



COUNCIL MINUTES

October 7, 2013

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on October 7, 2013 at 5:46 p.m.

COUNCIL PRESENT

Scott Smith
Alex Finter
Chris Glover
Dennis Kavanaugh
David Luna
Scott Somers

COUNCIL ABSENT

Dave Richins

OFFICERS PRESENT

Christopher Brady
Debbie Spinner
Dee Ann Mickelsen

Mayor Smith excused Councilmember Richins from the entire meeting.

Invocation by Pastor Tommy Foster, Harmony Community Baptist Church.

Pledge of Allegiance was led by Samuel Phelps, Scout Troop #871.

Mayor's Welcome

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

Mayor Smith declared the motion carried unanimously by those present.

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

Minutes from the September 12 and 23, 2013 Regular Council meetings.

3. Take action on the following liquor license applications:

*3-a. Colon Cancer Alliance

This is a one-day charitable event to be held on Saturday, November 9, 2013, from 10:00 a.m. to 6:00 p.m., at 922 South Country Club Drive. **(District 4)**

*3-b. National Kidney Foundation of Arizona

This is a one-day charitable event to be held on Saturday, October 19, 2013, from 5:00 p.m. to 9:00 p.m., at 1924 West Rio Salado Parkway. **(District 1)**

*3-c. Ultimate Imaginations, Inc.

This is a one-day charitable event to be held on Friday, October 25, 2013, from 5:00 p.m. to 11:00 p.m., on Macdonald from Main Street to Pepper Place. **(District 4)**

*3-d. Big Sticks Fine Cigars

Person-to-person and location transfer of a Beer and Wine Bar License for Big Sticks Fine Cigars, 1017 North Dobson Road, Suite 106, Big Sticks, LLC – Jared Michael Repinski, agent. This is an existing building with no previous liquor license at this location. **(District 1)**

*3-e. The Brass Tap

Person-to-person and location transfer of a Beer and Wine Bar License for The Brass Tap, 1033 North Dobson Road, Suite 104, J. Rowe Enterprises, LLC – Randy D. Nations, agent. This is an existing building with no previous liquor license at this location. **(District 1)**

*3-f. Mesa Community Family Restaurant

New Restaurant License for Mesa Community Family Restaurant, 535 North Country Club Drive, Yernatich, LLC – David Jack Yernatich, agent. The previous Beer and Wine Bar License held at this location by Mizutani, LLC, was terminated by the State on March 8, 2004. **(District 1)**

4. Take action on the following contracts:

*4-a. Purchase of 23 Replacement Vehicles (22 Light-Duty Pickup Trucks and 1 Cab and Chassis Service Body Vehicle) for Various City Departments. **(Citywide)**

This purchase will replace 23 vehicles for Parks, Recreation and Commercial Facilities, Engineering and Police that have met established criteria and will be retired and sold at

auction. These vehicles are additional purchases against contracts originally awarded by Council on April 1, 2013.

Fleet Services, Parks, Recreation and Commercial Facilities, Engineering, Police and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidders, Berge Ford (a Mesa business), at \$535,175.75, and PFVT Motors, Inc., at \$22,325.47. The combined total award is \$557,501.22. This purchase is funded by the Vehicle Replacement Fund.

- *4-b. Three-Year Term Contract for Traffic Signal Pole Painting Services for the Transportation Department (Single Proposal). **(Citywide)**

The City refinishes traffic signal components (traffic signal poles, mast arms, signal heads, cabinets and mounts) at each of the 400-plus traffic signalized intersections on an eight-year cycle. Refinishing the components is necessary to protect the metal and provide contrast for the traffic signal heads.

A committee representing Transportation and Purchasing evaluated the responses and recommends awarding the contract to the qualified single proposal from OLS Restoration, Inc., at \$220,990 annually, based on estimated requirements. This purchase is funded by Local Streets Sales Tax.

- *4-c. Falcon Field Airport Runway Guard Light System and Airport Visual Aid Upgrades. **(District 5)**

This contract consists of two closely related grant-funded projects designated as Plan Set 'A' and Plan Set 'B'. Both are considered priority runway safety improvements and are included in the Falcon Field Airport Master Plan Update and Runway Safety Action Plan.

Recommended award to the lowest responsible bidder, AJP Electric, Inc., in the amount of \$741,987.00, plus an additional \$74,198.70 (10% allowance for change orders), for a total award of \$816,185.70. Funding is available from the recently accepted FAA construction grant for Plan Set 'A' and the previously approved ADOT design and construction grant for Plan Set 'B', combined with the City's required local matching funds for each plan set, which is available from the adopted FY 2013/14 Falcon Field Capital Program.

- *4-d. Three-Year Term Contract for Magnesium Anodes for the Materials and Supply Warehouse (for the Energy Resources Department). **(Citywide)**

This contract will provide magnesium anodes for use in the City's natural gas distribution system. Anodes protect against galvanic corrosion of steel pipe. These anodes will be used for new construction projects, and the maintenance and repair of existing utilities. Materials and Supply place the orders and maintain stock inventory as needed.

Materials and Supply, Energy Resources and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder, Corpro Companies, at \$57,000 annually, based on estimated requirements.

- *4-e. Purchase of 180 New Waste and Recycling Receptacles for the Cubs' Spring Training Facility as requested by the Engineering Department. **(Citywide)**

This request provides 120 steel and 60 plastic waste and recycling receptacles to be installed and used at the stadium.

Engineering and Purchasing recommend authorizing this purchase off of the City of Tucson/National IPA cooperative contract with Grainger, at \$84,000. This purchase is funded by Spring Training Bond Funding.

- *4-f. Purchase of Wireless Point of Sale System, Portable Food Cart System, and Stadium Receptacles and Benches for the Cubs' Spring Training Facility as requested by the Engineering Department (Sole Sources). **(Citywide)**

The Cubs' Spring Training Stadium currently has infrastructure that supports a Bypass Point of Sale System. The Cubs have determined that this fully wireless Bypass Mobile System is the best option for the facility and is being implemented in other parts of the stadium, as well.

The Facility currently has infrastructure that supports a Corsair Portable System, as designed by Ovations and Populous (the Cubs' contracted concessions vendor), which includes data and power requirements specific to electrical panels throughout the stadium. The Corsair equipment design matches the Cubs' Spring Training Facility menu plan and operationally complies with the food service provider. This sole source purchase will provide estimated savings of \$77,000 (20%) over going through the contractor and their subcontractors.

Waste receptacles and site benches are also needed for the facility. Wabash Valley equipment will match the selected trash receptacles and benches at Riverview Park, as specified in the construction package for the park and stadium. Wabash Valley is sole source through Dave Bang Associates, a Mesa business.

Engineering and Purchasing recommend authorizing purchase from sole source vendors: Bypass Mobile, LLC, at \$140,000; Corsair Display Systems, LLC, at \$385,000; and Dave Bang Associates, Inc. (a Mesa business), at \$48,000. The combined contract award is \$573,000. This purchase is funded by Spring Training Bond Funding.

5. Take action on the following resolutions:

- *5-a. Approving and authorizing the City Manager to accept funding made available through a Grant Award from the Office of Justice Programs for the DNA Backlog Reduction Program. This award provides \$116,289 for overtime and equipment for the Police Department's Forensic Services Division. **(Citywide)** – Resolution No. 10333.
- *5-b. Approving and authorizing the City Manager to accept funding made available through an Award Agreement with the State of Arizona, Office of the Attorney General, for the FY 2014 Victims' Rights Program. This Agreement provides \$66,600 for the salaries of two existing Victim Notification Clerks. **(Citywide)** – Resolution No. 10334.

- *5-c. Approving and authorizing the City Manager to execute the Second Amendment to the Eastmark Gaylord Property Entitlements Development Agreement between DMB Mesa Proving Grounds, LLC, and Eastmark Commercial Holdings I, LLC, to extend performance dates in the Development Agreement to November 2, 2018. **(District 6)** – Resolution No. 10335.
- *5-d. Approving and authorizing the City Manager to execute the Second Amendment to the Eastmark Hospitality Facilities and Convention Center Development Agreement with DMB Mesa Proving Grounds, LLC, and Eastmark Commercial Holdings I, LLC, to extend the construction commencement and construction completion performance dates in the Development Agreement to November 1, 2016 and November 2, 2018, respectively. **(District 6)** – Resolution No. 10336.
- *5-e. 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 amount of \$160,000 for the Mesa Fire and Medical Department Immunization Program, Development and Sustainability Water Harvesting Project, City Prosecutor's Office Guerrero Rotary Park Revitalization Project and the Mesa Grande Education Project. The balance of the funds will be distributed to other Valley community agencies, for a total amount of \$435,000. **(Citywide)** – Resolution No. 10337.
- *5-f. Approving and authorizing the City Manager to execute agreements for the purchase of electric power and energy. **(Districts 1 and 4)** – Resolution 10338.
- *5-g. Approving and authorizing the City Manager to execute the amended and restated Operations and Maintenance Agreement with Valley Metro Rail, Inc., for the Metro Light Rail Transit System. **(Districts 3 and 4)** – Resolution No. 10339.

6. Introduction of the following ordinances and setting October 28, 2013, as the date of the public hearing on these ordinances:

- *6-a. **Z13-043 (District 6)** 3225 South Power Road. Located on the east side of Power Road just south of Guadalupe Road (14.25± acres). Modification of a Planned Area Development in the LI-PAD zoning district. This request will allow the development of a self-storage facility.

Staff Recommendation: Approval with Conditions

P&Z Recommendation: Approval with Conditions (Vote: 6-0, Boardmember Clement absent.)

- *6-b. **Z13-044 (District 6)** The 5600 to 6000 blocks of South Signal Butte Road (east side) and the 10800 to 11100 blocks of East Williams Field Road (north side). Located at the northeast corner of Signal Butte Road and Williams Field Road (105± acres). Rezone from RSL-4.5 (35± acres) and RS-6 (70± acres) to RS-6-PAD and Site Plan Review. This request will allow residential development.

Staff Recommendation: Approval with Conditions

P&Z Recommendation: Approval with Conditions (Vote: 6-0, Boardmember Clement absent.)

- *6-c. **Z13-045 (District 3)** The 800 and 900 blocks of West Southern Avenue (south side), the 1200 and 1300 blocks of South Extension Road (west side), and the 800 and 900 blocks of West Grove Avenue (north side). Located at the southwest corner of Southern Avenue and Extension Road (19.3± acres). Rezone from LC-BIZ PAD and RM-4-BIZ-PAD to RM-4-PAD and Site Plan Review. This request will allow multi-residence development.

Staff Recommendation: Approval with Conditions

P&Z Recommendation: Approval with Conditions (Vote: 6-0, Boardmember Clement absent.)

- *6-d. Amending Title 5 (Business Regulations), Chapter 10 (Privilege and Excise Taxes) of the Mesa City Code, to adopt the changes made to the Model City Tax Code by the Municipal Tax Code Commission. The Commission has approved these changes and the Arizona Revised Statutes require that all Arizona cities and towns adopt the changes approved by the Commission.

The combined fiscal impact for all changes adopted by the Commission or preempted by the Arizona State Legislature will result in an overall reduction to City tax revenues of approximately \$1,295,000. The Office of Management and Budget has factored these changes into the City budget.

These changes were reviewed and approved to move forward to the Council by Audit, Finance and Enterprise Committee on July 1, 2013.

- *6-e. Amending various sections of the Mesa City Code; (Title 5, Business Regulations), Chapter 17 (Development Impact Fees), adopting the Pledge Debt Analysis for Continuation of Impact Fees and continuing the Development Impact Fees as currently assessed. **(Citywide)**

This ordinance is to comply with the requirements in A.R.S. §9-463.05 and to continue assessing current development fees and use them solely for principal and interest payments on existing eligible pledged debt.

Items not on the Consent Agenda

7. Items from citizens present.

There were no items from citizens present.

8. Adjournment.

Without objection, the meeting adjourned at 5:57 p.m.

SCOTT SMITH, 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 7th day of October, 2013. 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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