



# COUNCIL MINUTES

October 19, 2015

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on October 19, 2015 at 5:45 p.m.

## COUNCIL PRESENT

Dennis Kavanaugh  
Christopher Glover  
David Luna  
Kevin Thompson

## COUNCIL ABSENT

John Giles  
Alex Finter  
Dave Richins

## OFFICERS PRESENT

John Pombier  
Jim Smith  
Dee Ann Mickelsen

Vice Mayor Kavanaugh excused Mayor Giles and Councilmembers Finter and Richins from the entire meeting.

Mayor's Welcome.

Invocation by Councilmember Glover.

Pledge of Allegiance was led by Canon McLellan, Scout Troop # 451.

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.

Vice Mayor Kavanaugh declared the motion carried unanimously by those present.

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

Minutes from the August 27, September 3 and 24 and October 5, 2015 Council meetings.

3. Take action on the following liquor license applications:

\*3-a. Queen of Peace Catholic Church

This is a one-day religious event to be held on Sunday, November 15, 2015 from 9:00 a.m. to 8:00 p.m., at 141 North Macdonald. **(District 4)**

\*3-b. Angry Crab & BBQ Restaurant

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for AC East Mesa LLC, 8253 East Guadalupe Road – Andrea Frank Diamond, agent. There is currently no existing license at this location. **(District 6)**

4. Take action on the following contracts:

\*4-a. Five-Year Term Contract for the GR:D Bike Sharing Program for the Transportation Department. **(Districts 1, 3 and 4)**

This contract will establish a bike share network that will include up to 100 bicycles and ten hub stations with payment kiosks throughout downtown Mesa and/or within three miles of existing/future light rail/bus service. First-year funds will be for the use of the bicycles and all equipment, in addition to services related for implementation of the bike share system.

The City Manager's Office, Transportation and Purchasing recommend authorizing a five-year contract using the cooperative contract conducted with the City of Phoenix with CycleHop, LLC, at \$250,000, based on estimated requirements. Future years' expenditures will be included on an as-needed basis in annual budget reviews and as approved by Council.

\*4-b. 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 and driving gloves for City employee use.

Business Services and Purchasing recommend authorizing a one-year renewal with Arizona Glove & Safety, dba AGS Safety & Supply, at \$30,000.00, based on estimated requirements.

\*4-c. Three-Year Term Contract for Barricade Rental Services for various City Departments. **(Citywide)**

This contract will provide barricade rental services, which include barricade equipment, supplies, delivery, set-up, relocation and take-down of all rental equipment on an as-needed basis for the Transportation, Energy Resources, Water Resources and Police Departments.

The evaluation committee recommends awarding the contract to the highest-scored proposals from Trafficade Service, Inc. (Primary); and Southwest Barricades, LLC (Secondary); cumulatively not to exceed \$1,261,000.00 annually, based on estimated requirements.

- \*4-d. One-Year Renewal of the Term Contract for Fiberglass Waterslide Repair for the Parks, Recreation and Commercial Facilities Department. **(Citywide)**

This contract provides for the repair, waxing and buffing of the City's fiberglass waterslides at various locations. Each year, preventative maintenance and repairs on every waterslide at each aquatics facility is necessary to ascertain if the fiberglass is safe and will not cause injury to a potential rider for the upcoming year.

The Parks, Recreation and Commercial Facilities Department and Purchasing recommend authorizing a one-year renewal with 8 Blocks Maintenance Co., LLC, at \$54,000.00, based on estimated requirements.

- \*4-e. Purchase of Nine Replacement Cameras and Controller for the Public Information and Communication Department. **(Citywide)**

This purchase will replace the cameras and pan tilt heads used for live broadcasts of Council and Committee Meetings. The cameras are being replaced because the existing pan tilt systems are over 17 years old and failing. It is more cost effective to replace the existing separate cameras and pan tilt systems with cameras that have pan tilt built in than to replace just the aging equipment. The department is keeping the existing cameras to reuse in less critical situations.

Public Information and Communication and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder, G & G Technologies, Inc., at \$71,602.08.

- \*4-f. One-Year Renewal of the Term Contract for Original Equipment Manufacturer Auto and Light Truck Parts for the Fleet Services Department. **(Citywide)**

This contract provides genuine General Motors and Chrysler/Jeep and Ford parts to maintain and repair the City's fleet of sedans, light-duty trucks and vans.

The Fleet Services Department and Purchasing recommend authorizing a one-year renewal with Brown & Brown Chevrolet, dba AutoNation Chevrolet, and Chapman Scottsdale Autoplex, dba Chapman Chrysler Jeep Dodge, cumulatively not to exceed \$100,000.00 based on estimated requirements.

- \*4-g. Purchase of 112 Replacement Pneumatic Wiping Cylinders for the Water Resources Department. **(Citywide)**

This purchase will provide replacement Parker Origa pneumatic cylinders for the Greenfield Water Reclamation Plant's Wedeco TAK Ultraviolet Disinfection system. These cylinders will provide for a complete cycle replacement this fiscal year.

The Water Resources Department and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder, Kaman Industrial Technologies, at \$61,640.32. This purchase will be funded by the Utility Replacement Extension and Renewal Fund.

\*4-h. Greenfield Water Reclamation Plant Odor Control Expansion. **(Gilbert)**

This project includes the installation of an additional odor control scrubber unit and associated supporting infrastructure, also improvements to aging chemical feed system and storage tanks, relining the existing chemical containment areas and a larger shade canopy to protect new improvements from the elements. The additional fourth scrubber unit will provide much needed redundancy in case one of the existing odor control units fails or needs to be taken offline for maintenance.

Recommend award to the lowest responsible bidder, Archer Western Construction LLC, in the amount of \$2,259,000, and authorize a change order allowance in the amount of \$225,900. Funding for this project is available in the 2010 Wastewater Bond Authorization. For this project, the City of Mesa will be reimbursed 39.8% by the Town of Gilbert and 18.4% by the Town of Queen Creek.

\*4-i. Authorize the Mayor to sign an amended employment contract with the City Clerk.

\*4-j. Authorize the Mayor to sign an amended employment contract with the City Auditor.

\*4-k. Authorize the Mayor to sign an amended employment contract with the City Manager.

5. Take action on the following resolutions:

\*5-a. Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with the Salt River Pima-Maricopa Indian Community for the receipt and distribution of Proposition 202 funds in the total amount of \$575,375, of which \$270,375 is awarded to the following City of Mesa programs: Mesa Fire and Medical Department, Immunization Program; Mesa Police Department, Bike Unit and Forensics Storage Solutions; Mesa Parks, Recreation and Commercial Facilities Department, Jacinto Retention Basin development; Mesa Counts on College, PSAT & SAT Testing; Mesa Dobson Library, MakerSpace. The balance of the funds will be distributed to other Valley community agencies. **(Citywide)** – Resolution No. 10688.

\*5-b. Approving and authorizing the City Manager to enter into the Airport Development Reimbursable Grant Agreement with the State of Arizona for the reconfiguration of the Taxiway A project at Falcon Field Airport. The total estimated project cost is \$1,689,250, with 4.47% (\$75,510) funded by the Arizona Department of Transportation, 91.06% (\$1,538,231) funded by the Federal Aviation Administration, and the remaining 4.47% (\$75,509) match funded by the Falcon Field Airport Enterprise Fund. **(District 5)** – Resolution No. 10689.

\*5-c. Approving and authorizing the City Manager to enter into a Highway Safety Contract with the Governor's Office of Highway Safety to accept \$120,000 for overtime and employee-related expenses for the Police Department's Traffic Section to support and enhance DUI and Impaired Driving Enforcement throughout the City of Mesa. **(Citywide)** – Resolution No. 10690.

\*5-d. Approving and authorizing the City Manager to enter into a Highway Safety Contract with the Governor's Office of Highway Safety to accept \$50,000 for overtime and employee-related expenses for the Police Department's Traffic Section for Selective Traffic Enforcement throughout the City of Mesa. **(Citywide)** – Resolution No. 10691.

- \*5-e. Approving and authorizing the City Manager to enter into a Highway Safety Contract with the Governor's Office of Highway Safety to accept \$84,500 toward the purchase of equipment for the Police Department's Forensic Services Division. **(Citywide)** – Resolution No. 10692.
- \*5-f. Approving and authorizing the City Manager to enter into a DUI Abatement Grant Program Grant Agreement with the Governor's Office of Highway Safety to accept funding in the amount of \$84,500 toward the purchase of equipment for the Police Department's Forensic Services Division. **(Citywide)** – Resolution No. 10693.
- \*5-g. Approving and authorizing the City Manager to submit the First Substantial Amendment to the FY 2015-16 Annual Action Plan to the U.S. Department of Housing and Urban Development under the Housing and Community Development Act of 1974 (CDBG). This Amendment will allow for an innovative pilot program to provide dispute mediation as an alternative to resolve Fair Housing complaints. **(Citywide)** – Resolution No. 10694.
- \*5-h. Adopting the City of Mesa Title VI Implementation Plan as required by the Federal Transit Administration. Title VI of the Civil Rights Act of 1964 requires that recipients of federal funding must submit an updated Title VI Plan that documents compliance with federal Title VI guidance every three years. **(Citywide)** – Resolution No. 10695.
- \*5-i. Modifying fees and charges for Wireless Communication Facilities (WCF) for the Engineering Department and removing the WCF Guidelines for Construction from the Fee Schedule. **(Citywide)** – Resolution No. 10696.

The Engineering Department's WCF fees and charges that were adopted by the Council on May 18, 2015 inadvertently omitted the equipment fee and total WCF annual fee from the fee schedule. Also, the WCF Guidelines for Construction are duplicative in the Schedule of Fees and Charges, as they are included in the Engineering standards.

- \*5-j. Approving and authorizing the City Manager to enter into the Amended and Restated Transportation Project Advance Agreement with Valley Metro Rail, Inc., Maricopa Association of Governments and the City of Phoenix for the funding of design, construction, right-of-way acquisition and light rail vehicle acquisition for the Gilbert Road Light Rail Extension Project, and further authorizing the funding of the Project with: (i) \$32,400,000 in reprogrammed federal funding; (ii) other federal funds and/or advancements as set forth in the Agreement; (iii) the City's advance of Project costs by issuing TPANs; and (iv) the City's 5.7% matching funds for the Project. **(District 4)** – Resolution No. 10697.
- \*5-k. Providing for the issuance and sale of Transportation Project Advancement Notes for the Gilbert Road Light Rail Extension Project; making a pledge of excise taxes and repayments to the repayment of notes; approving the form and authorizing the execution of a Trust Agreement; Continuing Disclosure Certificate and Note Purchase Agreement; and approving an Official Statement. **(Citywide)** – Resolution No. 10698.
- \*5-l. Approving the First Amendment to Development, Financing Participation, Waiver and Intergovernmental Agreement – Eastmark Community Facilities District (CFD) No. 1 – reflecting a modification of: (i) the target tax rate for the payment of General Obligation Bonds of the Eastmark CFD District No. 1 beginning in fiscal year 2016-17; and (ii) the

form of Disclosure Statement provided to homeowners within the District. – Resolution No. 10699.

6. Introduction of the following ordinance and setting November 9, 2015 as the date of the public hearing on this ordinance:

- \*6-a. **Z15-026 (District 5)** The 7400 through 7600 blocks of East Southern Avenue (north side). Located at the northwest corner of Sossaman Road and Southern Avenue (11.57± acres). Rezone from LC-PAD-PAD to RSL-2.5-PAD-PAD and Site Plan Review. This request will allow for the development of a single residence subdivision. Sean B. Lake, Pew & Lake, PLC, applicant; Terrence R. Wall, The Arizona Real Estate Fund II, LLC, owner.

Staff Recommendation: Denial

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

**Items not on the Consent Agenda**

7. Items from citizens present.

Doug Coleman, a member of the Arizona House of Representatives, representing District 16, stated that seven school districts and many outstanding charter schools are located within his legislative district. He explained that school districts in Gilbert, Higley, Queen Creek and Apache Junction are seeking voter approval to exceed their state-imposed budget limitations by up to 15%. He pointed out that several of those districts extend into Mesa and in particular, Gilbert Public Schools.

Mr. Coleman commented that in an attempt to balance the state's budget, the state legislature cut the base level funding for Arizona's students, resulting in many school districts conducting override elections in order to merely provide classroom essentials. He indicated that the vast majority of the school districts within Mesa's boundaries have already passed overrides and noted that the respective students are already benefiting from such measures. He urged that the Council join him in supporting the above-listed school override elections to ensure that all students have access to the necessary resources and the opportunity to obtain a world-class education.

8. Adjournment.

Without objection, the Regular Council Meeting adjourned at 5:58 p.m.

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DENNIS KAVANAUGH, VICE 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 19<sup>th</sup> day of October, 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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