



COUNCIL MINUTES

October 17, 2016

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on October 17, 2016 at 5:45 p.m.

COUNCIL PRESENT

John Giles
Alex Finter
Christopher Glover
David Luna
Dave Richins
Kevin Thompson

COUNCIL ABSENT

Dennis Kavanaugh

OFFICERS PRESENT

Christopher Brady
Jim Smith
Dee Ann Mickelsen

Mayor Giles excused Vice Mayor Kavanaugh from the entire meeting.

Mayor's Welcome.

Invocation by Mr. Les Koel, Minister of Scientology.

Pledge of Allegiance was led by Councilmember Glover.

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

Mayor Giles declared the motion carried unanimously by those present.

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

Minutes from the October 3, 2016 Council meeting.

3. Take action on the following liquor license applications:

*3-a. Algae Biomass Organization

This is a one-day civic event to be held on Wednesday, October 26, 2016 from 4:00 p.m. to 7:30 p.m., at 7418 East Innovation Way South, ISTB3. **(District 6)**

*3-b. All Saints Roman Catholic Church Knights of Columbus

This is a one-day fraternal event to be held on Saturday, November 5, 2016 from 3:00 p.m. to 7:00 p.m., at 1534 North Recker Road. **(District 5)**

*3-c. Ultimate Imaginations

This is a one-day charitable event to be held on Saturday, November 12, 2016 from 12:00 p.m. to 12:00 a.m. on Main Street from Center Street to Robson. **(District 4)**

*3-d. Angry BBQ

A restaurant is requesting a new Series 12 Restaurant License for E Mart USA Inc., 1350 South Longmore, Suites 22-23 – Seong Ho Lee, agent. There is no existing license at this location. **(District 3)**

*3-e. Barro's Pizza

A restaurant is requesting a new Series 12 Restaurant License for A & D Pizza Inc., 10861 East Baseline Road, Suite 110 – Bruce Robert Barro, agent. There is no existing license at this location. **(District 6)**

*3-f. The Brass Tap

A bar is requesting a new Series 6 Bar License for J. Rowe Enterprises LLC, 1033 North Dobson Road, Suite 104 – Amy Nations, agent. The existing license held by J. Rowe Enterprises LLC, will revert back to the State. **(District 1)**

*3-g. The Hub

A sports bar is requesting a new Series 6 Bar License for 212 Grill & Bar LLC, 1860 South Stapley Drive – David George Bee, agent. This is a person-to-person transfer. The existing license held by Mad Dog Saloon AZ LLC, will transfer to the applicant. **(District 3)**

*3-h. Wingstop

A restaurant is requesting a new Series 12 Restaurant License for Maricopa Wings XVI LLC, 1457 West Southern Avenue, Suite 13 – Thomas Robert Aguilera, agent. There is no existing license at this location. **(District 3)**

*3-i. Encore at Eastmark

A community association is requesting a new Series 14 Club License for Encore at Eastmark Homeowner's Association, 5620 South Encore – Ryan Witner Anderson, agent. There is no existing license at this location. **(District 6)**

*3-j. Senor Sushi Mesa

A restaurant is requesting a new Series 12 Restaurant License for Senor Sushi Mesa LLC, 1356 West Southern Avenue – Eduardo Gonzalez Romero, agent. **(District 3)**

*3-k. Korea Mart

A Korean food and beer store is requesting a new Series 10 Beer and Wine Store License for E Mart USA Inc., 1350 South Longmore – Seong Ho Lee, agent. There is no existing license at this location. **(District 3)**

*3-l. Good Life RV Resort

An RV resort restaurant is requesting a new Series 12 Restaurant License for Cal-AM Properties Inc., 3403 East Main Street – Camila Alarcon, agent. There is no existing license at this location. **(District 2)**

4. Take action on the following bingo application:

*4-a. Apache Wells II Patio Homes Home Owner's Association Inc.

Donald Olson, applicant, 5830 East McKellips Road #167. **(District 5)**

5. Take action on the following contracts:

*5-a. One-Year Renewal of the Term Contract for Collection Services for the Business Services and Financial Services Departments. **(Citywide)**

This contract provides debt collection services for delinquent accounts for utility bills, sales taxes, conference center, property damages, orders of protection, excess false alarms, airport and miscellaneous receivables referred to them after the City has exhausted in-house collection efforts. In 2015, this service recovered \$133,869.27 and, per the agreement, the vendor was able to retain \$19,895.38 for their services.

The Business Services and Financial Services Departments, and Purchasing recommend authorizing the renewal with Valley Collection Service, LLC, at \$30,000 annually, based on estimated requirements.

*5-b. Two-Year Term Contract for Print Shop Specialty Paper as requested by the Business Services Department. **(Citywide)**

This contract will provide a variety of paper used daily in the Print Shop to produce many different printed products for City Departments. Many of the brands on the County contract are compatible with the Print Shop's copiers and presses and the needs of the requesting City Departments.

The Business Services Department and Purchasing recommend authorizing a contract using the Maricopa County cooperative contract with Spicers Paper, Inc.; and Kelly Paper; cumulatively not to exceed \$50,000 annually, based on estimated requirements.

- *5-c. One-Year Renewal of the Term Contract for Leather Work Gloves for the Materials and Supply Warehouse (for various City Departments). **(Citywide)**

This contract provides leather work gloves for City employees.

The Business Services Department and Purchasing recommend authorizing the renewal with Arizona Glove & Safety, dba AGS Safety & Supply, at \$30,000 annually, based on estimated requirements.

- *5-d. Purchase of One Replacement Pneumatic Compactor Roller for the Transportation Department as requested by the Fleet Services Department. **(Citywide)**

The roller being replaced has reached or exceeded life cycle replacement due to age, has high maintenance costs, and will be retired and sold at auction.

The Fleet Services and Transportation Departments, and Purchasing recommend authorizing the purchase using the City of Tucson / National IPA cooperative contract with Empire Southwest, LLC (a Mesa business), of \$102,011.05. This purchase is funded by the Local Streets Sales Tax Fund.

- *5-e. Award Additional Vendor to the Three-Year Term Contract for Streetlight and Traffic Signal Poles, Mast Arms and Anchor Bolts for the Materials and Supply Warehouse (for the Transportation Department). **(Citywide)**

On August 22, 2016, Council approved the initial three-year term contract to the lowest, responsive and responsible bidders. Due to a typographical error on the bid tabulation, Group 5 – 400 Series Poles was inadvertently awarded to the second lowest bidder, Cem-Tec Corporation. Both contractors were contacted and the City will re-award Group 5 to the actual lowest, responsive and responsible bidder, Southwest Fabrication, LLC.

The Business Services and Transportation Departments, and Purchasing recommend awarding the additional vendor, Southwest Fabrication, LLC, at \$55,895 to this term contract.

- *5-f. Purchase of Line Clearance and Tree Trimming Services for the Southeast Quadrant of Mesa's Electric Service Area for the Energy Resources Department. **(District 4)**

This contract will provide a qualified contractor to keep trees and vegetation clear of high voltage electric transmission, primary and secondary distribution lines and secondary service drops, in order to maintain safety and minimize and prevent electric service outages in the southeast quadrant of Mesa's electric service area.

The Energy Resources Department and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder, Asplundh Tree Expert Company, at \$41,846, based on estimated requirements.

- *5-g. Purchase of a Spare Rotopress Screenings Compactor for the Water Resources Department (Sole Source). **(Citywide)**

This Spare is essential for the headworks at the Northwest Water Reclamation Plant. If the plant's existing press fails, it would cause operational problems for screening waste. A previous purchase of a replacement liner and auger screw for the plant on 4/11/2016, accumulated with this purchase requires Council approval.

The Water Resources Department and Purchasing recommend authorizing the purchase from the sole source vendor, Parkson Corporation, at \$20,603.62. This purchase is funded by the Utility Replacement Extension and Renewal Fund.

- *5-h. Three-Year Term Contract for Electric Switchgear Testing, Maintenance and Repairs for the Water Resources Department. **(Citywide)**

This contract will provide services including inspection, testing, preventative maintenance, evaluation and repair or replacement of electrical distribution system components located at the City's potable water and waste water facilities.

Water Resources and Purchasing recommend awarding the contract to the highest scored proposals from Cannon & Wendt Electric Company, Inc., and Hampton Tedder Technical Services, Inc., at \$125,000 annually, based on estimated requirements.

- *5-i. Purchase of Furniture for the Mesa Fire and Medical Regional Dispatch Center and Emergency Operations Center as requested by the Fire and Medical Department. **(Citywide)**

This purchase will provide furniture for various office/admin areas at the Mesa Fire and Medical Regional Dispatch Center and Emergency Operations Center. Herman Miller systems furniture is the City standard and is used throughout the City.

The Fire and Medical Services Department and Purchasing recommend authorizing the purchase using the Maricopa County Community Colleges District cooperative contract with Goodmans Interior Structures, at \$51,634.54. This purchase is funded by the 2013 authorized Public Safety Bonds.

- *5-j. Stadium Connector Shared Use Path Improvement Plans. **(District 1)**

The Stadium Connector will be constructed within an existing easement along the north perimeter of Bass Pro Shops and Mesa Riverview. In these areas, landscaping and irrigation will supplement the pathway. A separated cycle track will be installed along Alma School Road, Country Club and Date/Brown Road to allow two-way bicycle travel along the corridor and to encourage multi-modal transportation options. The cycle track will replace one lane of traffic on these roads and the separation will be created by a new landscaped median.

Staff recommends awarding the contract for this project to the lowest responsible bidder, Talis Construction, in the amount of \$2,167,945, plus an additional \$216,794 (10%) change order allowance. This allowance will only be utilized for approved change orders. Funding is available from the 2012 Parks and Recreation Bond Program.

*5-k. Greenfield Park Improvements Project Construction Manager at Risk – GMP No.1.
(District 2)

On November 6, 2012, Mesa voters approved a \$70 million Parks Bond Program. Included in the bond program was the Greenfield Park Urban Fishing Lake and Playground Renovation as part of the Park Renovation and Enhancement Projects focus area, now titled Greenfield Park Improvements. This program includes a complete renovation of the existing irrigation pond so that it can be incorporated into the Arizona Game and Fish Community Fishing Program within the pond classification. The lake will continue to serve as the irrigation water source for the western portion of the park. Additional enhancements include storm water infrastructure, pedestrian walkways and street lights, ADA accessibility upgrades for the lake, updates to the playground and fitness equipment, a new restroom facility, playground shade, and parking lot expansion.

Staff recommends awarding the contract to Hunter Contracting Co., in the amount of \$705,446.96, based upon a Guaranteed Maximum Price of \$671,854.25, plus an additional \$33,592.71 (5%) change order allowance. This allowance will only be utilized for approved change orders. The project is funded by 2012 authorized Parks Bonds, 2013 authorized Street Bonds and the Environmental Compliance Fee.

*5-l. Signal Butte Water Treatment Plant (SBWTP) Construction Services Contract (GMP No. 2). **(District 6)**

On July 11, 2016 the City Council awarded Guaranteed Maximum Price (GMP) 1 contract in the amount of \$35,008,509 with a change order allowance of \$1,050,255 (3%) to Sundt Construction to provide construction services to build the SBWTP. GMP 1 included earthwork, concrete and long lead equipment. The purpose of GMP 1 was to start construction early and expedite the schedule, reduce construction cost and enable the City to start treating and deliver water to customers by May of 2018. The demand for potable water has been increasing due to new development in southeast Mesa. Current water demand projections require increasing the City's treatment capacity by 24 million gallons per day (MGD). City staff and Sundt recently completed negotiations for GMP No. 2.

Staff recommends awarding the contract for the completion of this project to Sundt Construction in the amount of \$65,626,754 (GMP No. 2) and authorizing a change order allowance in the amount of \$1,968,803 (3%). Funding is available from the 2014 authorized Water Bond Program.

*5-m. Ten-Year Term Contract for a Transit Stop and Transit Shelter Advertising Program for the Transit Services Department. **(Citywide)**

The goal of this program is to enhance the transit rider experience for fixed-route riders by increasing the number of transit shelters to provide shade through a shared revenue advertising program.

The City has an estimated 750 bus stops. Of these bus stops, 244 have existing shelters of various styles and sizes and that typically include seating, trash container(s), bike loops, and bus scheduling information. This program would add 50 new shelters, increasing the percentage of stops with shelters from 33% to 39%. The contractor will be responsible for managing the sale of advertising, producing and installing advertising

materials, constructing and installing advertising panels or kiosks and shelters and maintaining all transit stops that include advertising.

The Transit Services Department and Purchasing recommend awarding the contract to the qualified proposal from OutFront Media Group LLC (formerly CBS Outdoor Americas, Inc., dba CBS Outdoor, LLC). The contractor will provide revenue sharing with the City on an annual basis, based on the Agreement's compensation.

6. Take action on the following resolutions:

- *6-a. Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with the Arizona Department of Transportation for the construction and maintenance of a Multi-Use Pathway adjacent to the 202L San Tan Freeway between Baseline and Elliot Roads. **(District 6)** – Resolution No. 10853.

Under the Agreement, the City's responsibilities will be limited to the construction and ongoing maintenance of a 10-foot path including pathway features. The pathway features will include lighting, a 42-inch fence, node rest areas and protection of existing landscape and irrigation. Construction and maintenance costs of the path were previously approved by Council as part of the Capital Improvement Project Budget for Southeast Mesa Bike and Ped Path Segment 1 (Baseline to Elliot Roads).

- *6-b. Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with Maricopa County to waive traffic control fees for each other under certain circumstances. **(Citywide)** – Resolution No. 10854.

- *6-c. Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with the Tohono O'odham Nation for the receipt and distribution of Proposition 202 funds in the total amount \$12,500. **(Citywide)** - Resolution No. 10855.

Under this Agreement, \$12,500 is awarded to the Gene Lewis Boxing Club to provide supportive educational activities, classes and instruction to at-risk students, will be accepted and administered as a pass-through grant.

- *6-d. Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with the Arizona Department of Transportation for the construction and maintenance of sidewalk ramps located in the State's right-of-way at the southeast corner of Dobson Road and the 202L Red Mountain Freeway. **(District 1)** – Resolution No. 10856.

Under this Agreement, the City's responsibilities will be limited to the installation of an ADA compliant sidewalk ramp, the restriping of the intersection markings at the south leg of this traffic interchange, and to comply with all applicable ADA standards associated with the pedestrian push buttons located along the south ramp crossings. The City will be responsible for maintenance of the ramps.

- *6-e. Approving and authorizing the City Manager to enter into an Airport Development Reimbursable Grant Agreement with the State of Arizona to construct the re-alignment of Taxiway C and Runway 4R Run Up Area at Falcon Field Airport. The total estimated cost of the project is \$2,179,800, with 4.47% (\$97,437) funded by the Arizona Department of Transportation, 91.06% (\$1,984,926) funded by the Federal Aviation

Administration, and the remaining 4.47% (\$97,437) funded by the Falcon Field Airport Enterprise Fund. **(District 5)** – Resolution No. 10857.

- *6-f. Approving and authorizing the City Manager to enter into an Award Agreement with the Arizona Attorney General's Office for the receipt and administration of grant funds in the amount of \$25,900 to fund the salary and employee-related expenses of a part-time Victim Notification Clerk in the Prosecutor's Office. **(Citywide)** – Resolution No. 10858.
- *6-g. Approving and authorizing the City Manager to enter into a Subgrantee Agreement with the Arizona Department of Homeland Security for grant funds in the amount of \$200,000 for equipment, training and planning for the Fire and Medical Department's Rapid Response Team. **(Citywide)** – Resolution No. 10859.
- *6-h. Approving and authorizing the City Manager to enter into a Grant Agreement with the DUI Abatement Council to accept \$101,000, in grant funds from the DUI Abatement Grant Program, which will be used by the Police Department's Traffic Division for overtime and education throughout the City of Mesa. **(Citywide)** – Resolution No. 10860.
- *6-i. Approving and authorizing the City Manager to enter into a Grant Award with the United States Department of Justice, Office of Justice Programs, to accept \$115,200 in grant funds, which will be used for overtime and additional equipment for DNA Capacity Enhancement and Backlog Reduction (CEBR) Program for the Police Department's Forensic Services Division. **(Citywide)** – Resolution No. 10861.
- *6-j. Approving and authorizing the City Manager to enter into a Cooperative Agreement with the United States Department of Justice, Office of Programs, Bureau of Justice Statistics, to accept \$608,680 in grant funds, which will be used by the Police Department to cover the salary and benefits of personnel, two in Records and one in Information Technology, and software. **(Citywide)** – Resolution No. 10862.
- *6-k. Approving and authorizing the City Manager to enter into a Ground Lease Agreement for the City-owned property located at 49 West First Street with Metropolitan Youth Symphony. **(District 4)** – Resolution No. 10863.
- *6-l. Setting the time and date for the public hearing on the continuation of the Mesa Town Center Improvement District No. 228 to be November 7, 2016, at 5:45 p.m. **(District 4)** – Resolution No. 10864.

On October 7th, 1985, the City established the Mesa Town Center Improvement District to provide enhanced municipal services for the Town Center. If Council approves on November 7, 2016, the Mesa Town Center Improvement District would continue for an additional five years.

7. Take action on the following resolutions adopting the Heritage Neighborhood Program and establishing the Washington-Escobedo Neighborhood as a Mesa Heritage Neighborhood:

- *7-a. Adopting the Heritage Neighborhood Program to recognize, and encourage the maintenance and preservation of socially, culturally, and historically significant neighborhoods that have contributed to a unique character and sense of history in Mesa. **(Citywide)** – Resolution No. 10865.

- *7-b. Establishing the Washington-Escobedo Neighborhood as a Mesa Heritage Neighborhood. **(District 4)** – Resolution No. 10866.

8. Introduction of the following ordinances and setting November 7, 2016 as the date of the public hearing on these ordinances:

- *8-a. Amending Section 10-4-6 of the Mesa City Code to decrease speed limits from 30 MPH to 25 MPH on a portion of Main Street from Country Club Drive to Centennial Way/Sirrine, as recommended by the Transportation Advisory Board. **(District 4)**
- *8-b. Amending Title 7, Chapter 5, sections 1, 2, and 3 of the Mesa City Code to allow the Mesa Fire and Medical Department to recover costs for the full spectrum of medical services under the Community Medicine Program. **(Citywide)**
- *8-c. **Z16-043 (District 2)** The 4500 block of East Southern Avenue (north side) and 4500 block of East Flower Circle (west of the termination of the cul-de-sac). Located east of Greenfield Road on the north side of Southern Avenue (7.33± acres). Rezone from RS-6-PAD to LC, (2.78± acres); and Site Plan Modification (7.33± acres). This request will allow the expansion of a mini-storage facility and the reconfiguration of existing RV and boat storage. Jeff D. Welker, Welker Development Resources, LLC, applicant; Beth Coons, RFN Investment, owner.

Staff Recommendation: Approval with conditions

P&Z Board Recommendation: Approval with conditions (Vote:6-0)

- *8-d. **Z16-040 (District 6)** The 600 block of South Signal Butte Road (west side). Located south of Broadway Road on the west side of Signal Butte Road (3.1± acres). Rezoning from RS-43 to RSL-3.0-PAD; and Site Plan Review. This request will allow for the development of a single-residential subdivision. Sean Lake, Pew & Lake, PLC, applicant; Leon Ricks, Ricks Investments, owner.

Staff Recommendation: Approval with conditions

P&Z Board Recommendation: Approval with conditions (Vote:6-0)

9. Take action on the following subdivision plat:

- *9-a. “Bella Via Parcel 15” **(District 6)** The 5300 to 5600 blocks of South Signal Butte Road (east side). Located south of Ray Road on the east side of Signal Butte Road. 78 RS-6 PAD single residence lots (26.9 acres). Pulte Home Corporation, developer. Dan Matthews, Wood Patel, engineer.

Items not on the Consent Agenda

10. Items from citizens present.

Yolanda Triana, a Mesa resident, commented that she is here asking for the right for a place to live and feels Mesa Royale residents have been “run over,” because the City of Mesa is trying to remove the residents. She added that the City and the property owner can look for housing alternatives. She pointed out that there are federal resources available and Mesa can do something for the Mesa Royale residents.

Hilario Triana, a Mesa resident, expressed the opinion that the City of Mesa and the property owner are trying to move them out. He added that the City is receiving federal funds for different programs and can help the residents. He continued by saying that he feels the residents have been discriminated against because the City has supported other programs in other communities, but not the Mesa Royale residents. He stated that the City would like the residents out just like the other mobile home parks in the area where the light rail passes.

Mayor Giles thanked the speakers and notified them that flyers related to Mesa Royale Frequently Asked Questions could be found at the back of the room for their convenience.

11. Adjournment.

Without objection, the Regular Council Meeting adjourned at 6:03 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 17th day of October, 2016. I further certify that the meeting was duly called and held and that a quorum was present.

DEE ANN MICKELSEN, CITY CLERK

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