increase for the Term Contracts for Landscape Maintenance Services for Zone 1 **(Districts 5 and 6)** and Zone 2 **(Districts 2 and 5)** for the Parks, Recreation and Commercial Facilities (PRCF) Department.

The one-month extension and dollar-limit increase for each Term Contract is needed for the City to complete an appeal response to the award recommendation for new Term Contracts for these Zones. PRCF has sufficient funds for the dollar-limit increases.

PRCF and Purchasing recommend authorizing a one-month extension and dollar-limit increase for Zone 1, at \$48,372.73, increasing the contract amount from \$472,250.46 to \$520,623.19; and for Zone 2, at \$46,113.02 from \$454,634.44 to \$500,747.46; with Mariposa Landscape Arizona, Inc. The combined increase of \$94,485.75 will be through March 31, 2014.

- \*3-c. Three (3)-Year Term Contract for Automatic External Defibrillators (AED), Supplies and Preventative Maintenance for the Fire and Medical Department. **(Citywide)**

These devices will be used in the event of a cardiac arrest to place in City buildings for employee and public use. A total of 150 AEDs will be purchased over a three-year period. This purchase will also provide for the replacement of approximately 35 AEDs

currently located in City buildings over three years. The additional AEDs will be new placements in City buildings that do not currently have them.

Fire and Medical, and Purchasing recommend awarding the contract to the lowest priced, responsive and responsible bidder, CPR Savers and First Aid Supply, at \$100,000 annually, based on estimated requirements.

\*3-d. Upper Zone Reliability Improvements – Phase II. **(District 5)**

This project will include the installation of water pipes, pumps, and related mechanical and electrical appurtenances for four existing potable water pump stations.

Recommend award of the Guaranteed Maximum Price contract to Garney Construction, in the amount of \$1,876,145.70, based on the construction cost of \$1,705,587.00, plus an additional \$170,558.70 (10%) for contingencies. This project is funded by the voter approved 2010 Water Bond Fund.

\*3-e. Purchase to Upgrade Computer Disk Storage Space for the Justice Web Interface as requested by the Police Department. **(Citywide)**

As part of the Police Department's Information Technology Justice Web Interface project, an application that will provide an efficient and consolidated access to electronic criminal history record information, there is an immediate need to expand computer disk storage capacity. This is based on the growth of electronic information storage needs due to various project initiatives, added applications and normal aggregated data storage from operations and the ability to access electronic criminal history record information.

Police, Information Technology and Purchasing recommend authorizing the purchase using the State of Arizona cooperative contracts with X-IO Technologies, at \$96,920.90, and SHI International, at \$17,385.37, for the total contract award of \$114,306.27. This purchase is funded by the 2012 Bryne JAG Grant (\$27,250) and from the Information Technology Department operating budget (\$87,056.27).

4. Take action on the following resolutions:

\*4-a. Approving and authorizing the City Manager to enter into a Development Agreement for City Share Reimbursement with Mattamy Arizona, LLC, for the reimbursement of \$19,301.20 for arterial street lighting improvements in conjunction with a proposed residential development known as Granite Ridge located at 9803 East McKellips Road – Resolution No. 10387.

\*4-b. Approving and authorizing the City Manager to enter into a Development Agreement for City Share Reimbursement with DMB Mesa Proving Grounds, LLC, for the reimbursement of \$836,307.00 for regional street, water line and traffic signal improvements in conjunction with a proposed residential development known as Eastmark Phase II located at 5014 South Signal Butte Road – Resolution No. 10388.

\*4-c. Approving and authorizing the City Manager to enter into a Development Agreement for City Share Reimbursement with Evergreen Baseline & Stapley, LLC, for the reimbursement of \$45,487.11 for bus pullout/shelter improvements in conjunction with a

proposed commercial development known as Raising Cane's located at 1945 South Stapley Drive – Resolution No. 10389.

5. Introduction of the following ordinance and setting March 17, 2014 as the date of the public hearing on this ordinance:

- \*5-a. Modifying the Terms and Conditions for the Sale of Utilities relating to frontage requirements, solid waste barrel placement, applicability of Council exceptions, and certain clerical corrections. **(Citywide)**

6. 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.

- \*6-a. **A13-04 (District 5)** Annexing land located north of Adobe Road and west of Signal Butte Road (40± ac). Initiated by the property owner, Landholdings Investment Co., LLC. – Ordinance No. 5202.
- \*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 – Ordinance No. 5203.

Staff Recommendation: Approval with Conditions

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

- \*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± acres). Rezone from RS-35 to RS-15-PAD to allow the development of a single-residence subdivision – Ordinance No. 5204.

Staff Recommendation: Approval with Conditions

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

- \*6-d. **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 – Ordinance No. 5205.

Staff Recommendation: Approval with Conditions

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

- \*6-e. 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)** – Ordinance No. 5206.

Staff Recommendation: Approval

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

### **Items not on the Consent Agenda**

#### **7. Conduct a public hearing and take action on the following Minor General Plan Amendment and ordinance that was introduced at a prior Council meeting:**

- 7-a. **GPMInor14-002 (District 1)** The 3200 to 3300 blocks of East McKellips Road (north side) and the 2000 to 2100 blocks of North 32<sup>nd</sup> Street (east side). Located at the northeast corner of McKellips Road and 32<sup>nd</sup> Street (37.07± acres). Minor General Plan Amendment to adjust the boundaries of the existing Mesa 2025 General Plan Land Use Designation from PSP to LDR1-2. This request will allow single-residence development – Resolution No. 10390.

Staff Recommendation: Adoption

P&Z Recommendation: Adoption (Vote: 6-0-1, abstain, Boardmember Hudson.)

Mayor Smith announced that this was the time and place to conduct a public hearing regarding **GPMInor14-002** and **Z14-002**.

There being no citizens present wishing to speak on these issues, the Mayor declared the public hearing closed.

Mayor Smith stated that pending no objection from the Council, agenda items 7-a and 7-b will be voted on in one motion.

It was moved by Councilmember Somers, seconded by Councilmember Kavanaugh, that Resolution No. 10390 and Ordinance No. 5207 be adopted.

Carried unanimously.

- 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 32<sup>nd</sup> Street (east side). Located at the northeast corner of McKellips Road and 32<sup>nd</sup> 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 – Ordinance No. 5207.

Staff Recommendation: Approval with Conditions

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

(See Council action under item 7-a.)

8. Items from citizens present.

There were no items from citizens present.

Mayor Smith commented that two officers from the Phoenix Police Department were shot in an altercation that took place earlier today. He stated that one of the officers has passed away and the other is currently undergoing surgery as a result of his injuries. He noted that the Council's thoughts and prayers go out not only to the families and coworkers of those two individuals, but also to all public safety officers throughout Arizona and beyond who place themselves in harm's way on a daily basis.

9. Adjournment.

Without objection, the Regular Council Meeting adjourned at 6:16 p.m.

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SCOTT SMITH, 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 3<sup>rd</sup> day of March 2014. 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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