



# COUNCIL MINUTES

November 17, 2014

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on November 17, 2014 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

Invocation by Pastor Tony Frazee with Gateway Bible Church.

Pledge of Allegiance was led by Connor Smith, Mayor's Youth Committee.

Mayor's Welcome.

Awards, Recognitions and Announcements.

Ryan Gurr, President of the 2014-2015 Mayor's Youth Committee (MYC), stated that he is a senior at Skyline High School and this is his second year serving on the MYC. He explained that the MYC is a select group of high school juniors and seniors from schools throughout the City of Mesa. He stated that each year, school principals and counselors select students through a competitive process to represent their schools. He added that the MYC is a year-long program in which students attend monthly meetings, participate in community service opportunities, and research current City issues. He noted that the students interact with the Mayor, City Council and staff to learn about the functions of City government.

Mr. Gurr indicated that the MYC capstone project is the Mayor's assignment and that this year, students were asked to design a service project to help address a pressing need in the community. He stated that the students work in teams, attend workshops at THINKspot, and conduct research both in the community and with City staff to identify an issue and develop a service project to assist in its resolution. He noted that each team will present its project to the Mayor and Council, who will select a project to be implemented by the MYC in celebration of Global Youth Service Day on April 18, 2015. He introduced the 2014-2015 Mayor's Youth Committee members, who were present in the audience.

Mayor Giles thanked the students for their participation on the Mayor's Youth Committee.

1. Appointment of Lisa Peters as a City Magistrate.

Vice Mayor Glover stated that it was an honor to make a motion on the appointment of Lisa Peters as a City Magistrate for the Mesa Municipal Court. He noted that Ms. Peters earned a Bachelor's degree in Political Science and Art History from the University of Arizona and a Law degree from Arizona State University. He explained that she has served as a Pro Tem Judge for the Mesa Municipal Court for several years, has exemplary legal reasoning skills and a long history of service to the court. He noted that Ms. Peters' many positive attributes include quality and case management preparedness in the courtroom, excellent problem solving abilities and judicial demeanor, all of which would benefit the Mesa Municipal Court. He added that Ms. Peters was a model citizen with positive leadership skills and abilities.

It was moved by Vice Mayor Glover, seconded by Councilmember Kavanaugh, that Lisa Peters be appointed as City Magistrate.

Carried unanimously.

Ms. Peters was sworn in as City Magistrate by Mayor Giles.

Ms. Peters thanked her family, the Mayor, Council, staff, and members of the Judicial Advisory Board and said that she was privileged to have the opportunity to serve the City of Mesa. She also thanked Presiding Magistrate J. Matias Tafoya and all of the judges and clerks at the Mesa Municipal Court.

Mayor Giles congratulated Ms. Peters on her appointment.

2. Appointment of Craig Fujii as a City Magistrate.

Councilmember Kavanaugh stated that he would make a motion on the appointment of Craig Fujii as a City Magistrate to serve in the Mesa Municipal Court. He reported that Mr. Fujii received his Bachelor's degree in Business Management from Northern Arizona University and a Law degree from Pepperdine University. He noted that Mr. Fujii was an attorney in private practice for many years, has served as a Pro Tem Judge for the Mesa Municipal Court, and is well respected. He pointed out that Mr. Fujii has demonstrated extensive community involvement and described him as effective, efficient, patient and respectful. He added that Mr. Fujii is well respected in the legal community for the strength of his work and his integrity.

It was moved by Councilmember Kavanaugh, seconded by Vice Mayor Glover, that Craig Fujii be appointed as City Magistrate.

Carried unanimously.

Mr. Fujii was sworn in as City Magistrate by Mayor Giles.

Mr. Fujii thanked the Mayor, Council, staff, and members of the Judicial Advisory Board for their confidence in his abilities and for the opportunity to serve the City of Mesa. He also expressed appreciation to Presiding Magistrate J. Matias Tafoya and all of the judges and clerks at the Mesa Municipal Court. He further recognized his family members who were present in the audience.

Mayor Giles congratulated Mr. Fujii on his appointment.

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

Carried unanimously.

\*4. Approval of minutes of previous meetings as written.

Minutes from the October 23 and 30 and November 3 and 6, 2014 Council meetings.

5. Take action on the following liquor license applications:

\*5-a. Downtown Mesa Association

This is a one-day charitable event to be held on Friday, December 5, 2014 from 5:00 p.m. to 11:00 p.m. on Macdonald from Main Street to Pepper Place. **(District 4)**

\*5-b. The Palms Theatre

A dinner theatre is requesting a new Series 12 Restaurant License for The Palms Theatre, Inc., 5247 East Brown Road – Lawrence Edward Elliget, agent. The existing Restaurant license held by Broadway Palm Dinner Theatre West, LLC, will revert back to the State. **(District 5)**

\*5-c. The Vue

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Hub II, LLC, 2401 South Lansing – David George Bee, agent. The existing license at this location held by YSPF Holdings B, LLC, will revert back to the State. **(District 6)**

6. Take action on the following contracts:

\*6-a. One-Year Renewal of the Term Contract for Window Cleaning Services for City Facilities as Requested by the Facilities Maintenance Department. **(Citywide)**

This contract provides a qualified window cleaning contractor including personnel, insurance, transportation, supplies and tools of the trade to clean the windows in City buildings.

Facilities Maintenance and Purchasing recommend authorizing a one-year renewal with Imperial Window Cleaning, Inc., at \$65,000 annually, based on estimated requirements.

- \*6-b. Three-Year Term Contract for Landscape Sprinkler and Irrigation Supplies to stock at the Materials and Supply Warehouse for use by Transportation and Parks, Recreation and Commercial Facilities Departments. **(Citywide)**

This contract will provide landscape sprinkler and irrigation supplies required for the repair, modification and installation of irrigation systems located in landscaped areas maintained by the City to be purchased on an as-needed basis.

Business Services, Transportation and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidders: Sprinkler World of Arizona, Inc. (a Mesa business); Ewing Irrigation Products, Inc.; and John Deere Landscapes; cumulatively not to exceed \$381,500.00 annually, based on estimated requirements.

- \*6-c. Dollar-Limit Increase to the Term Contract for Industrial Supplies for the Materials and Supply Warehouse (for Citywide Use). **(Citywide)**

This contract supplies City departments with industrial supplies including test instruments, hand tools and vehicle maintenance supplies, shelving and storage equipment, safety equipment and materials, power tools and metalworking, pneumatics and hydraulics and pumps and plumbing and HVAC equipment. A new contract will start on 1/1/2015 replacing this contract.

Business Services and Purchasing recommend authorizing a dollar-limit increase of \$75,000.00 to the City of Tucson cooperative contract with Grainger, increasing the contract amount from \$165,000.00 to \$240,000.00, based on estimated requirements.

- \*6-d. Three-Year Term Contract for Industrial Supplies for the Materials and Supply Warehouse (for Citywide Use). **(Citywide)**

This contract supplies City departments with industrial supplies including test instruments, hand tools and vehicle maintenance supplies, shelving and storage equipment, safety equipment and materials, power tools and metalworking, pneumatics and hydraulics and pumps and plumbing and HVAC equipment.

Business Services and Purchasing recommend authorizing a three-year contract using the City of Tucson/National IPA cooperative contract with Grainger, at \$500,000.00 annually, based on estimated requirements.

- \*6-e. Three-Year Term Contract for Fire Structure Boots for the Fire and Medical Department. **(Citywide)**

This contract will establish an approved list of vendors to provide fire structure boots for approximately 400 Mesa Fire and Medical Department personnel. The department provides an allowance of \$300 per year toward the cost of these boots and an average of 100 to 125 pairs of boots are purchased annually.

An evaluation committee representing Fire and Medical and Purchasing evaluated responses, and recommends awarding the contract to the proposals received from: BTE West International, LLC; Freightliner of Arizona, dba Western States Fire Equipment; Matlick Enterprises, dba United Fire Equipment Company; Municipal Emergency Services, Inc.; and Universal Procurement, Inc., dba Universal Police Supply Co.; cumulatively not to exceed \$85,000.00 annually, based on estimated requirements.

- \*6-f. Purchase of Thirty-Eight Replacement Temperature-Controlled Locking Drug Cabinets for the Fire and Medical Department. **(Citywide)**

These refrigerated temperature-controlled locking drug cabinets are needed on fire apparatus to store a number of pharmaceuticals that must be temperature-regulated for use in EMS emergency response calls. Fire and Medical also wanted to add the use of a traceable locking/recording device in order to secure their controlled substances per Drug Enforcement Administration requirements. The climate-controlled drug cabinets will be replacing old unsecured and outdated, non-WiFi card-reading units.

The Fire and Medical Department and Purchasing recommend awarding the contract to the qualified, single bidder, Bound Tree Medical, LLC, at \$339,157.20. This purchase is funded by the Federal Emergency Management Agency (FEMA), 2013 Assistance to Firefighters Grant, at \$298,772.00, and the remaining \$40,385.20 is funded by the Fire and Medical Department operating budget.

- \*6-g. Purchase of a New Panoramic Digital Camera Crime Scene Capture Solution for the Police Department. **(Citywide)**

The panoramic digital camera will provide an interactive, panoramic digital depiction of the crime scene. The equipment provides point of view and line of sight perspectives from suspects, victims and witnesses. The software provides the ability to add features to a presentation which can include documents, photographs, 9-1-1 calls, police radio traffic, Axon camera footage, video surveillance, annotations, and detailed descriptions of crime scenes for courtroom testimony and departmental presentations to boards and/or committees.

An evaluation committee representing the Police and Purchasing Departments evaluated responses and recommends awarding the contract to highest scored proposal from Scene Capture, Inc., at \$60,192.00. This purchase is funded by Gilbert Regional Lab Services Funds.

- \*6-h. Three-Year Term Contract for Vehicle Rental Services for the Police Department. **(Citywide)**

An evaluation committee recommends awarding the contract to the highest scored proposal from Enterprise Leasing Company of Phoenix, LLC, dba Enterprise Rent-A-Car. The contract is funded by Asset Forfeiture RICO funds.

- \*6-i. Purchase of Twenty Replacement Radar Devices and Forty Dash Mounts for the Police Department. **(Citywide)**

The new radar units will replace outdated units currently deployed at the patrol districts. Radar devices are used to conduct speed enforcement activities from a moving vehicle platform and can also be used in a stationary mode for stationary speed enforcement.

The Police Department and Purchasing recommend authorizing the purchase using the State of Arizona cooperative contract with Kustom Signals, Inc., at \$34,590.34.

- \*6-j. Purchase of Six Replacement Light-Duty Pickup Trucks for the Energy Resources Department. **(Citywide)**

This purchase will provide six CNG-powered half-ton extended cab pickup trucks to replace six regular fuel pickups. The vehicles being replaced have met established criteria and will be retired and sold at auction. These vehicles will be used to support Energy Resources operations (two for the Electric Utility and four for the Gas Utility).

Fleet Services, Energy Resources and Purchasing recommend authorizing purchase from the contract with Berge Ford (a Mesa business), at \$216,244.81. This purchase is funded by the Utility Replacement Extension and Renewal Fund.

- \*6-k. Three-Year Term Contract for Electrical Installation and Maintenance Services for Utilities Infrastructure for the Water Resources Department. **(Citywide)**

This contract will provide qualified electrical Contractors for labor, materials and equipment as needed at the City's water and wastewater treatment, distribution and collection facilities. Project work may include: service entrance preventative maintenance; replacement of electrical wiring and cabling due to wire theft and general and emergency electrical services as requested by the Water Resources, Process Control Group.

An evaluation committee representing Water Resources and Purchasing Departments evaluated responses and recommends awarding the contract to the highest scored proposals: Rural Electric Inc. (Primary) (a Mesa business); Swain Electric Inc. (Secondary); and Ludvik Electric Co. (Tertiary); cumulatively not to exceed \$100,000.00 annually, based on estimated requirements.

- \*6-l. Purchase of Network Monitoring and Diagnostic Solutions and Services for the Information Technology Department (Single Bid). **(Citywide)**

The City's network monitoring and diagnostic tools need replacing to support the current network capabilities and shift toward cloud computing. This software replaces old diagnostic tools with a system that allows for faster troubleshooting. It also allows improved management of securely encrypted traffic on the City's networks and related certificate infrastructure that enables IT to provide security to City data.

The Information Technology Department and Purchasing recommend awarding the contract to the sole responding vendor, ExtraHop Networks, Inc., at \$194,156.57.

7. Take action on the following resolutions:

- \*7-a. Approving and authorizing the City Manager to enter into the Airport Development Reimbursable Grant Agreement with the State of Arizona for design of the realignment of Taxiways A & C at Falcon Field Airport. The total approved project cost is \$383,655, with the State funding \$17,150, the Federal Aviation Administration funding \$349,356, and the remaining \$17,149 funded by the Falcon Field Enterprise Fund. **(District 5)** – Resolution No. 10562.
- \*7-b. Approving and authorizing the City Manager to enter into an Agreement with the City of Chandler and Valley Metro Rail for funding of the Fiesta Downtown Chandler Transit Corridor Study to evaluate transit options between the Fiesta District and downtown Chandler. The total cost for the planning study shall not exceed \$687,500, with the City of Chandler initially funding all study costs. Mesa will reimburse Chandler 46.90% (\$322,438) of the total study cost. **(District 3)** – Resolution No. 10563.

- \*7-c. Approving and adopting the City of Mesa 2040 Transportation Plan. **(Citywide)** – Resolution No. 10564.
- \*7-d. Canvassing, declaring and adopting the results of the General Election consolidated with the Statewide General Election held on November 4, 2014. **(Continued to the December 1, 2014 Council Meeting.)**

8. Introduction of the following ordinances and setting December 1, 2014 as the date of the public hearing on these ordinances:

- \*8-a. **Z14-47 (District 2)** 6335 East Main Street. Located east of Recker Road on the south side of Main Street (7± acres). Council Use Permit request for the conversion of an existing shopping center to accommodate a private school. Richard Buckingham, Faith Christian Church, applicant/owner.

Staff Recommendation: Approval with Conditions

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

- \*8-b. Amending the Mesa City Code Title 10 (Traffic), by adding Subsection 10-3-18 (Q) (Maximum Allowable Vehicle Weight on Certain Streets); amending Section 10-4-9 (Emergency or Construction Speed Limits); and amending Section 10-4-11 (Speeds of 35 Miles Per Hour Permitted on Certain Streets During Certain Hours). These modifications authorize the City Traffic Engineer to establish reduced speed limits adjacent to schools. The modifications also explicitly provide for establishing maximum allowable vehicle weights on certain streets. **(Citywide)**

9. Take action on the following subdivision plats:

- \*9-a. “Higley Heights Phase 3B” **(District 5)** The 5000 to 5100 blocks of East Brown Road (north side). 37 RSL-4.5 PAD lots and 36 RSL-2.5 PAD lots (14.3± acres). KB Home Phoenix Inc., owner; Gail A. Morgan, EPS Group, Inc., surveyor.
- \*9-b. “Bella Via – Parcel 14” **(District 6)** The 5400 and 5500 blocks of South Mountain Road (west side). Located south and west of Ray Road and Mountain Road. 95 RS-6 PAD lots (31.75± acres). Pulte Group, owner; Shane McClara, Wood Patel & Associates, engineer.

**Items not on the Consent Agenda**

10. Items from citizens present.

There were no items from citizens present.

11. Adjournment.

Without objection, the Regular Council Meeting adjourned at 6:05 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 17<sup>th</sup> day of November 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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