



COUNCIL MINUTES

October 6, 2014

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on October 6, 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 Councilmember Luna.

Pledge of Allegiance was led by Jordan Jackson, Boy Scout Troop # 253.

Mayor's Welcome.

Awards, Recognitions and Announcements.

Mayor Giles announced that Councilmember Luna would be presenting an award to Fire and Life Safety Education Specialist-Public Information Officer, MARRISA RAMIREZ-RAMOS.

Councilmember Luna stated that Ms. Ramirez-Ramos has made significant contributions to the City of Mesa, is a very active participant in the hispanic and latino community and added that this year she is representing the City of Mesa at the Latino Town Hall. He added that she was recognized by Valle del Sol as one of 40 diversity leaders from across the state at the 8th Annual 40 Hispanic Leaders Under 40 Awards, which honors Arizona's emerging hispanic leaders. He explained that she was recognized for her accomplishments as well as for her substantial contributions to communities across Arizona. He expressed his pride in her achievements.

Mayor Giles stated that over the past few years, the City has been involved in the Extraordinary Properties campaign, which recognizes Mesa residents and businesses for the pride and investment that they take in their property. He explained that the 11th group of recipients would be recognized this evening 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 bi-annual basis and receive a yard sign and certificate.

Ms. Hyneman 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 Giles presented awards to the Extraordinary Properties winners as follows:

- Residential Property – Margarita Lopez and Lucio Ortiz (Vice Mayor Glover participated in the presentation.)
- Residential Property – Andrew and Reachel Bagley (Councilmember Richins participated in the presentation.)
- Commercial Property – Joe's Barber Shop, Owner, Joe Davis, (Vice Mayor 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 Giles thanked the winners for their efforts.

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 Kavanaugh, seconded by Vice Mayor 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 September 22, 2014 Council meeting.

3. Take action on the following liquor license application:

*3-a. National Kidney Foundation of Arizona

This is a one-day charitable event to be held on Saturday, October 25, 2014 from 6:00 p.m. to 9:00 p.m., at 1924 West Rio Salado Parkway. **(District 1)**

4. Take action on the following contracts:

*4-a. One-Year Renewal of the Term Contract for Parking Lot Sweeping for City Facilities as requested by the Facilities Maintenance Department. **(Citywide)**

This contract provides sweeping services at approximately forty City parking facilities. The contractor is required to remove all debris from each parking facility by a mechanical sweeper.

Facilities Maintenance and Purchasing recommend authorizing a one-year renewal with Ace Surface Maintenance, Inc., at \$40,000 annually, based on estimated requirements.

*4-b. Three-Year Term Contract for Auctioneering Services for the Fleet Services, Police and Business Services Departments. **(Citywide)**

This contract will provide auction services, including off-site auctions and online auctions to dispose of City vehicles, equipment, firearms and other surplus property.

The City of Mesa (as the lead agency) solicited Request for Proposals for Auctioneering Services. Cooperative partners include: Chandler, Apache Junction, Queen Creek, Fountain Hills, Gilbert, Peoria, Scottsdale, Glendale, Goodyear, Surprise, Maricopa County, Pinal County, Maricopa County Community College District, Pima Community College and Phoenix-Mesa Gateway Airport Authority. Other S.A.V.E cooperative members may also use the resulting contract.

An evaluation committee representing Fleet Services, Materials and Supply, Police, Purchasing and members from the cooperative (Cities of Peoria, Apache Junction and Chandler) evaluated responses and recommends awarding the contract to the highest scored Best and Final (BAFO) proposals from The Public Group, LLC and Sierra Auction Management, Inc.

*4-c. Dollar-Limit Increase for the Term Contract for Vaccines for the Fire and Medical Department's Childhood Immunization Program and Public Safety Employees (Funded by CMS Grant – Centers for Medicare and Medicaid Services). **(Citywide)**

The Mesa Fire and Medical Department (MFMD) have been awarded additional immunization dollars through the CMS Healthcare Innovation Grant. The grant funding is \$30,333 each year for the next three years for a total of \$90,999. MFMD will have the ability to immunize more citizens within the community for Influenza, Tdap, MMR, Varicella, Hepatitis B and Hepatitis A.

MFMD and Purchasing recommend authorizing a dollar-limit increase of \$30,333 annually, increasing the annual contract amount from \$110,000 to \$140,333 annually, for the next three years. This contract utilizes the Minnesota Multistate Contracting Alliance for Pharmacy (MMCAP) cooperative contract with multiple vendors: Sanofi Pasteur, GlaxoSmithKline, Merck Sharp & Dohme Corp., and McKesson.

*4-d. Three-Year Term Contract for Slurry Seal Sand for the Transportation Department (Single Bid). **(Citywide)**

Slurry seal sand is used to seal and maintain Mesa's road surfaces. The sand seals weathered pavements, fills fine cracks in the pavement surface and provides additional skid resistance to the pavement.

Transportation and Purchasing recommend awarding the contract to the single respondent, Vulcan Materials Co., at \$625,000 annually, based on estimated requirements.

- *4-e. Three-Year Term Contract for Splicer Kits, Gel Caps and Related Components for the Materials and Supply Warehouse (for the Transportation Department) (Single Bid). **(Citywide)**

This contract will provide splicer kits, gel caps, wires, connectors and insulating kits for Transportation, Streetlights group. The splicer kits and related components are for new construction and the maintenance and repair of existing streetlights.

Business Services, Transportation and Purchasing recommend awarding the contract to the single, responsive and responsible bidder, Border States Electric, at \$33,000 annually, based on estimated requirements.

- *4-f. Purchase of IT Security Infrastructure for Utilities Supervisory Control and Data Acquisition (SCADA) Network. **(Citywide)**

Cyber-security risks in the current IT SCADA infrastructure were identified and prioritized according to threat impact and likelihood of occurrence. From this, IT staff in collaboration with Water Resources and Energy Resources departments created a multi-year, three phased cyber-security risk remediation plan. Once all phases are complete the City will be fully compliant with the current Department of Homeland Security cyber-security recommendations. This request includes security infrastructure items to address phase one of the master plan.

Information Technology and Purchasing recommend authorizing purchases using the State of Arizona and National IPA contract agreements with the following vendors: Enterprise Network Solution (a Mesa business), at \$160,311.00, EMC Corporation, at \$31,395.10, Insight Public Sector, at \$15,951.02, SHI International, at \$21,574.08; and CDW-G, at \$6,433.07; and through normal purchasing processes: Technical Marketing Mfg., Inc., at \$9,172.00 and Accuvant, at \$9,812.65; for the combined total award of \$254,648.92.

- *4-g. Purchase of Two Replacement Light-Duty Pickup Trucks for the Engineering Department. **(Citywide)**

This purchase will provide two replacement vehicles (2014 Ford ½-ton extended cab pickups) for the Engineering Construction Inspections group to inspect Capital Improvement Projects. The vehicles have met established criteria and will be retired and sold at auction.

Fleet Services, Engineering and Purchasing recommend authorizing purchase from the contract with Berge Ford (a Mesa business), at \$50,254.06. This purchase is funded by the Vehicle Replacement Fund.

5. Take action on the following resolution and contract relating to the TOPAZ Radio Network:

- *5-a. Resolution approving and authorizing the City Manager to enter into an Agreement to accept Sprint Communications' settlement offer in the amount of \$2,364,320 for changing the radio frequencies utilized by the TOPAZ Radio Network and other 800 MHz radio stations licensed to the City of Mesa. The settlement will be used to upgrade the TOPAZ Radio Network to new 800 MHz frequencies. **(Citywide)** – Resolution No. 10542.

- *5-b. Contract to Purchase a Lifecycle Upgrade for the TOPAZ Voice Radio Network as requested by the Communications Department (Sole Source). **(Citywide)**

This purchase will accelerate the Lifecycle Program, which will replace obsolete radio base stations, upgrade the existing core network equipment and implement resilient core network equipment to improve radio network reliability, and save \$5,471,077 over the forecasted budget for this work.

Communications and Purchasing recommend awarding the contract to Motorola Solutions, Inc. (Mesa business location), at \$7,169,138.13. This purchase is funded by 2013 authorized Public Safety bonds, City of Mesa Lifecycle funds, and TRWC members (City of Apache Junction – 7.12%, Town of Gilbert – 17.9%, City of Mesa – 74.15%, Rio Verde Fire District – 0.04%, Superstition Fire & Medical District formerly Apache Junction Fire District - 0.49% and Town of Queen Creek – 0.30%).

6. Take action on the following resolution and contract relating to the Centers for Medicare and Medicaid Services grant award:

- *6-a. Resolution approving and authorizing the City Manager to enter into a Cooperative Agreement with the U.S. Department of Health and Human Services Centers for Medicare and Medicaid (CMS) to accept \$12,515,747.00 in award funds from CMS's Healthcare Innovation Award Program in support of the Mesa Fire and Medical Department's Community Care Response Initiative. **(Citywide)** – Resolution No. 10543.

- *6-b. Contract to Purchase Two Additional Dispatch Workstations for the Fire and Medical Department. **(Citywide)**

Fire and Medical will be incorporating Triage Nurses into the Mesa Regional Dispatch Center as required by the Centers for Medicare and Medicaid Services (CMS) Grant. The purchase of additional dispatch furniture is necessary to accommodate increased staffing and work area needs.

Fire and Medical, and Purchasing recommend authorizing the purchase using the Pima County contract with Phoenix Interior Solutions, at \$31,229.53. This purchase is funded by the Centers for Medicare and Medicaid Services Grant.

7. Take action on the following resolutions:

- *7-a. 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 \$216,000.00 for equipment, training and planning for the Fire and Medical Services Department's Rapid Response Team. **(Citywide)** – Resolution No. 10544.

- *7-b. Approving and authorizing the City Manager to enter into a Contract Agreement with Community Bridges to accept up to \$30,000 for fiscal year 2014-2015 for overtime for Mesa Police Officers assigned to the shoulder tapping and party patrol project. **(Citywide)** – Resolution No. 10545.

- *7-c. Approving and authorizing the City Manager to accept a Fiscal Year 2014 DNA Capacity Enhancement and Backlog Reduction Program Grant Award from the U.S. Department of Justice in the amount of \$109,190 for overtime and software for the Police Department's Forensic Services Division. **(Citywide)** – Resolution No. 10546.

- *7-d. Approving and authorizing the City Manager to enter into a Highway Safety Contract with the Governor's Office of Highway Safety to accept \$60,000 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. 10547.
- *7-e. Approving and authorizing the City Manager to enter into a Highway Safety Contract with the Governor's Office of Highway Safety to accept \$70,000 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. 10548.

8. Take action on the following resolution and introduction of the following ordinance relating to the Terms and Conditions for the Sale of Utilities, and setting October 20, 2014 as the date of public hearing on this ordinance:

- *8-a. Resolution declaring modified Terms and Conditions for the Sale of Utilities filed with the City Clerk to be a public record and providing availability of the documents for public use and inspection. **(Citywide)** – Resolution No. 10549.
- *8-b. Ordinance modifying the Terms and Conditions for the Sale of Utilities to provide modifications and alternatives to development regulations, standards, and requirements for detached single residences on one lot or parcel located outside of the City limits and amending the modification section of the Terms and Conditions. **(Citywide)**

9. Discuss, receive public comment, and take action on the following ordinance that was continued from the September 11, 2014 Council meeting:

- *9-a. Amending the Mesa Zoning Ordinance; Title 11, Chapter 87 of the Mesa City Code; Sections 11-4-2, 11-5-2, 11-6-2 and 11-7-2 relating to permitted uses of portable storage containers in specified zoning districts; and creating 11-30-16, regarding requirements relating to the placement and use of portable storage containers. **(Citywide)** – Ordinance No. 5249.

Staff Recommendation: Approval

P&Z Board Recommendation: Approval (Vote: 6-0, Chair DiBella, absent)

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

- *10-a. Amending Title 2, Chapter 18 of the Mesa City Code and adopting by reference Personnel Appeals Board Hearing Procedural Rules for Classified Employees (Excluding Sworn Law Enforcement) and Personnel Appeals Board Hearing Procedural Rules for Sworn Law Enforcement Employees – Ordinance No. 5250.
- *10-b. Amending Title 9 (Public Ways and Property) of Mesa City Code by adding subsection 9-6-4(i) establishing public street lighting requirements for Pacific Proving Grounds North, located south of Ray Road, east of Ellsworth Road **(District 6)** – Ordinance No. 5251.
- *10-c. **Z14-41 (District 3)** 232 South Dobson Road. Located north of Broadway Road on the west side of Dobson Road (15.5± acres). Modification of the existing PAD overlay in the LI zoning district and Site Plan Review. This request will allow for the development of a

group industrial center. Stephen Krager, Euthenics Architecture, applicant; Kenn Francis, PRA/LB LLC, owner – Ordinance No. 5252.

Staff Recommendation: Approval with Conditions

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

11. Take action on the following subdivision plat:

- *11-a. “Higley Heights – Phase 2” (**District 5**) The 1400 to 1500 blocks of North Higley Road (west side). 100 RSL-2.5 PAD lots and 43 RSL-4.5 PAD (19 acres). KB Home Phoenix Inc., owner Gail A. Morgan, EPS Group, Inc., surveyor.

Items not on the Consent Agenda

12. Items from citizens present.

In response to a question from Mayor Giles, City Attorney Debbie Spinner explained that “items from citizens present” is permitted under the Open Meeting Law and allows citizens to address the Council with concerns, comments or issues on any item. She added that the Council cannot respond to, or address speaker comments except in rare circumstances. She stated that the Open Meeting Law prohibits the use of City resources to influence the outcome of an election such as the use of Channel 11 and City staff resources. She advised that comments related to ballot measures may or may not be able to be re-broadcast (depending on whether the comments support or oppose a ballot measure) and cautioned speakers under this item to be mindful of the statute.

Mr. Gene Dufoe, a Mesa resident, addressed the Council relative to the utility revenue bonds on the November 2014 ballot. He explained that these bonds would pay for infrastructure improvements, adding to Mesa’s debt. He remarked that the City is not utilizing profits from the enterprise fund to responsibly maintain the infrastructure required by the enterprise funds operations. He stated that in spite of the secondary property tax increasing from \$14 million to \$33 million in the current year, the enterprise fund has increased from \$83 million to \$173 million since 2011. He concluded by saying that the bond debt for the City of Mesa has almost doubled from 2011 to the present.

Mayor Giles thanked Mr. Dufoe for his comments.

13. Adjournment.

Without objection, the Regular Council Meeting adjourned at 6:13 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 6th day of October 2014. I further certify that the meeting was duly called and held and that a quorum was present.

DEE ANN MICKELSEN, CITY CLERK