



COUNCIL MINUTES

April 1, 2013

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on April 1, 2013 at 5:55 p.m.

COUNCIL PRESENT

Scott Smith
Alex Finter
Christopher Glover
Dina Higgins
Dennis Kavanaugh
Dave Richins
Scott Somers

COUNCIL ABSENT

None

OFFICERS PRESENT

Christopher Brady
Dee Ann Mickelsen

Invocation by Pastor Tommy Foster with Harmony Community Baptist Church.

Pledge of Allegiance was led by Mayor Smith.

Mayor's Welcome.

Mayor Smith welcomed everyone to the meeting. A videotaped presentation was aired that outlined meeting procedures and provided attendees with instructions relative to addressing the Council.

Awards, Recognitions and Announcements.

Mayor Smith commented that the difference between a city and a community is that a city is a formal entity, which has a government and brings people together on a legal basis, whereas a community is composed of individuals who help each other, build each other up and "make a place worth living."

Mayor Smith stated that the City of Mesa was fortunate to have hundreds, if not thousands, of hardworking volunteers who give their time, talent and money for the betterment of the community. He stated that tonight, the Council was pleased to recognize many of those volunteers who provide "the heart and soul of the community."

Mayor Smith introduced Volunteer Coordinator Michelle Alvis, who was prepared to discuss the process by which the City matches citizens with different volunteer programs.

Ms. Alvis reported that the Corporation for National and Community Service (CNCS) is a federal agency that engages more than four million Americans in service throughout programs such as Senior Corps,

AmeriCorps and leads President Obama's national call to service, United We Serve. She explained that CNCS connects volunteers throughout Mesa with meaningful and enriching opportunities to meet the critical needs of the community.

Ms. Alvis advised that over 550 CNCS participants are serving at nearly 50 sites in Mesa during the current program year. She stated that on April 9, 2013, mayors across the country will participate in a day of national recognition to highlight the impact of national service in their respective communities. She added that tonight, as part of the Mayors Day of Recognition, Mayor Smith would like to recognize the contributions that the CNCS participants have made in the community.

Ms. Alvis invited a number of volunteers from various organizations and programs to come forward and join Mayor Smith, who presented Certificates of Honor in recognition of their service to the City of Mesa.

Human Resources Analyst Tina Rogers addressed the Council and recognized the volunteers who serve in various City departments including, but not limited to, the following:

- Mesa Police Department
- Parks, Recreation and Commercial Facilities Department
- Arizona Museum of Natural History
- Arizona Museum for Youth
- Mesa Fire Department
- Neighborhood Outreach
- Information Technology Department
- Falcon Field Airport
- MACFest
- City Prosecutor's Office

Ms. Rogers remarked that in 2012, volunteers donated 233,644 hours of service to the City of Mesa and said that the age of the volunteers ranges between 12 and 90. She briefly described a new online system that will enable volunteers to sign up for specific opportunities based on their area of interest and length of time commitment.

Mayor Smith invited those volunteers who were present in the audience to stand and be recognized. He read a Proclamation declaring April 9, 2013 as "National Service Recognition Day."

Planning Director John Wesley addressed the Council and reported that April has been designated "American City Quality Month" by the American City Planning Directors' Council, the American City Quality Foundation, the U.S. Conference of Mayors and the National League of Cities. He explained that during this period of time, cities will focus on planning, designing and preparing for the future growth and development of their respective communities and also creating more healthful places in which to live. He added that citizens will be invited to participate in this process and share their ideas and feedback in an effort to enhance their communities.

Mr. Wesley stated that the City of Mesa is currently updating its General Plan and has begun to solicit citizen input and ideas at a number of public meetings. He stated that within the next two weeks, the City will host four more events and encouraged Mesa residents to attend and share their thoughts and ideas about how to make Mesa a better community. Mr. Wesley added that citizens who are interested in learning more about the General Plan update can access the City's website at thisismymesa.org.

Mayor Smith read a Proclamation declaring April 2013 as "American City Quality Month."

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

Carried unanimously.

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

Minutes from the February 25, March 7, 14 and 18, 2013 Council meetings.

3. Take action on the following liquor license application:

*3-a. Cheba Hut

New Restaurant License for Cheba Hut, 1710 West Southern Avenue, Suite B8, Hempinit Inc. – Dorian Ray Lenz, Sr., agent. This is an existing building with no previous liquor license at this location. **(District 3)**

4. Take action on the following contracts:

*4-a. Purchase of One Replacement Light-Duty Cab and Chassis Service Body Vehicle for the Transportation Department. **(Citywide)**

The proposed vehicle will replace a vehicle that has met established criteria for replacement. The vehicle being replaced will be retired and sold at auction.

Fleet Services and Transportation recommend awarding the contract to the lowest, responsive and responsible bidder, PFVT Motors, Inc., at \$35,622.70. This purchase is funded by the Vehicle Replacement Fund.

*4-b. Purchase of One Replacement Light-Duty Cab and Chassis Service Body Vehicle for the Parks, Recreation and Commercial Facilities Department. **(Citywide)**

The proposed vehicle will replace a vehicle that has met established criteria for replacement. The vehicle being replaced will be retired and sold at auction.

Fleet Services and Parks, Recreation and Commercial Facilities recommend awarding the contract to the lowest, responsive and responsible bidder, PFVT Motors, Inc., at \$38,937.94. This purchase is funded by the Vehicle Replacement Fund.

- *4-c. Purchase of One Replacement Light-Duty Cab and Chassis Service Body Vehicle for the Parks, Recreation and Commercial Facilities Department. **(Citywide)**

The proposed vehicle will replace a vehicle that has met established criteria for replacement. The vehicle being replaced will be retired and sold at auction.

Fleet Services and Parks, Recreation and Commercial Facilities recommend awarding the contract to the lowest, responsive and responsible bidder, Berge Ford (a Mesa business), at \$35,623.82. This purchase is funded by the Vehicle Replacement Fund.

- *4-d. Purchase of Two Replacement Medium-Cab and Chassis Service Body Vehicles for the Parks, Recreation and Commercial Facilities Department. **(Citywide)**

The proposed vehicles will replace vehicles that have met established criteria for replacement. The vehicles being replaced will be retired and sold at auction.

Fleet Services and Parks, Recreation and Commercial Facilities recommend awarding the contract to the lowest, responsive and responsible bidder, PFVT Motors Inc., at \$79,091.62. This purchase is funded by the Vehicle Replacement Fund.

- *4-e. Purchase of Three Replacement Light-Duty Pickup Trucks (One for Parks, Recreation and Commercial Facilities and Two for Solid Waste Management). **(Citywide)**

The proposed vehicles will replace vehicles that have met established criteria for replacement. The vehicles being replaced will be retired and sold at auction.

Fleet Services, Parks, Recreation and Commercial Facilities, and Solid Waste Management recommend awarding the contract to the lowest, responsive and responsible bidder, PFVT Motors Inc., at \$71,839.86. This purchase is funded by the Vehicle Replacement Fund and the Utility Replacement Extension and Renewal Fund.

- *4-f. Purchase of Three Replacement Medium-Duty Cab and Chassis Service Body Vehicles for the Transportation Department. **(Citywide)**

The proposed vehicles will replace vehicles that have met established criteria for replacement. The vehicles being replaced will be retired and sold at auction.

Fleet Services and Transportation recommend awarding the contract to the lowest, responsive and responsible bidder, PFVT Motors, Inc., at \$135,061.87. This purchase is funded by the Vehicle Replacement Fund.

- *4-g. Purchase of Nine Replacement Light-Duty Cab and Chassis Service Body Vehicles for the Water Resources Department. **(Citywide)**

The proposed vehicles will replace vehicles that have met established criteria for replacement. The vehicles being replaced will be retired and sold at auction.

Fleet Services and Water Resources recommend awarding the contract to the lowest, responsive and responsible bidder, PFVT Motors, Inc., at \$251,561.86. This purchase is funded by the Utility Replacement Extension and Renewal Fund.

- *4-h. Purchase of Twelve Replacement Light-Duty Pickup Trucks (2 for Parks, Recreation and Commercial Facilities; 1 for Transportation; 8 for Engineering; and 1 for Police). **(Citywide)**

The proposed vehicles will replace vehicles that have met established criteria for replacement. The vehicles being replaced will be retired and sold at auction.

Fleet Services and Citywide departments recommend awarding the contract to the lowest, responsive and responsible bidder, Berge Ford (a Mesa business), at \$290,474.33. This purchase is funded by the Vehicle Replacement Fund.

- *4-i. Purchase of 57 (29 Replacement and 28 New) Police Patrol SUVs (Tahoes) for the Police Department. **(Citywide)**

The proposed replacement vehicles will replace vehicles that have met established criteria for replacement. The vehicles being replaced will be retired and sold at auction. The purchase of additional Tahoes is through the City's bid process allowing local participation.

Fleet Services and Police recommend awarding the contract to the lowest, responsive and responsible bidder, Midway Chevrolet, at \$2,008,899.14. This purchase is funded by the Vehicle Replacement Fund for the 29 replacement vehicles and the Capital – General Fund for the 28 new additions to the fleet.

- *4-j. Three-Year Term Contract for Emergency Vehicle Equipment and Installation Services for Police Patrol Vehicles as Requested by Fleet Services. **(Citywide)**

This contract will provide specialized turnkey emergency vehicle equipment and installation services for Police patrol vehicles on an as-needed and/or as-requested basis. The emergency equipment includes: lights, sirens, push-bars, prisoner cages, consoles, wiring, etc. The City estimates up to 85 vehicles need to be up-fitted each year.

Fleet Services and Police recommend a primary contract award to the lowest, responsive and responsible bidder, Kenco OR LLC, dba LSH Lights, at \$628,000 annually, and a conditional secondary award to Arizona Emergency Products (AEP), based on estimated requirements.

- *4-k. Three-Year Term Contract for Systems Furniture and Design and Installation Services for Business Services Supporting Citywide Use. **(Citywide)**

Herman Miller systems furniture (cubicles) is used throughout the City. This contract will establish a Master Agreement used to purchase components and services required for reconfigurations and small projects throughout City departments.

Business Services recommends authorizing a three-year contract using the State of Arizona cooperative contract with Goodmans, Inc., at \$120,000 annually, based on historical requirements.

- *4-l. One-Year Renewal of the Term Contract for Automotive Lubricants for the Fleet Services and Fire and Medical Departments. **(Citywide)**

This contract provides automotive lubricants and oils for City vehicles and equipment maintained by Fleet Services, as well as Fire vehicles, equipment and apparatus maintained by Fire Maintenance. This contract covers several specific lubricants and offers the remainder of catalog items at a 10% discount.

Fleet Services and Fire and Medical Services recommend authorizing a one-year renewal using the Arizona Department of Transportation cooperative contract with Brown Evans Distributing Company (a Mesa business), at \$340,000 annually, based on estimated requirements.

- *4-m. Three-Year Term Contract for Wireless Hearing Impaired Smoke Alarms, Battery Operated Smoke Alarms and Lithium Batteries for Fire and Medical Service's Home Safety Inspection Program. **(Citywide)**

This contract will provide smoke alarm systems and batteries for Fire and Medical's Home Safety Inspection Program. The smoke alarm systems will be used for the hearing impaired and Mesa's higher risk population. Fire and Life Safety staff and Home Safety Inspection Program volunteers will work with Mesa schools and senior communities to identify hearing impaired residences.

Fire and Medical Services recommends awarding the contract to lowest, responsive and responsible bidders: Compu – TTY Inc., at \$46,371.00 and Lenhart's Ace Hardware (a Mesa business), at \$8,837.41, based on estimated requirements. The combined contract award is \$55,208.41 annually. This purchase is 80% funded by the Federal Emergency Management Agency Assistance to Firefighter Grant and 20% funded by a City match – Fire and Medical Services.

- *4-n. Purchase of New Digital Microwave Radios and Interfaces for the Energy Resources Department. **(Citywide)**

This purchase will provide the digital microwave radios and antennas for two point-to-point communication paths for the City tower sites located at TRW on Pecos Road and Fire Station 219 to the Town of Florence tower site located at Florence Gardens. These new point-to-point communication paths will provide primary and redundant microwave links to support voice and data communications for Energy Resources in the Magma natural gas distribution area.

Communications recommends authorizing purchase from the contract with CRB Acquisition Co. Inc., LLC, dba EZ Wireless, at \$32,875.03, including applicable use tax.

- *4-o. Three-Year Term Contract for Asphalt Sealcoat Materials for the Transportation Department. **(Citywide)**

This contract will provide asphalt sealcoat materials for sealcoat operations. It allows the City's Pavement Management and Field Operations groups to apply preventative asphalt roadway treatments.

Transportation recommends awarding the contract to the lowest, responsive and responsible bidders: Wright Asphalt Products Co. LLC, at \$1,377,805; Quality Emulsions

(a Mesa business), at \$1,195,188; and a secondary award to Ergon Asphalt & Emulsions, Inc., at \$272,000; annually. The combined contract award is \$2,844,993 annually.

- *4-p. Three-Year Term Contract for Slurry Seal Application Services for the Transportation Department. **(Citywide)**

This contract will provide services for the application of latex modified slurry seal for the Transportation Department for residential, collector, arterial streets and intersections.

Transportation recommends awarding the contract to the lowest, responsive and responsible bidder, Southwest Slurry Seal Services, at \$1,885,850 annually, based on estimated requirements.

- *4-q. Purchase of a Replacement Ion Chromatograph for the Water Resources Department, Compliance Laboratory. **(Citywide)**

This purchase will provide an ion chromatograph to include all equipment and software required (for anion analyses), installation, training, maintenance and support for Water Resources' Compliance Laboratory. The laboratory has an existing ion chromatograph that is no longer repairable and non-functional due to a malfunctioning pump.

Water Resources recommends awarding the contract to the highest scored proposal, Metrohm USA, at \$28,386.34, including trade-in and applicable use tax.

- *4-r. Purchase of Two Replacement Magnetic Drive Centrifugal Pumps for the Southeast Water Reclamation Plant Department. **(District 6)**

This contract will provide two replacement magnetic drive centrifugal pumps to replace two existing pumps at the City's Southeast Water Reclamation Plant. The pumps will be used to recirculate process water in the plant's primary odor control scrubbers.

Water Resources recommends awarding the contract to the lowest, responsive and responsible bidder, JCH/James, Cooke & Hobson, Inc., at \$36,781.72.

- *4-s. Dollar-Limit Increase to the Term Contract for Deep Well and Well Pump Maintenance/Repairs for the Water Resources Department. **(Citywide)**

This contract provides a qualified contractor to perform maintenance and repairs on deep wells and well pumps at City-owned wells and well facilities located within the City's water service area. Due to unscheduled projects, an increase is required for the second-year contract to complete maintenance and critical emergency well repairs for seven well sites (Desert Sage 9 - \$68,770, City Well 18 - \$16,384, City Well 16 - \$46,720, Monitor Well 1 - \$6,000, Desert Well 18 - \$97,765, City Well 8 - \$45,000 and City Well 26 - \$45,000).

Water Resources recommends authorizing a dollar-limit increase with Weber Group, LLC, of \$140,000 to \$327,000 for the second year of the contract, which is through June 30, 2013.

*4-t. Upgrade Traffic Signal Cabinets and Controllers. **(Citywide)**

This project includes the installation of 79 new traffic signal equipment cabinets at various intersections through the City. In addition to the new cabinets, new traffic signal equipment will also be installed at most of these locations.

Engineering recommends the award to the lowest, responsive and responsible bidder, C.S. Construction, Inc., in the amount of \$1,311,770.00, plus an additional \$131,177.00 (10% allowance for change orders) for a total award of \$1,442,947.00. Funding is available from a \$1,050,000.00 Congestion Mitigation and Air Quality federal grant with the remainder coming from 2008 Street Bonds.

5. Take action on the following resolutions:

*5-a. Approving and authorizing the City Manager to execute an Intergovernmental Agreement with Maricopa County Department of Emergency Management for emergency planning and other services for municipalities. **(Citywide)** – Resolution No. 10203.

*5-b. Approving and authorizing the City Manager to execute a grant contract with the Arizona Department of Environmental Quality to conduct environmental assessments of the Buckhorn Baths property. The grant is for \$50,000 and will be used to further investigate potential environmental concerns at the site. **(District 2)** – Resolution No. 10204.

6. Take action on the following Memorandum of Understanding:

*6-a. Approving and authorizing the City Manager to execute a Memorandum of Understanding with Sunridge Properties, Inc., for the development of a hotel at Riverview. **(District 1)**
(THIS ITEM WAS CONTINUED TO THE APRIL 15, 2013 COUNCIL MEETING.)

7. Introduction of the following ordinance and setting April 15, 2013, as the date of the public hearing on this ordinance:

*7-a. Amending Title 8 (Health, Sanitation and Environment), Chapter 5 (Storm Water Pollution Control), Section 3 (Reduction of Pollutants in Storm water) of the Mesa City Code for the purposes of compliance with the Arizona National Pollutant Discharge Elimination System permit requirements and to adopt the Drainage Design Manual for Maricopa County, Erosion Control, dated November 2012. **(Citywide)**

8. Discuss, receive public comment, and take action on the ordinance introduced at a prior Council meeting. Any citizen that wants to provide comment should submit a blue card to the City Clerk before the item is voted on. If a citizen wants to comment on an item listed with an asterisk (*), a blue card must be given to the City Clerk before Council votes on the Consent Agenda.

*8-a. Amending various sections of the Mesa City Code regarding the following traffic modifications:

Speed Limits (50 mph): 10-4-2 and Speed Limits (45 mph): 10-4-3

Increase the speed limit from 45 mph to 50 mph on Ellsworth Road from Elliot Road to the south City limits. **(District 6)** – Ordinance No. 5140.

Items not on the Consent Agenda

9. Conduct a Public Hearing and take action on the following Minor General Plan Amendment, GPMinor13-01, Annexation and Zoning Ordinances introduced at a prior Council meeting:

Mayor Smith stated that this was the time and place for a public hearing in the matter of Minor General Plan Amendment, GPMinor13-01.

There being no citizens wishing to address the Council, the Mayor declared the public hearing closed.

- 9-a. **GPMinor13-01 (District 5)** The 1200 through 1300 blocks of North Crismon Road (east side). Located north of Brown Road on the east side of Crismon Road (15.53 ± acres). Minor General Plan Amendment to adjust the boundaries of the existing Mesa 2025 General Plan Land Use designation from Low Density Residential 0-1 du/acre (LDR 0-1) to Low Density Residential 1-2 du/acre (LDR 1-2). This request will allow future residential development of a higher density on the site. La Jara Farms LLC, owner; Beus Gilbert PLLC, applicant. (PLN2012-00437) – Resolution No. 10205.

Staff Recommendation: Adoption

P&Z Recommendation: Adoption (Vote: 5-0, Boardmembers Arnett and Hudson absent.)

It was moved by Councilwoman Higgins, seconded by Councilmember Glover, that Resolution No. 10205 be adopted.

Councilwoman Higgins thanked the developer for their efforts and hard work to create a plan that was acceptable not only to the City, but also the neighbors in the surrounding area.

Mayor Smith called for the vote.

Carried unanimously.

- 9-b. **A12-08 (District 5)** Annexing land located north of the northeast corner of Brown and Crismon Roads. 14.31 ± ac. Initiated by the property owners – Ordinance No. 5141.

Mayor Smith stated that if there were no objections from the Council, items 9-b, 9-c and 9-d would be voted on in a single motion.

It was moved by Councilwoman Higgins, seconded by Councilmember Somers, that Ordinance Nos. 5141 (9-b), 5142 (9-c) and 5143 (9-d) be adopted.

(Due to a malfunction with the electronic voting equipment, a voice vote was taken.)

Carried unanimously.

- 9-c. **Z13-10 (District 5)** The 1200 through 1300 blocks of North Crismon Road (east side). Located north of Brown Road on the east side of Crismon Road (15.53± acres). Rezone from Maricopa County R1-35 to City of Mesa RS-35. This request will establish City zoning on recently annexed property. La Jara Farms LLC, owner; Beus Gilbert PLLC, applicant. (PLN2012-00437) – Ordinance No. 5142.

Staff Recommendation: Approval with conditions

P&Z Recommendation: Approval with conditions (Vote: 5-0, Boardmembers Arnett and Hudson absent.)

(See Council action under agenda item 9-b.)

- 9-d. **Z13-11 (District 5)** The 1200 through 1300 blocks of North Crismon Road (east side). Located north of Brown Road on the east side of Crismon Road (15.53± acres). Rezone from RS-25 to RS-15 PAD and Site Plan Review. This request will allow the development of a single-residence subdivision. La Jara Farms LLC, owner; Beus Gilbert PLLC, applicant. (PLN2012-00437) – Ordinance No. 5143.

Staff Recommendation: Approval with conditions

P&Z Recommendation: Approval with conditions (Vote: 5-0, Boardmembers Arnett and Hudson absent.)

(See Council action under agenda item 9-b.)

10. Items from citizens present.

There were no items from citizens present.

11. Adjournment.

Without objection, the meeting adjourned at 6:22 p.m.

SCOTT SMITH, MAYOR

ATTEST:

DEE ANN MICKELSEN, INTERIM 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 1st day of April, 2013. I further certify that the meeting was duly called and held and that a quorum was present.

DEE ANN MICKELSEN, INTERIM CITY CLERK