



City of Mesa

*Council Chambers
57 E. First Street*

City Council

Meeting Agenda - Final

Monday, May 18, 2015

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 John Giles

Vice Mayor Dennis Kavanaugh - District 3

Councilmember Dave Richins - District 1

Councilmember Alex Finter - District 2

Councilmember Chris Glover - District 4

Councilmember David Luna - District 5

Councilmember Kevin Thompson - District 6

Mayor's Welcome**Roll Call**

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

Invocation by Ms. Beverly George with Soka Gakkai International; Buddhist faith.

Pledge of Allegiance**Awards, Recognitions and Announcements****1 Take action on all consent agenda items.****Items on the Consent Agenda**

***2 [15-0562](#)** Approval of minutes of previous meetings as written.

3 Take action on the following liquor license applications:

***3-a [15-0555](#)** Ban Chan Korean Cuisine

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Ban Chan Inc., 2909 South Dobson Road, Suite 7 - Jaco Woo, agent. There is currently no existing license at this location.
(District 3)

***3-b [15-0483](#)** Thai Season

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Thai Season LLC, 1245 West Baseline Road, Suite 101 - Sirichai Mahasirichoke, agent. There is currently no existing license at this location. **(District 3)**

Recommendation for Denial - The staff recommendation is for denial due to evidence that all necessary licenses required by the City have not been obtained. [Ariz. Rev. Stat. Ann. § 4-201 and Ariz. Admin. Code § R19-1-702(A)(3)] A yes vote on the consent agenda for this item will signify Council's recommendation for denial of this liquor license application for this reason.

4 Take action on the following contracts:

- *4-a [15-0545](#)** Three-Year Term Contract for Pipe and Fittings for the Materials and Supply Department (for Citywide Use) **(Citywide)**

This contract will provide pipe and fittings per specifications for new and repair work by departments citywide. Materials and Supply orders and maintains inventory as needed.

Materials and Supply, and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidders: Ferguson Enterprises; Perfect Pipe and Supply; and Thomas Pipe and Supply LLC; cumulatively not to exceed \$32,000.00 annually, based on estimated requirements.

- *4-b [15-0463](#)** Three-Year Term Contract for Commercial Printing for the Business Services Department **(Citywide)**

Print Services provides printing services to departments to support their programs. Print Services will use this contract for particular projects that they do not have the proper equipment for or it is not economically possible, including booklets, brochures and other custom printing.

An evaluation committee representing Business Services and Purchasing recommends awarding the contract to the highest scored proposal from Di-Mor Business Forms, Inc. at \$40,300.00 annually, based on estimated requirements.

- *4-c [15-0478](#)** One-Year Renewal Contract for Commercial Printing for the Business Services Department **(Citywide)**

Print Services provides printing services to departments to support their programs. Print Services will use this contract to print the large quantities of Mesa's Openline newsletters and utility bill inserts and large format full color printing.

Print Services and Purchasing recommend authorizing a one-year renewal with Century Graphics and American Reprographics Company, LLC (a Mesa business), cumulatively not to exceed \$280,000.00 annually, based on estimated requirements.

***4-d 15-0538**

Purchase of a Replacement Communications Network Analyzer for the Communications Department **(Citywide)**

The recommended analyzer will allow Communications to quickly analyze the signals from multiple radio towers and determine the cause of problems more quickly and accurately. In addition, this equipment will allow technicians to proactively measure and analyze actual radio coverage and look for interference before problems are reported by users.

The Communications Department and Purchasing recommend awarding the contract to the lowest, responsible and responsive bidder, Talley, Inc., at \$43,915.84.

***4-e 15-0557**

Purchase of a Replacement Cross-Over Vehicle for the Solid Waste Management Department (Single Bid) **(Citywide)**

This purchase is for a 2016 Chevrolet Traverse, 8-passenger vehicle. The cross-over vehicle will have the space to accommodate the equipment and supplies necessary for the City's recycling education program events.

The Fleet Services and Solid Waste Management Departments, and Purchasing recommend awarding the contract to the single, responsive and responsible bidder, Courtesy Chevrolet at \$27,719.76. This purchase is funded: \$11,000 from Solid Waste's education budget and \$19,000 from additional revenues from an audit of the green barrel program.

***4-f 15-0556**

Dollar-Limit Increase to the Term Contract for GPS Equipment and Offender Monitoring Services for the Municipal Court **(Citywide)**

Due to increased usage as a result of the Public Safety Assessment Court pilot, it is necessary to increase the dollar-limit to ensure payment of the remaining invoices through the first-year of the renewal contract term, 6/30/2015.

The Municipal Court and Purchasing recommend authorizing a dollar-limit increase of \$27,000.00, using the Arizona Supreme Court, Administrative Office of the Courts cooperative contract with B.I. Incorporated, increasing the annual contract amount from \$64,000.00 to \$91,000.00, through the contract term ending June 30, 2015.

***4-g [15-0549](#) Purchase of 32 Replacement Tactical Headsets for the Police Department (Citywide)**

This contract will provide tactical headsets for the Police Department SWAT Unit for hearing protection in the tactical environment and be compatible with the OPS Core helmet and the City's existing portable radios. The current hearing protection has become antiquated and is nearly obsolete.

The evaluation committee recommends awarding the contract to the highest scored and lowest proposal from TJ Communications, Inc., dba Air Comm, at \$50,000.00, based on estimated requirements. The initial purchase is grant funded by the Arizona Department of Homeland Security.

***4-h [15-0542](#) Three-Year Term Contract for Jet "A" Aviation Fuel for the Police Department (Citywide)**

This contract will provide fuel for the Police Aviation Unit's three helicopters based at Falcon Field Airport. Pricing is a mark-up against a published index price.

The Police Department and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder, MercFuel, Inc., dba Mercury Fuels, Inc., at \$275,000.00 annually, based on estimated requirements.

***4-i [15-0558](#) Three-Year Term Contract for Generator Rental Services for the Water Resources Department (Citywide)**

This contract will provide rental of emergency back-up generators, transformers and cables for use in case of power failures. Additionally, Water Resources has been using rental generators during the summer months to supply back-up power to pump stations without a redundant power system.

The evaluation committee recommends awarding the contract to the highest scored proposal from Empire Southwest LLC, dba Empire Power System (Primary); and Valleywide Generator Service LLC (Secondary) (a Mesa business); cumulatively not to exceed \$100,000.00 annually, based on estimated requirements.

***4-j [15-0548](#) Secondary Contractor Award to the Three-Year Term Contract for Debris Collection and Disposal Services for the Transportation Department (Citywide)**

On April 20, 2015, Council awarded the contract to King Concrete Inc., at \$185,000.00 annually, as recommended. The secondary contractor award was inadvertently left out of the Council recommendation.

Transportation and Purchasing recommend awarding the contract to the second, lowest, responsive and responsible bidder, Garbage Guy, Inc., as the secondary vendor.

***4-k [15-0540](#) One-Year Renewal of the Term Contract for Irrigation Well Inspection, Maintenance and Repair for the Engineering Department (Citywide)**

This contract provides for the inspection, maintenance and repair of City-owned irrigation wells south of Coolidge and Mesa's Pinal Water Farms. The City is responsible for the underground pumping equipment as well as the shaft of deep ground wells.

The Engineering Department and Purchasing recommend authorizing a one-year renewal with Coolidge Engine & Pump, LLC; and John Hoover Well Service; cumulatively not to exceed \$170,000.00, based on estimated requirements.

***4-l [15-0552](#) City Wells 7 and 8, Desert Wells 19 and 20 (Districts 4 and 6)**

These projects will replace two existing wells located in downtown Mesa, which have deteriorated and become unusable. Wells in the "City Zone" help to meet peak demands during normal operation and are the only source of water supply when the Val Vista Water Treatment Plant is shut down for maintenance. This project will also drill two new wells near Signal Butte Road and Elliot Road that will contribute water to meet increasing water demands due to growth in the Phoenix-Mesa Gateway Airport area.

Recommend award to Arizona Beeman Drilling in the amount of \$5,311,364.30, based on the lowest responsible bid of \$4,828,513.00, plus an additional \$482,851.30(10% allowance for change orders). This project is funded by the 2010 and 2014 authorized Water bonds.

***4-m [15-0513](#)**

Arterial Reconstruction Project P3 (University Drive / Southern Avenue)
(Single Bid) **(Districts 2 and 6)**

The asphalt pavement on University Drive from 22nd Place to Val Vista Drive and Southern Avenue from 58th Place to Power Road is nearing the end of its life cycle and is in need of replacement. This project replaces deteriorated asphalt pavement with a new surface course of asphalt pavement over a base course of asphalt pavement that is recycled, using the cold-in-place recycle method. The "cold-in-place" recycle method is an efficient, cost-effective method of recycling existing asphalt, which is processed and then used as a base course and topped with new asphalt. While only one bid was received for this project, it was a "public bid" and met all state and local requirements for competition.

Recommend total award to single bidder Nesbitt Contracting Co., Inc., in the amount of \$2,625,405.37, based on the lowest responsible bid of \$2,386,732.15, plus an additional \$238,673.22 (10% allowance for change orders). This project is funded by the 2013 authorized Street bond.

***4-n [15-0560](#)**

Broadway Road Improvements - Power Road to Sossaman Road.
(District 5)

During construction, unstable soil conditions were discovered that required additional labor and materials to prepare the roadway sub-grade before Broadway Road could be paved. Also, the City plans to build a short segment of a new masonry wall along the Broadway Road frontage due to road widening and curbs becoming closer to homes. The increase of the contract amount for this project is requested to cover the cost of unstable soil conditions, and an upgrade to the existing fencing with a masonry wall, which will provide a more uniform corridor appearance for Broadway Road between Power and Hawes.

Recommend that Council increase Skanska USA Civil West's construction contract by \$250,000.00, for a new total award of \$5,199,533.99. The new total award amount is comprised of the original award amount of \$4,949,533.99, and \$250,000.00 for the added scope-of-work. This project is funded by 2013 authorized Street bond.

***4-o [15-0536](#) Magma Road Gas Main Extension, Hunt Highway to Stardust Drive (Pinal County)**

The existing infrastructure serving the Johnson Ranch subdivision requires additional support to stabilize pressures and limit the number of customer outages during scheduled shutdowns for maintenance and repairs due to damage. It will also make natural gas available for the next phase of the Johnson Ranch subdivision on the southeast corner of Stardust Drive and Indigo Sky Boulevard / Magma Road.

Recommend award to Arizona Pipeline Company in the amount of \$151,286.00, based on the lowest responsible bid of \$137,533.00, plus an additional \$13,753.00 (10% allowance for change orders). This project is funded by 2014 authorized Gas bond.

5 Take action on the following resolutions:

***5-a [15-0516](#) Modifying fees and charges for the Engineering Department. (Citywide)**

***5-b [15-0517](#) Modifying fees and charges for the Fire and Medical Department. (Citywide)**

***5-c [15-0518](#) Modifying fees and charges for the Transportation Department. (Citywide)**

***5-d [15-0519](#) Modifying fees and charges for the Development and Sustainability Department. (Citywide)**

***5-e [15-0547](#) Approving and authorizing the City Manager to enter into and execute a first amendment to the Intergovernmental Agreement between the Maricopa County Library District and the City of Mesa for the Library Assistance Program. (Citywide)**

***5-f [15-0476](#) Approving and authorizing the City Manager to enter into a Conduit Use License with Zayo Fiber Solutions for a ten-year term. (District 2)**

This License allows for the rental of 4500 linear feet of City conduit located along Main Street between Lindsay Road and Val Vista Drive. The City will receive \$58,500 for the initial ten-year term.

- *5-g [15-0541](#)** Extinguishing drainage easements located on the property at 2628 West Birchwood Circle **(District 3)**
- The property owner has requested the City extinguish a Drainage Easement and a Temporary Drainage Easement in order to accommodate a re-plat of their commercial property.
- 6 Introduction of the following ordinances and setting June 1, 2015 as the date of the public hearing on these ordinances:**
- *6-a [15-0510](#)** A10-01 **(District 6)** Repealing Ordinance #5001, which annexed a portion of the Power Road right-of-way from Baseline Road to approximately 1300 feet south of Guadalupe Road.
- *6-b [15-0512](#)** A14-08 **(District 6)** Annexation of a portion of the Power Road right-of-way, that is within Maricopa County, from approximately 1,300 feet south of Guadalupe Road north to Baseline Road. 15.77± acres.
- *6-c [15-0514](#)** A14-09 **(District 6)** Annexation of de-annexed territory from the Town of Gilbert in compliance with an Intergovernmental Agreement for the improvements to Power Road right-of-way. 2.79± Acres. This annexation is contingent on the Town of Gilbert's de-annexation of the territory and the County's determination of compliance with ARS §9-471.02.
- 7 Discuss, receive public comment, and take action on the following ordinances:**
- *7-a [15-0502](#)** Repealing and Replacing Title 5 (Business Regulations), Chapter 12 (Massage Establishment Operations) of the Mesa City Code for the purposes of: simplification; the removal of certain requirements including, but not limited to, requirements related to a massage manager license; and the establishment of new requirements related to the operation and licensing of a massage establishment. **(Citywide)**
- *7-b [15-0550](#)** An ordinance amending Title 5, Chapter 13, Section 2 of the Mesa City Code regarding the Solid Waste Residential Fee. **(Citywide)**

Items not on the Consent Agenda**8 Conduct a public hearing and take action on the following resolution relating to the annual assessments for the Mesa Town Center Improvement District No. 228:**

8-a [15-0561](#) Conduct a public hearing.

8-b [15-0537](#) A resolution approving the 2015 District Assessments for Mesa Town Center Improvement District No. 228. The final assessments do not include any rate increases. **(District 4)**

9 Conduct a public hearing and take action on the following ordinances adopting modified City-owned utility terms/rates/fees/charges.

9-a [15-0573](#) Conduct a public hearing on modifications to terms/rates/fees/charges of City-owned utilities: Items 9-b through 9-f.

9-b [15-0495](#) An ordinance modifying terms/rates/fees/charges for electric utility services. **(Districts 1 and 4)**

9-c [15-0496](#) An ordinance modifying terms/rates/fees/charges for natural gas utility services. **(Citywide)**

9-d [15-0497](#) An ordinance modifying terms/rates/fees/charges for water utility services. **(Citywide)**

9-e [15-0498](#) An ordinance modifying terms/rates/fees/charges for wastewater utility services. **(Citywide)**

9-f [15-0499](#) An ordinance modifying terms/rates/fees/charges for solid waste utility services. **(Citywide)**

10 Conduct a public hearing and take action on the proposed Five-Year Capital Improvement Program for fiscal years ending 2016-2020.

10-a [15-0564](#) Conduct a public hearing.

10-b [15-0474](#) A resolution approving a Five-Year Capital Improvement Program for fiscal years ending 2016-2020. **(Citywide)**

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))