



City of Mesa

*Council Chambers
57 E. First Street*

City Council

Meeting Agenda - Final

Monday, May 6, 2013

5:45 PM

CITIZEN PARTICIPATION

All citizens are permitted and encouraged to speak on agenda items. If you are interested in speaking on an agenda item, please fill out a blue card in the back of the room and give it to the City Clerk. When the Council considers the item, you will be called to the podium to provide your comments.

The City of Mesa is committed to making its public meetings accessible to persons with disabilities. For special accommodations, please contact the City Manager's Office at (480) 644-3333 or (480) 644-2778 (TDD) at least 48 hours in advance of the meeting.

CONSENT AGENDA

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.

Mayor Scott Smith

Vice Mayor Alex Finter - District 2

Councilmember Dave Richins - District 1

Councilmember Dennis Kavanaugh - District 3

Councilmember Chris Glover - District 4

Councilwoman Dina Higgins - District 5

Councilmember Scott Somers - District 6

Roll Call

(Members of the Mesa City Council will attend either in person or by telephone conference call)

Invocation by Pastor David Land from New Life Assembly of God**Pledge of Allegiance****Mayor's Welcome****Awards, Recognitions and Announcements****1 Take action on all consent agenda items.****Items on the Consent Agenda**

***2** [13-1556](#) Approval of minutes of previous meetings as written.

3 Take action on the following liquor license applications:

***3-a** [13-1522](#) Dollar General Store 12457

New Beer and Wine Store License for Dollar General Store 12457, 7350 East Main Street, DG Retail, LLC - Clare Hollie Abel, agent. This is an existing building with no previous liquor license at this location. **(District 5)**

***3-b** [13-1523](#) Dollar General Store 12488

New Beer and Wine Store License for Dollar General Store 12488, 10645 East Main Street, DG Retail, LLC - Clare Hollie Abel, agent. This is an existing building with no previous liquor license at this location. **(District 6)**

***3-c** [13-1524](#) Dollar General Store 13380

New Beer and Wine Store License for Dollar General Store 13380, 415 South Higley Road, Suite 103, DG Retail LLC - Clare Hollie Abel, agent. The previous Liquor Store License held at this location by Southern Greenfield CVS, LLC, was transferred with the State on January 19, 2007. **(District 2)**

***3-d** [13-1525](#) Quick and Easy Food Mart

New Beer and Wine Store License for Quick and Easy Food Mart, 1650 East Broadway Road, Suite 1, NK Retail, LLC - Rajkamal Gill, agent. The previous Beer and Wine Store License held at this location by M and M Food Mart, Inc., was surrendered to the State on February 12, 2013.
(District 4)

4 **Take action on the following bingo application:*****4-a** [13-1526](#) Bingo License Application - Class B

Mesa Tri-City Aerie 3468, Fraternal Order of Eagles, Inc. **(District 3)**
Richard Stimbert, Worthy Trustee
1712 West Broadway Road, Suite 108
Mesa, Arizona 85202

5 **Take action on the following contracts:*****5-a** [13-1534](#) Purchase of Furniture for the Red Mountain Library **(District 5)**

This purchase will provide furniture for THINKspot, a collaborative workspace, at the Red Mountain Library. At THINKspot, the business community can attend workshops, network, and enjoy a collaborative workspace. Students can use the space to complete school work using the same resources and technology provided in their classroom, attend college prep workshops and learn from potential employers about careers. The vision and ultimate goal is to provide a flexible, multipurpose space that encourages creativity, critical thinking and hands-on learning. Individuals and groups may use the open space and meeting rooms.

Library Services, Engineering and Purchasing recommend authorizing the purchase using the State of Arizona cooperative contract with Target Commercial Interiors, at \$55,759.38.

***5-b** [13-1549](#) Three-Year Term Contract for AC Delco and Motorcraft Vehicle Parts for the Fleet Services Department **(Citywide)**

This contract will provide genuine General Motors and Ford parts for the City's fleet of automobiles, vans and light trucks.

Fleet Services and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder, USD, Inc., at \$100,000 annually, based on estimated requirements.

***5-c** [13-1538](#) Purchase of Furniture for the New Fiesta District Police Station (**District 3**)

The new Fiesta District Police Station is a capital improvement project approved in the 2008 Public Safety Bond package as a replacement station for the Dobson Police Substation. Included in the capital improvement project budget were one time start-up funds (Bond and non-Capital) for purchase of office furniture for the new station. The Department conducted a full inventory of the Dobson furniture and is retaining all useable furniture.

Police and Engineering recommend authorizing the purchase using the State of Arizona cooperative contract with Arizona Furnishings, at \$329,731.45. This purchase is funded by the 2008 Public Safety Bonds (\$207,513.74) and the General Fund - Capital Fund (\$122,217.71).

***5-d** [13-1553](#) Dollar-Limit Increase to the Term Contract for Fire Protective Clothing for the Fire and Medical Services Department (**Citywide**)

This contract provides fire protective clothing (turnout coats and turnout pants) to be worn by Fire personnel during structural firefighting operations or when physical hazards are likely to be encountered, such as during non-fire related rescue operations, emergency medical operations and victim extrication. Fire protective clothing is purchased on an as-needed basis during the contract period. The increase is needed in part due to turnover because of retirements and staffing of Fire Station 220.

Fire and Medical Services and Purchasing recommend authorizing a dollar-limit increase with United Fire Equipment Company, of \$100,000 to \$170,000 annually, based on estimated requirements.

***5-e** [13-1546](#) Purchase of Eight Replacement Vehicles (Two Sedans and Six Light-Duty Pickup Trucks) for the Fire and Medical Services Department (**Citywide**)

Fire and Medical Services needs to replace eight vehicles in their fleet. The proposed vehicles will replace vehicles, which have met established criteria for replacement and are part of the ongoing vehicle replacement schedule by Fire Maintenance. The vehicles that are being replaced will be retired and sold at auction.

Fire and Medical Services and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidders, Courtesy Chevrolet, at \$43,497.84 and Berge Ford (a Mesa business), at \$158,324.80 for the combined total award of \$201,822.64.

***5-f** [13-1554](#) Three-Year Term Contract for Firefighting Foam for the Fire and Medical Services Department (**Citywide**)

This contract will provide firefighting foam to be carried on firefighting apparatus, airport rescue apparatus and brush trucks to extinguish various types of fires (oil, gasoline, jet fuel, brush, structure, automobile, interior coal and tire fires) during emergency responses. Fire suppression staff use these foams for training evolutions conducted yearly. The bid required the firefighting foams to meet or exceed the performance of the department's current brands as well as meet the established standard as per the Federal Aviation Administration.

Fire and Medical Services recommends awarding the contract to the lowest, responsive and responsible bidder, LN Curtis & Sons, at \$84,900 annually.

***5-g** [13-1533](#) One-Year Renewal of the Term Contract for Landscape Maintenance for Parks and Retention Basins - Zone 1 for the Parks, Recreation and Commercial Facilities Department (**Districts 5 and 6**)

This contract is for routine landscape maintenance, and furnishes all supervision, labor and equipment to provide landscape maintenance of parks and retention basins from the City's northern, southern and eastern City boundaries to Power Road; an area designated as Zone 1.

Parks, Recreation and Commercial Facilities recommends authorizing a one-year renewal with Mariposa Landscape Arizona Inc., at \$372,708.46 for routine landscape maintenance, plus an additional \$74,542.00 for extra work, for a combined total of \$447,250.46 annually, based on estimated requirements.

***5-h** [13-1537](#) One-Year Renewal of the Term Contract for Landscape Maintenance for Parks and Retention Basins - Zone 2 for the Parks, Recreation and Commercial Facilities Department (**Districts 2 and 5**)

This contract is for routine landscape maintenance, and furnishes all supervision, labor and equipment to provide landscape maintenance of parks and retention basins from the City's northern and southern City boundaries from Power Road to Val Vista; an area designated as Zone 2.

Parks, Recreation and Commercial Facilities recommends authorizing a one-year renewal with Mariposa Landscape Arizona Inc., at \$358,028.44 for routine landscape maintenance, plus an additional \$71,606.00 for extra work, for a combined total of \$429,634.44 annually, based on estimated requirements.

***5-i** **13-1545** One-Year Renewal of the Term Contract for Swimming Pool Chemicals for the Parks, Recreation and Commercial Facilities Department **(Citywide)**

This contract provides four water treatment chemicals needed to maintain Mesa's swimming pools to Maricopa County Health Code and other standards. Mesa was a named party in the Chandler-led contract. This renewal will be the third year of the contract.

Parks, Recreation and Commercial Facilities and Purchasing recommend authorizing a one-year renewal using the City of Chandler cooperative contract with A & M Corson's (a Mesa business), at \$40,000; Brenntag Pacific, at \$20,000; and Hill Brothers Chemical Company, at \$6,000; for the combined total award of \$66,000 annually, based on estimated requirements.

***5-j** **13-1559** Five-Year Term Contract for Central Control Irrigation Systems and Replacement Parts for the Parks, Recreation and Commercial Facilities Department **(Citywide)**

Parks, Recreation and Commercial Facilities currently maintain and utilize 170 Motorola central control irrigation units throughout the City at their Aquatics, Parks and Sports Fields locations. The systems (majority) were installed in 1998 and have met their life cycle. Repair parts are becoming difficult to procure. In addition, the Federal Communications Commission has banned the use of ultra-high frequencies, which is used by some of the current controllers in the field. Parts will be purchased for the continued operation of existing aged systems until funding becomes available to replace the aged system with a new irrigation controller.

A committee representing Parks, Recreation and Commercial Facilities and Communications recommend awarding the contract to the highest scored proposal from Global Data Specialists (a Mesa business), at \$377,000 for FY 12/13; \$276,000 for FY 13/14; \$426,044 for FY 14/15; \$286,656 for FY 15/16; \$231,900 for FY 16/17; and \$320,000 for FY 17/18, based on projections and estimated annual usage.

***5-k** [13-1551](#) Purchase of New Cargo Van for the Parks, Recreation and Commercial Facilities Department (**Citywide**)

The vehicle will be used to expand Parks, Recreation and Commercial Facilities' (PRCF) Fun N' Fitness program, which has been very popular with Mesa schools and families. The program brings much needed physical activity, recreational programming and nutrition education into areas of the City where recreation centers are scarce. The program accommodates 10,000 to 15,000 youths, including Gila River family members.

Parks, Recreation and Commercial Facilities recommends authorizing the purchase using the State of Arizona cooperative contract with Midway Chevrolet, at \$34,273.83. This purchase is funded by the Gila River Indian Community Grant (\$30,000) and by the PRCF operating budget (\$4,274).

***5-l** [13-1543](#) Dollar-Limit Increase and One-Year Renewal to the Term Contract for Graffiti Abatement Services for the Transportation Department (**Citywide**)

This contract provides true color matching and graffiti removal using water or soda blasting methods. When necessary, these methods are used to physically remove the graffiti instead of painting over it.

Transportation recommends authorizing a dollar-limit increase of \$192,500 to \$232,500 through June 30, 2013; and a one-year renewal with Graffiti Protective Coatings, at \$232,500 annually, based on estimated requirements.

***5-m** [13-1536](#) Three-Year Term Contract for Landscape Maintenance Services for Parkway Medians and Right-of-Way; Section VI for the Transportation Department (**Districts 5 and 6**)

This contract furnishes landscape maintenance of parkway medians and rights-of-way owned by the City of Mesa in an area designated as Section VI. Tasks include, but are not limited to, cleaning, irrigation, sprinkler system maintenance, trimming, mowing, weed control and fertilization, depending on whether the area is turf, desert or a combination of both.

Transportation and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder, Mariposa Landscape Arizona, Inc., at \$172,922.22 for routine landscape maintenance, plus an additional \$25,900.00 for extra work, for a combined total of \$198,822.22 annually, based on estimated requirements.

***5-n** [13-1535](#)

Dollar-Limit Increase to the Term Contract for Storm Drain Grates and Manhole Covers for the Transportation Department (**Citywide**)

This contract provides Maricopa Association of Governments standard storm drain grates and manhole covers for catch basins that convey storm water, irrigation tail water and water from storm events in the City. The City has recently experienced a large number of stolen storm drain grates that pose an extreme safety hazard to the traveling public, bicyclists and pedestrians.

Transportation and Purchasing recommend authorizing a dollar-limit increase with Grate Solutions Co., Inc., dba GSC, from \$84,031 to \$169,031, based on estimated requirements.

***5-o** [13-1548](#)

Purchase of Two Replacement Light-Duty Pickup Trucks for Energy Resources, Gas Utility (**Citywide**)

The proposed vehicles will replace vehicles, which have met established criteria for replacement. This purchase is an additional purchase against a contract previously awarded on April 1, 2013. The vehicles that are being replaced will be retired and sold at auction.

Fleet Services and Energy Resources recommend awarding the contract to the lowest, responsive and responsible bidder, Berge Ford (a Mesa business), at \$47,383.50. This purchase is funded by the Replacement Extension Reserve Fund.

***5-p** [13-1541](#)

Two-Year Renewal of the Term Contract for Fence and Gate Repair/Installation for the Transportation Department (**Citywide**)

This contract provides a list of four qualified contractors to build and install or repair fences, gates, trash racks, safety rails and bollards on an as-needed basis for the Transportation Department. When the City is in need of fence or gate installation/repair, a City representative requests quotes from the pre-qualified contractors. The initial term was one-year and this is the first two-year renewal.

Transportation recommends authorizing a two-year renewal with the pre-qualified vendors: Capitol Fence Builders, Inc., Empire Fence, LLC, dba Empire Fence (a Mesa business), Phoenix Fence Company (Corp.) and Western Fence Co., Inc., at \$100,000 annually, based on estimated requirements.

***5-q** [13-1544](#) One-Year Renewal of the Term Contract for Reflectorized Sign Sheeting for the Transportation Department **(Citywide)**

Transportation Field Operations personnel fabricate and maintain Mesa's traffic control and street name signs that are installed throughout the City for public safety. This contract provides reflectorized sign sheeting materials for the fabrication of signs for City streets and general usage. These signs are fabricated out of aluminum or acrylic plastic substrates with directly applied transparent and opaque sheeting suitable for both daytime and nighttime visibility. Other required materials include graffiti shield film and transfer tape. 3M sign sheeting material is the industry standard.

Transportation recommends authorizing a one-year renewal using the Arizona Department of Transportation (ADOT) cooperative contract with 3M Company, at \$40,000 annually, based on estimated requirements.

***5-r** [13-1550](#) Carbon Replacement at the Northwest Water Reclamation Plant for the Water Resources Department **(District 1)**

This contract will provide a qualified contractor to replace the carbon in the two odor control tanks for the activated sludge basins at the Northwest Water Reclamation Plant. Carbon is used to remove odors and particularly H₂S from the air. The work will include removal and proper disposal of existing carbon and installation of the new carbon in the carbon tanks. The goal is to replace the carbon in the two odor control tanks during the summer of 2013. The existing carbon beds have been prepared (raked) and the head-loss is being carefully monitored. If the carbon cannot last until this summer, the awarded vendor may be asked to move up the replacement project.

Water Resources and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder, Carbon Activated Corporation, at \$58,150.

***5-s** **13-1539** Two-Year Renewal of the Term Contract for Cationic Emulsion Polymer for the Water Resources Department **(Citywide)**

This contract provides cationic emulsion polymer used at the Northwest and Greenfield Water Reclamation Plants. It helps thicken and dewater wastewater sludge, which improves the breakdown of wastewater solids. This reduces the City's hauling costs by removing as much water as possible from the sludge.

Water Resources recommends authorizing a two-year renewal with Polydyne Inc., at \$470,000 annually, based on estimated requirements.

***5-t** **13-1552** Purchase of a Hosted Capital Improvement Program Management Solution for the Engineering Department. **(Citywide)**

Mesa's annual Capital Improvement Program (CIP) budgets range from \$130 to \$180 million and the number of projects vary from 100 to 150 projects per year with various stages of design and construction, finite timelines and costs. Simultaneous updating, tracking and reporting of both the financial and technical information of CIP projects is essential to improving efficiencies and financial management of these efforts. This program provides the ability to manage all CIP project information from inception to completion. This software will also interface with the City's new financial system.

The evaluation committee representing Engineering, Information Technology and Purchasing recommend awarding the contract to the highest scored proposal from Keenology Corporation, dba CIPPlanner Corporation (CIPPlanner), at \$402,443.57; and project contingency funds, at \$40,000, for the combined total of \$442,443.57, including applicable taxes. This purchase is funded by the Capital Improvement Program.

***5-u** **13-1540** One-Year Renewal of the Term Contract for Digital Bond Printing Services for the Engineering Department **(Citywide)**

This contract provides for the production of plan sets and other related construction drawings for the Engineering Department. The printing vendor is required to pick up the originals and deliver the completed sets several times per day from the Engineering offices in Mesa and occasionally, to or from other valley locations.

Engineering recommends authorizing a one-year renewal with Thomas Reprographics, Inc., at \$40,000 annually, based on estimated requirements.

***5-v [13-1555](#) Broadway Road Improvements - Sossaman Road to Hawes Road
(District 5)**

On March 18, 2013, City Council awarded the Broadway Road Improvements, Sossaman Road to Hawes Road project, to Blucor Contracting, Inc., for a total award of \$9,496,597.83. It is recommended that the contract award be increased by \$904,246.58 (to include \$822,042.35 construction change order request, plus 10% Change Order allowance), for a total award of \$10,400,844.41. This increase will accommodate additional improvements of curb and gutter, sidewalks, storm drain system and the extension of the City's public water distribution system.

The new total project award amount of \$10,400,844.41 is comprised of the lowest responsible bid of \$8,633,270.75, construction change order request of \$822,042.35, plus a 10% change order allowance of \$945,531.31. Funding for the project is available in the 2008 Streets Bond Authorization, 2010 Water Bond Authorization and the 2010 Wastewater Bond Authorization.

6 Take action on the following resolutions:

***6-a [13-1465](#) Approving the FY 2013-2014 Annual Action Plan for submittal to the U.S. Department of Housing and Urban Development (HUD) and authorizing the City Manager to amend, sign and submit the Annual Action Plan for FY 2013-2014. (Citywide)**

***6-b [13-1466](#) Approving and authorizing the City Manager to prepare, sign and submit applications to the U.S. Department of Housing and Urban Development to receive Entitlement Funds under the Housing and Community Development Act of 1974 (CDBG), as amended, and approve all activities and funding allocations undertaken by non-profit organizations that meet the objectives and priorities as identified in the Consolidated Plan. (Citywide)**

***6-c [13-1467](#) Approving and authorizing the City Manager to prepare, sign and submit applications to the U.S. Department of Housing and Urban Development to receive Entitlement Funds under the Housing and Community Development Act of 1974 (CDBG), as amended, and approve all activities and funding allocations undertaken by City departments that meet the objectives and priorities as identified in the Consolidated Plan. (Citywide)**

- *6-d** [13-1468](#) Approving and authorizing the City Manager to prepare, sign and submit an application to the U.S. Department of Housing and Urban Development to receive Entitlement Funds under the National Affordable Housing Act of 1990 (HOME), as amended, and delegating authority to the Housing and Community Development Advisory Board to approve all activities and funding allocations undertaken by non-profit organizations that meet the objectives and priorities as identified in the Consolidated Plan. **(Citywide)**
- *6-e** [13-1469](#) Approving and authorizing the City Manager to prepare, sign and submit an application to the U.S. Department of Housing and Urban Development to receive Entitlement Funds under the National Affordable Housing Act of 1990 (HOME), as amended, and delegating authority to the Housing and Community Development Advisory Board to approve all activities and funding allocations undertaken by City departments that meet the objectives and priorities as identified in the Consolidated Plan. **(Citywide)**
- *6-f** [13-1470](#) Approving and authorizing the City Manager to prepare, sign and submit an application to the U.S. Department of Housing and Urban Development to receive Entitlement Funds under the Stewart B. McKinney Homeless Assistance Act of 1987 (ESG), as amended, for the Emergency Solutions Grant. **(Citywide)**
- *6-g** [13-1527](#) Approving and authorizing the City Manager to execute a Second Amendment to the Regional Emergency Medical Transportation Service Agreement with Southwest Ambulance to modify response time evaluations and liquidated damages for certain response types and response zones that have low monthly call volumes. **(Citywide)**

7 Introduction of the following ordinances and setting May 20, 2013, as the date of the public hearing on these ordinances:

- *7-a** [13-1529](#) **Z13-15 (District 5)** 7255 East Broadway Road (10± acres). Located on the south side of Broadway Road, east of Power Road. Modification of Ordinance 2684. This request will allow the nursing facility to offer outpatient rehabilitation services to all residents and the general public. Blake Gillman, owner; Ed Smith, applicant. (PLN2013-00047)

Staff Recommendation: Approval with conditions

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

***7-b** [13-1530](#) **A13-02 (District 5)** Annexing land located at the 8800 - 8900 blocks of East Range Rider Trail, north of East McDowell Road and east of North Ellsworth Road. Initiated by the property owner.

***7-c** [13-1531](#) **Z13-12 (District 5)** The 8800 to 8900 blocks of East Range Rider Trail (south side). Located north of McDowell Road and east of Hawes Road (17.09± acres). Rezone from Maricopa County R1-35 to City of Mesa RS-35. This request will establish City of Mesa zoning on recently annexed property. (PLN2012-00499)

Staff Recommendation: Approval with conditions

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

***7-d** [13-1532](#) **Z13-13 (District 5)** The 8800 to 8900 blocks of East Range Rider Trail (south side). Located north of McDowell Road and east of Hawes Road (17.09± acres). Rezone from RS-35 to RS-35 PAD. This request will allow the development of single-residence lots. (PLN2012-00499)

Staff Recommendation: Approval with conditions

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

8 **Discuss, receive public comment, and take action on the ordinance introduced at a prior Council meeting. Any citizen who 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** [13-1447](#) **Z13-07 (District 5)** The 7800 to 7900 blocks of East University Drive (south side) and the 200 to 300 blocks of South 80th Street (west side) (24± acres). Modification of the Villas at Montana Vista PAD. This request will allow modification to the development standards of single-residence lots. Eightieth & University Inc., owner; Ralph Pew, applicant. (PLN2013-00003)

Staff Recommendation: Approval with conditions

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

9 Adopt the following Notice of Intention and setting June 17, 2013, as the date of the Public Hearing:

***9-a [13-1590](#) Notice of Intention to Adjust Utility Rates**

Items not on the Consent Agenda

10 Take action on the following Memorandum of Understanding:

10-a [13-1448](#) 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)

11 Items from citizens present. (Maximum of three speakers for three minutes per speaker).

12 Adjournment.

The Council may vote to hold an executive session for the purposes of obtaining legal advice from the City Attorney (A.R.S. §38-431.03A(3)) or to discuss and instruct the City Attorney regarding the City's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation. (A.R.S. §38-431.03A(4))