



City of Mesa

*Council Chambers
57 E. First Street*

City Council Meeting Agenda - Final

Monday, August 18, 2014

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 AzRelay 7-1-1 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 Alex Finter
Vice Mayor Chris Glover - District 4
Councilmember Dave Richins - District 1
Councilmember Terry Benelli - District 2
Councilmember Dennis Kavanaugh - District 3
Councilmember David Luna - 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 Bishop Terry F. Calton of the Church of Jesus Christ of Latter-day Saints**Pledge of Allegiance****Mayor's Welcome****Awards, Recognitions and Announcements****1 Take action on all consent agenda items.****Items on the Consent Agenda**

***2** [14-0798](#) Approval of minutes of previous meetings as written.

3 Take action on the following liquor license applications:

***3-a** [14-0769](#) Ultimate Imaginations

This is a one-day charitable event to be held on Friday, September 5, 2014 from 6:00 P.M. to 11:00 P.M. on Macdonald Street from Main Street to Pepper and Main Street from Center to Robson. **(District 4)**

***3-b** [14-0770](#) Ultimate Imaginations

This is a one-day charitable event to be held on Friday, October 3, 2014 from 6:00 P.M. to 11:00 P.M. on Macdonald Street from Main Street to Pepper and Main Street from Center to Robson. **(District 4)**

***3-c** [14-0771](#) Wine and Design

An art studio that provides painting instruction is requesting to provide wine service. The applicant is applying for a new Beer and Wine Bar License for Wine and Design Arizona LLC, 2920 North Power Road, Suite 104 - Lisa Tomlin, agent. There is no existing license at this location. This is a person-to-person and location transfer. **(District 5)**

***3-d** **[14-0772](#)** Circle K Store 6661

A convenience store with fueling station is requesting a Liquor Store License for Circle K Stores, Inc., 7546 East Baseline Road - Kim Kwiatkowski, agent. This is a location transfer. The existing Beer and Wine Store license at this location held by Circle K Stores, Inc., will revert back to the State. **(District 6)**

***3-e** **[14-0773](#)** 7 Eleven 21022K

A convenience store is requesting a new Beer and Wine Store License for 7 Eleven, Inc., 1210 W Guadalupe Road - Nicholas Carl Guttilla, agent. The existing license held by Vinayaka, Inc., will revert back to the State. **(District 3)**

***3-f** **[14-0774](#)** Circle K Store 1177

A convenience store with fueling station is requesting a new Beer and Wine Store License for Circle K Stores, Inc., 7610 East Baseline Road - Kim Kwiatkowski, agent. The existing Liquor Store license held by Circle K Stores, Inc., will be transferred to another location. **(District 6)**

***3-g** **[14-0775](#)** Stacy's Smoke House BBQ

A restaurant that serves breakfast, lunch and dinner is requesting a new Restaurant License for McQueen & Associates LLC, 1734 East Main Street, Suites 4-6 - Marcus McQueen, agent. The existing license held by Fritz's Footlong LLC, will revert back to the State. **(District 4)**

***3-h** **[14-0776](#)** Teharu Sushi

A restaurant that serves lunch and dinner is requesting a new Restaurant License for Jung & Cho, Inc., 6638 East Superstition Springs Boulevard, Suite 101 - Amy Hyunsik Cho, agent. There is no existing license at this location. **(District 6)**

4 Take action on the following contracts:

- *4-a [14-0814](#)** Purchase of Additional Trash Receptacles and Grills for Riverview and Player Development Facilities for the Parks, Recreation and Commercial Facilities Department (Single Bid) **(Citywide)**

After the opening of the Riverview and Player Development facilities, it was determined that additional trash receptacles and grills are needed to meet the park's use demand. Due to the desire for continuity and aesthetics throughout the facility, the bid specifications required the exact same manufacturer and models of trash receptacles and grills.

Parks, Recreation and Commercial Facilities and Purchasing recommend awarding the contract to single bidder, Dave Bang Associates, Inc., at \$30,231.94. This purchase is funded by Economic Investment Funds.

- *4-b [14-0804](#)** Three-Year Term Contract for Perennial Ryegrass Seed for the Parks, Recreation and Commercial Facilities (PRCF) Department **(Citywide)**

PRCF uses perennial rye seed for over-seeding at various facilities throughout the City during fall and winter seasons. The facilities include: Mesa Cemetery, Dobson Ranch Golf Course, Eastmark Great Park, Fitch Baseball Complex, Gene Autry Baseball/Rattlers Complex, Hohokam/A's Stadium, Red Mountain Baseball Complex, Red Mountain Multi-Generational Center and Riverview City Fields.

Parks, Recreation and Commercial Facilities and Purchasing recommend awarding the contract to the lowest priced, responsive and responsible bidder, Wilbur Ellis Company, at \$107,000.00 annually, based on estimated requirements.

- *4-c [14-0808](#)** Three-Year Term Contract for Refuse Container Bin Lids for the Solid Waste Management Department **(Citywide)**

This contract will provide 100% recyclable black lids that will be used for metal bin refuse containers for commercial customers throughout the City. The purchase is for approximately 1,500 large lids and 150 smaller lids annually. This contract will ensure Solid Waste Management readily has a supply of lids to meet the maintenance requirements of the City's bin inventory.

Solid Waste Management and Purchasing recommend awarding the contract to the lowest priced, responsive and responsible bidder, Plastic Recovery Technology, dba PRT, at \$29,100.00 annually, based on estimated requirements.

***4-d** **14-0816**

Three-Year Term Contract for Water Reducible Alkyd Paint for the Solid Waste Management Department **(Citywide)**

This contract will provide a paint that will be used to paint and refurbish the City's trash and recycle bins, and roll-off boxes.

Solid Waste Management and Purchasing recommend awarding the contract to the lowest priced, responsive and responsible bidders: Tempe Hardware, LLC and Bert's Paint, Inc., for a combined annual contract amount of \$26,700.00.

***4-e** **14-0801**

Dollar-Limit Increase to the Term Contract for Contractor Building Maintenance Services for Citywide Facilities as requested by the Facilities Maintenance Department **(Citywide)**

Facilities Maintenance requests an increase for the projects through the end of the second-year term, September 30, 2014. The shortfall is due to increased, unanticipated needs. This term contract is currently in its second-year with its third-year beginning on October 1, 2014.

Facilities Maintenance and Purchasing recommend authorizing a dollar-limit increase of \$150,000 with Diamond Ridge Development Corp., Jokake Construction Services, dba Jokake Specialty Services Team, BWC Enterprises, Inc., dba Woodruff Construction, Hernandez Companies, Inc., and Carlson Building Company, Inc. (a Mesa business), increasing the contract amount from \$245,000 to \$395,000 annually, based on estimated requirements.

***4-f** **14-0803**

Three-Year Term Contract for Original Equipment Manufacturer Heavy-Duty Truck Repair Services for Peterbilt Trucks **(Citywide)**

The City currently has a fleet of 49 Peterbilt model trucks with 14 more new Peterbilt trucks on order for the Solid Waste Management Department. Fleet Services completes maintenance and repairs in-house of 90% of these trucks. For repairs that require specialized service, tools and training, the City needs to have the ability to send these trucks to an OEM authorized Peterbilt dealer. This allows the City to utilize warranty coverage or qualify for factory assistance reimbursement. Additionally, the City is guaranteed the best quality repair parts with a national warranty honored by all Peterbilt dealers.

Fleet Services and Purchasing recommend authorizing a three-year contract using the Maricopa County cooperative contract with Rush Truck Centers of Arizona, at \$60,000.00 annually, based on estimated requirements.

4-g 14-0813 One-Year Renewal of the Term Contract for Tire Recapping Services for the Fleet Services Department **(Citywide)*

This contract provides tire recapping services for the City's entire fleet of heavy-duty vehicles, including labor and materials. Types of repairs include nail hole repairs, section repairs, sidewall spot repairs, tread spot repair and bead under-tread spot repairs.

Fleet Services and Purchasing recommend authorizing a one-year renewal with Jack's Tire & Oil Management Co., Inc., dba Jack's Tire & Oil, at \$400,000.00 annually, based on estimated requirements.

4-h 14-0809 One-Year Renewal of the Term Contract for Automatic Transmission Repairs and Services for the Fleet Services, and Fire and Medical Departments **(Citywide)*

This contract provides automatic transmission parts and repair services for the City's heavy-duty vehicles (fire apparatus, refuse trucks and heavy-duty trucks) and light-duty vehicles (medium trucks and passenger cars). This is a cooperative contract with Mesa Public Schools and the City of Mesa. Mesa Public Schools recently authorized the final renewal contract on May 27, 2014. This is the final one-year renewal.

Fleet Services, Fire and Medical, and Purchasing recommend authorizing a one-year renewal using the Mesa Public Schools (MPS) contract with W.W. Williams, and Sun Devil Auto (a Mesa business), at \$240,000.00 annually, based on estimated requirements.

4-i 14-0811 One-Year Renewal of the Term Contract for Fire Protective Clothing for the Fire and Medical Department **(Citywide)*

This contract provides turnout coats and turnout pants for approximately 400 Fire personnel for firefighting operations. The fire protective clothing specified meets the National Fire Protection Association Standard and has been extensively tested and approved for use by the Mesa Fire and Medical Department Technology Advancement Group. This is the final one-year renewal contract.

Fire and Medical and Purchasing recommend authorizing a one-year renewal with United Fire Equipment Company, at \$370,000.00 annually, based on estimated requirements.

***4-j 14-0805 Three-Year Term Contract for Police Motorcycle Maintenance and Repair Services for the Police Department (**Citywide**)**

This contract will provide for the maintenance and repair of the Police Department's Kawasaki motorcycle fleet consisting of twenty-nine units; twenty-five utilized for traffic enforcement and four older motorcycles for training new officers.

An evaluation committee representing Fleet Services and Purchasing evaluated responses and recommends awarding the contract to the highest scored proposal from Probitry Cycle, Inc. (a Mesa business), at \$135,000.00 annually, based on estimated requirements.

***4-k 14-0806 Purchase of Reagent Supplies for Toxicology Drug Screening and Testing for the Police Department (Sole Source) (**Citywide**)**

Forensic Services purchased a Randox Evidence Investigator Biochip Analyzer last year. This system allows for multiple toxicology drug screening and testing to be carried out from a single patient sample, thus reducing the time and labor spent on individual tests. This instrument utilizes biochips with multiple antibody/antigen reaction sites and other associated reagents that are exclusively manufactured by and available only through Randox Laboratories.

Police and Purchasing recommend awarding the contract to the sole source vendor, Randox Laboratories US Limited / Randox Toxicology Limited, at \$250,000.00.

***4-l 14-0800 Purchase of Two Replacement Heavy-Duty Dump Trucks including One for the Transportation Department and One for the Water Resources Department (**Citywide**)**

The current vehicles being replaced have met established criteria and will be sold at auction.

Fleet Services, Transportation, Water Resources and Purchasing recommend authorizing purchase from the active contract with RWC International, Ltd., at \$391,072.38. Transportation's purchase is funded by the Vehicle Replacement Fund. Water Resources' purchase is funded by the Utility Replacement Extension and Renewal Fund.

4-m 14-0815*Three-Year Term Contract for the Replacement of TOPAZ Radio Site Batteries for the Communications Department (Citywide)**

This contract will provide Valve-Regulated Lead Acid (VRLA) batteries that keep the TOPAZ Voice Radio Network operational during commercial power outages until the emergency generator provides power to the site. The batteries will be replaced over the next three fiscal years. The batteries recommended for purchase have a ten-year full (non-prorated) warranty.

Communications and Purchasing recommend awarding the contract to the lowest priced, responsive and responsible bidder, NGH Power Systems, Inc.: Fiscal Year (FY) 14/15, at \$39,705.52; FY 15/16, at \$52,940.70; and FY 16/17, at \$39,705.53; based on estimated requirements. The combined total award is \$132,351.75. As the Administrative Manager for the TRWC, Mesa currently funds about 74% of the operation of the TRWC, and the other members reimburse the City for the remaining 26% of the operations of the TRWC.

4-n 14-0802*Purchase of Software for Water Asset Management and Licensing and Maintenance for the Water Resources Department (Sole Source) (Citywide)**

Water Resources requests to purchase InfoMaster Water software from Innovyze, Inc. InfoMaster will link directly with the other InfoWater modeling software to be able to run different scenarios to assess the consequences of failure. This software is a tool essential to water asset management. The addition will enhance productivity and provide a powerful tool to explore more alternatives for waterline rehabilitation.

Water Resources and Purchasing recommend awarding the contract to the sole source vendor, Innovyze, Inc., at \$52,827.00, based on estimated requirements. This purchase is funded by the capital budget (\$30,827.00) and by the Water Resources Department operating budget (\$22,000.00).

- *4-o** [14-0810](#) One-Year Renewal of the Term Contract for Centrifuge Parts and Service for the Water Resources Department (Sole Source) **(Citywide)**

A total of nine centrifuges are used with four located at the Northwest plant and five located at the Greenfield Plant. Centrifuges are large pieces of machinery that thicken and dewater sludge, which increases efficiency and lowers hauling costs. Because of the fine tolerances needed to keep the equipment working properly, it is critical that manufacturing specification be maintained by using factory authorized service and parts.

Water Resources and Purchasing recommend authorizing a one-year renewal with the sole source vendor/contractor, GEA Mechanical Equipment US, Inc., at \$400,000.00, based on estimated requirements.

- *4-p** [14-0822](#) Central Mesa Light Rail Extension, City Funded Asphalt Upgrade **(Districts 3 and 4)**

The approved Design and Construction Agreement includes a process for the City to add City funded improvements to the project. These improvements typically include upgrades to City infrastructure that are located adjacent to or within the new light rail facilities, but are not being impacted directly by the project. These improvements are referred to as Concurrent Non-Project Activities (CNPA), which must be funded by the City.

Staff is requesting approval of the expenditure of funds to upgrade the pavement and use a polymer modified terminal blend asphalt binder for the surface course paving to extend the life of the road and reduce further maintenance disruptions to the light rail corridor. The total amount of the proposed improvements is \$321,049. This project is funded by 2013 authorized Street bonds.

5 Take action on the following resolutions:

- *5-a** [14-0807](#) Approving and authorizing the City Manager to enter into an Airport Development Reimbursable Grant Agreement with the State of Arizona for the design of blast pads for Runway 4L/22R at Falcon Field Airport. The total estimated project cost is \$75,000, with 90% (\$67,500) funded by the Arizona Department of Transportation and the remaining 10% (\$7,500) match funded by the Falcon Field Airport Enterprise Fund. **(District 5)**

- *5-b** [14-0731](#) Approving and authorizing the City Manager to accept Congestion Mitigation and Air Quality Improvement (CMAQ) grant funds for the replacement of two PM-10 certified street sweepers in the amount of \$483,440. **(Citywide)**
- *5-c** [14-0732](#) Approving and authorizing the City Manager to accept the Highway Safety Improvement Program (HSIP) federal aid grant in the amount of \$28,750 for the purchase of an upgrade to the Transportation Department's crash analysis software. **(Citywide)**
- *5-d** [14-0733](#) Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with Maricopa County to establish procedures and processes, and to facilitate volunteer cleaning activities in specific roadway segments. **(Citywide)**
- *5-e** [14-0768](#) Approving and authorizing the City Manager to enter into a SubGrant Award Agreement with the Arizona Department of Public Safety, Victim Assistance Grant Program to accept \$195,760 for salary and fringe benefits of three Victim Service Specialists for the Police Department. **(Citywide)**
- *5-f** [14-0812](#) Approving and authorizing the City Manager to enter into an amendment to an Intergovernmental Agreement with Salt River Project for a photovoltaic (solar) covered parking system at the Red Mountain Library. **(District 5)**
- *5-g** [14-0767](#) Extinguish public drainage easements, public utilities easements, ingress/egress easements, sight distance easements and vehicular non-access easements as shown on the Final Plat of "Adobe Meadows," located north of Adobe Road and west of Signal Butte Road **(District 5)**
- The property owner has requested the City extinguish easements that are incompatible with a proposed residential subdivision. Public easements that will better accommodate the new development will be dedicated by the property owner on the final plat.
- *5-h** [14-0820](#) Extinguish easements for public utilities and facilities, vehicular non-access, ingress/egress, refuse and emergency vehicles, and drainage, as shown on the Final Plat for "Escala Villas, A Condominium" located at 1350 South Ellsworth Road. **(District 6)**
- The property owner has requested the City extinguish easements currently incompatible with a proposed residential subdivision. New easements will be dedicated by the property owner on the new subdivision plat.

- *5-i [14-0821](#) Vacate a portion of right-of-way on the south side of South Vineyard and West Kiowa Avenue adjacent to 2318 South Country Club Drive and retain a Public Utilities and Facilities Easement (**District 3**).

The property owner has requested the City vacate right-of-way to accommodate a proposed multi-family development. A Public Utilities and Facilities Easement will be reserved over the area requested to be vacated.

- *5-j [14-0793](#) Approving and authorizing the City Manager to submit the First Substantial Amendment to the FY 2014-15 Annual Action Plan to the U.S. Department of Housing and Urban Development under the Housing and Community Development Act of 1974 (CDBG). (**Citywide**)

6 Introduction of the following ordinances and setting August 25, 2014 as the date of the public hearing on these ordinances:

- *6-a [14-0796](#) Amending the Mesa City Code, Title 7 (Fire Regulations) to adopt a new Chapter 5 (Community Care Response Unit Cost Recovery), which allows for the City, through the Fire and Medical Department, to recover costs related to community paramedical services provided by community care response units and costs related to other paramedic services resulting in transport to an emergency department. (**Citywide**)

- *6-b [14-0777](#) Amending Table 1 in Title 5, Chapter 17 of the Mesa City Code, entitled Mesa Development Impact Fees, by removing the Library Impact Fee from the table so as to confirm the discontinuation of this fee. (**Citywide**)

- *6-c [14-0779](#) **Z14-032 (District 4)** 15 East 1st Avenue. Located south of Main Street on the east side of Center Street (4± acres). Rezone from DR-2 DE to DR-2 DE HL. This request will establish a Historic Landmark Overlay for the First United Methodist Church of Mesa. James Ripley, applicant; United First Methodist Church of Mesa, owner.

Staff Recommendation: Approval with Conditions

HP Board Recommendation: Approval with Conditions (Vote: 5-0, Dane Astle, absent)

P&Z Board Recommendation: Approval with Conditions (Vote: 5-0, Vice Chair Coons and Boardmember Arnett, absent)

- *6-d [14-0780](#)** **Z14-034 (District 5)** Ordinance. 10160 East Brown Road. Located east of Crismon Road on the north side of Brown Road (20± 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. Lindsay Schube, Withey Morris, applicant; M. Laurin Hendrix, owner.
- Staff Recommendation: Approval with Conditions
- P & Z Board Recommendation: Approval with Conditions (Vote: 5-0, Vice Chair Coons and Boardmember Arnett, absent)
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- *6-e [14-0781](#)** **Z14-036 (District 5)** Ordinance. 10160 East Brown Road. Located east of Crismon Road on the north side of Brown Road (20± acres). Rezone from RS-35 to RS-15 PAD. This request will allow the development of a single residential subdivision. Lindsay Schube, Withey Morris, applicant; M. Laurin Hendrix, owner.
- Staff Recommendation: Approval with Conditions
- P&Z Board Recommendation: Approval with Conditions (Vote: 5-0, Vice Chair Coons and Boardmember Arnett, absent)
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- *6-f [14-0782](#)** **Z14-037 (District 6)** Ordinance. The 10000 to the 10800 blocks of East Guadalupe Road (north side). Located north of Guadalupe Road between Signal Butte and Crismon Roads (172.5± acres). Rezone from AG, RS-9 PAD, RS-6 PAD, and RM-2 PAD to RS-6 PAD, RSL4.5 PAD, RSL 2.5 PAD and RM-2 PAD. This request will allow for the development of a residential master planned community. Josh Hannon, EPS Group, Inc., applicant Paul Dugas, Desert Land Group, LLC, owner.
- Staff Recommendation: Continuance until the August 20, 2014 Planning and Zoning Board meeting
- P&Z Board Recommendation: Approval with Conditions (Vote: 5-1, Boardmember Allen, nay; Chair DiBella, absent)

- *6-g** [14-0783](#) **Z14-038 (District 6)** Ordinance. The 10600 to the 10800 blocks of East Guadalupe Road (north side). Located at the northwest corner of Guadalupe and Signal Butte Roads (17.6± acres). Rezone from RM-2 PAD to LC with a PAD overlay, a Special Use Permit to allow for a service station, and Site Plan Review. This request will allow for the development of a commercial center. Ali Fakh, SEG, applicant; Paul Dugas, Desert Land Group, LLC, owner.

Staff Recommendation: Approval with Conditions

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

- *6-h** [14-0784](#) **Z14-039 (District 6)** 6907 East Ray Road. Located east of Power Road on the south side of Ray Road. (2.9± acres) Site Plan Review and Rezone from LC to LC-BIZ. This request will allow for the development of a four-story hotel. Paul Welker/Sunridge Properties, Gateway Hospitality Group, LLC, applicant; Warren and Lindsay Holdings, LLC, owner.

Staff Recommendation: Approval with Conditions

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

- *6-i** [14-0785](#) **Z14-040 (District 6)** The 7100 - 7300 blocks of East Guadalupe Road (south side). Located south of Guadalupe Road and west of Sossaman Road (22.46± acres). Modification of the PAD for Desert Place at Morrison Ranch Phase 2, specifically lots 87 to 133 and Desert Place at Morrison Ranch Phase 3, specifically lots 93-142 in the RS-7-PAD-PAD zoning district. This request will allow residential lot coverage to increase from 45% to 50%. Jackie Guthrie, EPS Group, applicant; Daniel Bonow, Pulte Home Corporation, owner.

Staff Recommendation: Approval with Conditions

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

- *6-j** [14-0786](#) **A14-05 (District 5)** Ordinance. 10160 East Brown Road. The annexation of land located east of Crismon Road on the north side of Brown Road (19+ ac). Initiated by the property owner, Laurin Hendrix.

7 Take action on the following subdivision plat:

- *7-a** [14-0787](#) "M & M Estates" (**District 1**) 718 North Glenview Circle and 717 North Windsor. Located south and west of North Lindsay and East Adobe Roads. 2 RS-9 lots (1.14± acres) Lynn M. and Marta L. Campbell, Dan A. and Monica L. Richardson, owners; Carlos Padilla, AA Survey Arizona, surveyor.

Items not on the Consent Agenda

- 8** **Items from citizens present. (Maximum of three speakers for three minutes per speaker).**
- 9** **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))