



## City of Mesa

*Council Chambers  
57 E. First Street*

### City Council

## Meeting Agenda - Final

**Monday, August 21, 2017**

**5:45 PM**

#### **CITIZEN PARTICIPATION**

All citizens are permitted and encouraged to speak on agenda items including and preceding "Items from citizens present." If you are interested in speaking on such 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.

Si necesita asistencia o traducción en español, favor de llamar al menos 48 horas antes de la reunión al 480-644-2767.

#### **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 David Luna - District 5***

***Councilmember Mark Freeman - District 1***

***Councilmember Jeremy Whittaker - District 2***

***Councilmember Ryan Winkle - District 3***

***Councilmember Chris Glover - District 4***

***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 Pastor Ramon Valencia with Iglesia Pentecostal Unida Hispana.**

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

**\*2**      [17-0904](#)      Approval of minutes of previous meetings as written.

**3 Take action on the following liquor license applications:**

**\*3-a**      [17-0859](#)      Harkins Theatres

A multi-screen movie theatre is requesting a new Series 7 Beer & Wine Bar License for Harkins Cinemas LLC, 6950 East Superstition Springs Boulevard - Andrea Dahlman Lewkowitz, agent. There is currently no existing license at this location. **(District 6)**

**\*3-b**      [17-0860](#)      Sun Devil Liquor

A liquor store with a drive-through is requesting to add sampling privileges to the existing Series 9 Liquor Store License for Kripanidhi LLC, 235 North Country Club Drive - Geeta Kumari Bhatt, agent. The existing license held by Kripanidhi LLC will revert to the State for modification. **(District 4)**

**\*3-c**      [17-0861](#)      7-Eleven #27036C

A convenience store is requesting a new Series 10 Beer & Wine Store License for PranavDivya Hospitality Corporation, 815 South Dobson Road - Ajay Gupta, agent. The existing license held by EJA Inc. will revert to the State. **(District 3)**

**\*3-d**     **[17-0864](#)**     University Farmers Market

A convenience store is requesting a new Series 10 Beer & Wine Store License for Alma Food Mart LLC, 812 East University Drive - Jeremiah Ime Bassey, agent. The existing license held by CLG Foodmarts LLC will revert to the State. **(District 4)**

**\*3-e**     **[17-0865](#)**     The Cutting Board Bakery & Café

A restaurant that serves breakfast, lunch, and dinner is requesting a new Series 12 Restaurant License for The Cutting Board Café LLC, 2235 South Power Road, Suite 116 - Amy S. Nations, agent. The existing license held by Cutting Boards LLC will revert to the State. **(District 6)**

**\*3-f**     **[17-0866](#)**     Henhouse Café

A restaurant that serves breakfast and lunch is requesting a new Series 12 Restaurant License for Grebe Family Enterprise LLC, 805 North Dobson Road, Suite 101 - Brett Allan Grebe, agent. There is no existing license at this location. **(District 1)**

**\*3-g**     **[17-0867](#)**     Pho Viet Nam

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Pho Viet Nam Inc., 1042 North Higley Road, Suite 103 - Nam Van Do, agent. There is no existing license at this location. **(District 2)**

**\*3-h**     **[17-0868](#)**     Shaanxi Garden

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Xian029 LLC, 67 North Dobson Road, Suite 109 - Changhai Huang, agent. There is no existing license at this location. **(District 3)**

**\*3-i**     **[17-0869](#)**     Streets of New York #20

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Streets of New York Inc., 542 West Baseline Road, Suite 105 - Theresa June Morse, agent. The existing license held by Streets of New York Inc. will revert to the State. **(District 3)**

**\*3-j**     [17-0870](#)     Yan Grill and Hotpot

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for K&L Investment LLC, 111 South Dobson Road, Suite 104 - Leo Chen, agent. There is no existing license at this location.

**(District 3)**

**\*3-k**     [17-0909](#)     Mi Tiendita

A convenience store is requesting a new Series 10 Beer & Wine Store License for Mi Tiendita LLC, 1560 West Main Street - Gabriel Gonzalez Cordova, agent. There is no existing license at this location. **(District 3)**

**\*3-l**     [17-0902](#)     Joey's PSG

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Joey's PSG LLC, 1038 East Main Street - Joseph Edward Windham Sr., agent. There is no existing license at this location.

**(District 4)**

**4**     **Take action on the following bingo applications:****\*4-a**     [17-0871](#)     Red Mountain Activities

Douglas Lloyd, applicant, 7550 East Adobe Street. **(District 5)**

**\*4-b**     [17-0872](#)     Sunrise Village Residents' Association

Catherine Shively, applicant, 5402 East McKellips Road. **(District 5)**

**5**     **Take action on the following contracts:****\*5-a**     [17-0851](#)     Purchase of Courtroom Hallway Monitor Replacement and Upgrade for the Mesa Municipal Court **(Citywide)**

This purchase will replace and upgrade the monitors installed outside each courtroom that display the daily docket. The monitors were installed when the building was constructed and are malfunctioning and several have been removed.

Mesa Municipal Court and Purchasing recommend authorizing the purchase using the State of Arizona cooperative contract with CCS Presentation Systems, at \$58,256.49. This purchase is funded by Court Technology Restricted Funds.

**\*5-b     17-0824     One-Year Renewal Contract for Janitorial and Sanitation Supplies for the Materials & Supply Warehouse (for City Departments) (Citywide)**

City departments require a broad supply of janitorial and sanitation products to support daily maintenance operations. Supplies include: sanitizing and disinfecting cleaners; waste receptacles; paper products including paper towels, cups and napkins; brooms, brushes and handles; latex gloves; etc.

The Business Services Department and Purchasing recommend authorizing a renewal contract using the National IPA/City of Tucson cooperative contract with Waxie Sanitary Supply (a Mesa business), at \$100,000, based on estimated requirements.

**\*5-c     17-0853     Purchase of one Replacement Phosphor Projector and Related Equipment for the Arts & Culture Department - Mesa Arts Center (Citywide)**

This purchase will provide a new projector to replace and upgrade the Piper Theater projector. The current projector is not readily compatible with the computer output resolutions of today's computers. The current maximum output of the existing projector is equivalent to a 720p television, and it is excessively noisy. This purchase will upgrade the Piper Theater's projector to 4K resolution and it will be a much quieter projector. The new projector will increase the opportunities for using video projection with performances and other events.

The Arts & Culture Department and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder, B & H Photo & Electronics Corp., at \$40,605.31. This purchase is funded by the Mesa Arts Center Restoration Fund.

**\*5-d     17-0857     Three-Year Term Contract for Rotary Gas Meters for the Materials and Supply Warehouse (for the Energy Resources Department) (Citywide)**

This contract will provide large capacity rotary gas meters used in the City's natural gas distribution systems for the purpose of billing customer gas usage. These meters are for new construction projects and maintenance and repair of existing utilities.

The Business Services and Energy Resources Departments, and Purchasing recommend authorizing the contract with the lowest, responsive and responsible bidders: Honeywell, dba Mercury Instruments LLC; Romet Limited, LLC; and Western Gas Technologies; cumulatively not to exceed \$268,210 annually, based on estimated requirements.

**\*5-e     [17-0855](#)     Three-Year Term Contract for Meter Set Assemblies for the Materials and Supply Warehouse (for the Energy Resources Department) **(Citywide)****

This contract will provide meter set assemblies for new construction projects and the maintenance and repair of existing gas utilities. The Gas Utility uses meter set assemblies in the City's natural gas distribution system.

The Business Services and Energy Resources Departments, and Purchasing recommend authorizing the contract with the lowest, responsive and responsible bidder, Georg Fischer Central Plastics LLC, at \$88,316 annually, based on estimated requirements.

**\*5-f     [17-0823](#)     Term Contract for Maintenance, Repair, Operating Supplies and Related Services for Citywide Use **(Citywide)****

This contract will supply various City Departments with maintenance, repair and operating (MRO) supplies in a retail and wholesale (internet) environment. In addition, this contract will supplement the City's current term contract for industrial supplies using the City of Tucson cooperative contract with Grainger. The provision of both cooperative options is advantageous to the City leveraging two nationally bid contract rates for the best prices on these products.

The Business Services Department and Purchasing recommend authorizing the term contract using the Maricopa County/U.S. Communities Government Purchasing Alliance cooperative contract with Home Depot U.S.A., Inc. (six local Mesa locations), at \$275,000 annually, based on estimated requirements.

**\*5-g     [17-0825](#)     Three-Year Term Contract for Park Playground and Aquatics Facility Poured-In-Place Surfacing and Synthetic Turf Repairs, Maintenance and Installation for the Parks, Recreation and Community Facilities Department **(Citywide)****

The City's Parks, Recreation and Community Facilities Department currently operates and maintains 40 park playground systems, one splash pad, and four slide entries at the Aquatic Facilities that contain poured-in-place unitary surfacing. This contract will provide for the supply, installation, maintenance and repair of rubberized playground safety surfacing and synthetic turf for our park playground systems, splash pad and aquatic facilities. Proper maintenance ensures safety to Mesa residents and patrons.

The evaluation committee recommends awarding the contract to the highest-scored and lowest-priced proposal from FlexGround, LLC, at \$200,000 annually, based on estimated requirements.

- \*5-h**     **17-0850**     Purchase of One Replacement Narrow Aisle Lift Truck for the Business Services Department as requested by the Fleet Services Department **(Citywide)**

This purchase will provide one replacement material handling, lift truck (forklift) to support Business Services' Materials and Supply East Warehouse daily operations. The current vehicle has met established replacement criteria and will be either traded, auctioned, sold or deployed to special uses as part of the ongoing City of Mesa vehicle replacement program.

The Fleet Services and Business Services Departments, and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder, Arnold Machinery, at \$41,926.94. This purchase is funded by the Warehouse Internal Services Fund.

- \*5-i**     **17-0822**     Purchase of a New Mechanical PM-10 Street Sweeper with High Dump Capacity for the Transportation Department as requested by the Fleet Services Department **(Citywide)**

Transportation Field Operations will use this mechanical street sweeper to support their asphalt milling operations to meet the demands of their in-house asphalt patching and paving program. In addition, this sweeper will comply with Maricopa County's PM-10 Rule 310 - Fugitive Dust from Dust-Generating Operations.

The Fleet Services and Transportation Departments, and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder, Freightliner of Arizona, LLC, at \$265,721.61. This purchase is funded by the Local Streets Sales Tax Fund.

- \*5-j**     **17-0826**     One-Year Renewal Contract for Refuse Container Bin Lids for the Environmental Management and Sustainability Department **(Citywide)**

This contract provides 100% recyclable black lids used for metal bin refuse containers for commercial customers throughout the City. This contract ensures Solid Waste Management readily has a supply of lids to meet the maintenance requirements of the City's bin inventory.

The Environmental Management and Sustainability Department and Purchasing recommend authorizing the renewal contract with Plastic Recovery Technology, dba PRT, at \$29,100, based on estimated requirements.

**\*5-k**     **17-0854**     Three-Year Term Contract for Manhole Cleaning, Inspections and Video Documentation for the Water Resources Department **(Citywide)**

This contract will provide a qualified contractor to perform manhole inspections using National Association Sewer Service Company classification and video documentation. The contractor is required to clean all sewer manholes by a power washer prior to any inspections. As part of the City's Wastewater Asset Management Program, approximately 500 manholes are required to be inspected annually to assess the condition, locate defects and identify manholes that need to be rehabilitated or have an insert installed.

The Water Resources Department and Purchasing recommend authorizing a contract with the lowest, responsive and responsible bidder, Hoffman Southwest Corp., dba Professional Pipe Services (Pro-Pipe), at \$108,000 annually. This purchase is funded by Wastewater CIP Bonds and the Utility Replacement Extension and Renewal Fund.

**\*5-l**     **17-0858**     One-Year Renewal Contract for Traffic Signal Pole Painting Services for the Transportation Department **(Citywide)**

This contract provides for the refinishing of traffic signal poles, mast arms, signal heads, cabinets and mounts at each of the 400-plus traffic signalized intersections. Refinishing traffic signal components is planned on an eight-year cycle and is necessary to protect the metal and provide contrast for the traffic signal heads preventing corrosion on the poles and heads that occurs when the finishes wear off. Additionally, traffic signal heads typically become less visible as the black fades or bare metal is exposed.

The Transportation Department and Purchasing recommend authorizing a renewal with OLS Restoration, Inc., at \$200,000, based on estimated requirements. This contract is funded by the Local Streets Sales Tax.

**\*5-m     [17-0852](#)     Purchase of Two New License Plate Reader Camera Systems for the Police Department (**Citywide**)**

This purchase will provide two mobile License Plate Reader (LPR) camera systems, hardware and access to law enforcement only data, available through Vigilant Solutions. This equipment will assist the Department in strategizing a four-point approach to hot spots policing, intelligence lead policing, problem oriented policing and community policing. It will allow personnel access to data related to LPR scans obtained by the Patrol Division.

The Police Department and Purchasing recommend authorizing the purchase using the City of Tempe cooperative contract with Vigilant Solutions LLC, at \$85,657.77. This purchase is funded: \$79,060 by the Salt River Pima-Maricopa Indian Community grant and \$6,597.77 from the Police Department Restricted Funds budget.

**\*5-n     [17-0856](#)     Emergency Purchase of Two New Low Acuity Vehicles for the Fire and Medical Department (**Citywide**)**

The National Fire Protection Association (NFPA) has established standards for fire departments to ensure timely response to emergencies. To continue meeting the standards, the Mesa Fire and Medical Department (MFMD) needs to have a sufficient number of available apparatus to respond to emergency calls. MFMD has purchased two new vehicles to address increased call volume and satisfy the NFPA response-time standards. The vehicles will be staffed after regular staffing needs have been met. This emergency purchase was approved by the Fire Chief and the Assistant City Manager as necessary for the immediate preservation of the public health and safety.

The Fire and Medical Department and Purchasing recommend ratifying the emergency purchase using the Houston-Galveston Area Council (H-GAC) cooperative contract with Professional Sales & Service, L.C., at \$578,580.32. This purchase is funded by 2013 authorized Public Safety Bonds.

**6     Take action on the following resolutions:**

**\*6-a     [17-0846](#)     Approving and authorizing the City Manager to enter into a five-year Memorandum of Agreement with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) for reimbursement for overtime and other costs for Mesa Police officers working as members of a Joint Operation/Task Force with ATF. (**Citywide**)**

- \*6-b**     [17-0818](#)     Approving and authorizing the City Manager to enter into a Grant Agreement with the City of Tucson to accept \$40,000 in grant funds for overtime for the Police Department's Violent Offender Unit. **(Citywide)**
- \*6-c**     [17-0834](#)     Approving and authorizing the City Manager to enter into a Subrecipient Agreement with the Arizona Department of Homeland Security to accept \$62,150 in grant funds to purchase an additional vehicle and equipment for the Police Department's Terrorism Liaison Program. **(Citywide)**
- \*6-d**     [17-0901](#)     Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with the Town of Queen Creek to allow the Mesa Fire and Medical Department to provide preventative maintenance and repair services on Town of Queen Creek fire vehicles and apparatus, and to be paid at an hourly rate. **(Citywide)**
- \*6-e**     [17-0906](#)     Approving and authorizing the City Manager to enter into Amendment No. 1 to the Intergovernmental Agreement (IGA) with the Maricopa County Human Services Department for the continued operation of a Maricopa Workforce Connections (Arizona@Work Maricopa County Youth Services Program) Youth Center in Mesa. The IGA allows the County to utilize the City of Mesa Main Library as a hub to provide comprehensive Workforce Innovation and Opportunity Act (WOIA) Youth Program services to the eastern section of Maricopa County. **(Citywide)**
- \*6-f**     [17-0874](#)     Approving and authorizing the City Manager to accept a grant award from the Arizona Early Childhood Development and Health Board/Southeast Maricopa Regional Partnership Council (First Things First) in an amount of up to \$50,000, over a three-year period, to retain an early learning consultant to foster a cross-system collaboration to improve early learning, health programming, and service coordination for Mesa's young children and their families. **(Citywide)**

**7     Introduction of the following ordinances and setting August 28, 2017 as the date of the public hearing on these ordinances:**

- \*7-a**     [17-0840](#)     Z17-023 **(District 2)** 1132 South Oakland Drive. Located west of Greenfield Road and north of Southern Avenue (1.2± acres). Rezone from OC-PAD to NC-PAD, PAD Modification, and Council Use Permit for an in-patient substance abuse treatment facility.

Staff Recommendation: Approval with conditions

P&Z Board Recommendation: Approval with conditions (Vote: 5-0)

- \*7-b     [17-0841](#)**     Z17-024 (**District 2**) The 2300 block of East University Drive (south side). Located east of Gilbert Road on the south side of University Drive (2.4± acres). Rezone from RSL-2.5-BIZ to RM-2-PAD; and Site Plan Review. This request will allow the development of an attached single-residence subdivision.
- Staff Recommendation: Approval with conditions  
P&Z Board Recommendation: Approval with conditions (Vote: 5-0)
- \*7-c     [17-0843](#)**     Z17-026 (**District 5**) The 6500 block of East Brown Road (north side). Located west of Power Road on the north side of Brown Road (8.0 ± acres). Rezone from RS-9 and OC-PAD to RM-2-PAD; Site Plan Review; and Special Use Permit. This request will allow for the development of a transitional senior living facility.
- Staff Recommendation: Approval with conditions  
P&Z Board Recommendation: Approval with conditions (Vote: 4-1)
- \*7-d     [17-0844](#)**     Z17-027 (**District 5**) 1402 North Recker Road. Located on the west side of Recker Road north of Brown Road (1.1± acres). Rezone from RS-7 to RM-2-BIZ. This request will allow for development of a second detached residence.
- Staff Recommendation: Approval with conditions  
P&Z Board Recommendation: Approval with conditions (Vote: 4-1)
- \*7-e     [17-0845](#)**     Z17-028 (**District 5**) The 5400 to 5600 blocks of East Thomas Road (north side). Located east of Higley Road on the north side of Thomas Road (11.01 ± acres). Rezone to modify the existing PAD overlay. This modification will reduce the side and rear yard setbacks within the existing subdivision.
- Staff Recommendation: Approval with conditions  
P&Z Board Recommendation: Approval with conditions (Vote: 5-0)
- \*7-f     [17-0848](#)**     Z17-033 (**District 5**) The 5600 through 5900 blocks of East Longbow Parkway (north side) and the 3100 through 3200 blocks of North Recker Road (west side) (50± acres). Located south of the Loop 202 Red Mountain Freeway. Council Use Permit. This request will allow installation of two multi-tenant Freeway Landmark Monument signs within a commercial center. Stephen C. Earl, Earl, Curley & Lagarde, P.C., applicant; Dover Associates, LLC & Longbow CAS, LLC, owner.
- Staff Recommendation: Approval with conditions  
P&Z Board Recommendation: Approval with conditions (Vote: 6-0)

- \*7-g**     **17-0839**     Z17-022 (**District 6**) The 8500 block of East Guadalupe Road (south side). Located on the south side of Guadalupe Road east of Hawes Road (10.2 ± acres). Rezone from RS-6-PAD to RSL-3.0-PAD and Site Plan Review. This request will allow the development of a single residence subdivision.

Staff Recommendation: Approval with conditions

P&Z Board Recommendation: Approval with conditions (Vote: 5-0)

- \*7-h**     **17-0838**     Z17-021 (**District 6**) The 8500 to 8800 blocks of East Guadalupe Road (north side). Located on the north side of Guadalupe Road west of the 202 San Tan Freeway (20± acres). Rezone from LC-PAD to RS-6-PAD; and Site Plan Review. This request will allow the development of a single residence subdivision.

Staff Recommendation: Approval with conditions

P&Z Board Recommendation: Approval with conditions (Vote: 5-0)

- \*7-i**     **17-0847**     Z17-029 (**District 4**) West Side-Clark Historic District Overlay. Rezone for the West Side-Clark Historic District to add the Historic District Overlay. This area is generally bounded by lots on the north side of West 2nd Place on the north, lots on the south side of West Pepper Place on the south, North Date on the west, and North Country Club Drive on the east. This request will create a local Historic District. Christine Close and other property owners of West Side-Clark Historic District, applicant; property owners of West Side-Clark Historic District, owners.

Staff Recommendation: Approval

P&Z Board Recommendation: Approval (Vote: 6-0)

- \*7-j**     **17-0849**     Amending Title 11, Chapter 67 Section 4 (E) "Conditions Requiring Mandatory Supermajority Vote by City Council" of the Mesa City Code. (**Citywide**)

To comply with recent changes to Arizona state statutes, this amendment will modify the conditions regarding written protest requirements that trigger a supermajority vote by the City Council to approve land use actions.

Staff Recommendation: Approval

P&Z Board Recommendation: Approval (Vote: 6-0)

**8 Take action on the following subdivision plat:**

- \*8-a**     [17-0835](#)     “Canyon Preserve at Mountain Bridge” **(District 5)** The 1600 through 2000 blocks of North Ellsworth Road (east side). Located on the east side of Ellsworth Road south of McKellips Road (30.46 ± acres). Paul Dugas, Pinnacle Ridge Holdings, LLC, developer; Daniel W. Matthews, P.E, Wood, Patel & Associates, Inc., engineer.

**Items not on the Consent Agenda****9 Conduct a public hearing on the following annexation case:**

- 9-a**     [17-0710](#)     Public hearing for the release of the petition for signatures for the following annexation case A17-002, located along the 9200 through 10800 blocks of East Elliot Road. The property includes the current and future Elliot Road right-of-way between Ellsworth Road and Signal Butte Road (30.2± acres). Initiated by the City of Mesa. **(District 6)**

**10 Conduct a public hearing on the creation of the East and West Redevelopment Areas and take action on the resolutions creating the East and West Redevelopment Areas and expanding the City’s Central Business District.**

- 10-a**     [17-0875](#)     Conduct a public hearing on the creation of the East and West Redevelopment Areas.
- 10-b**     [17-0876](#)     A resolution finding and declaring the necessity for the creation of the East and West Redevelopment Areas. **(Districts 1, 2, 3 and 4) (2/3 vote required)**
- 10-c**     [17-0877](#)     A resolution approving the expansion of the existing Central Business District to include the proposed East and West Redevelopment Areas. **(Districts 1, 2, 3 and 4)**

**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))