



COUNCIL MINUTES

March 17, 2014

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on March 17, 2014 at 5:45 p.m.

COUNCIL PRESENT

Scott Smith
Alex Finter
Christopher Glover
Dennis Kavanaugh
David Luna
Dave Richins
Scott Somers*

COUNCIL ABSENT

None

OFFICERS PRESENT

Christopher Brady
Debbie Spinner
Dee Ann Mickelsen

(*Councilmember Somers participated in the meeting through the use of telephonic equipment.)

Invocation by Chairman David Madden, First Church of Christ, Scientist

Pledge of Allegiance was led by Logan Stevens, Scout Troop # 965.

Mayor's Welcome.

Awards, Recognitions and Announcements.

There were no awards, recognitions or announcements.

1. Take action on all consent agenda items.

All items listed with an asterisk (*) will be considered as a group by the City Council and will be enacted with one motion. There will be no separate discussion of these items unless a Councilmember or citizen requests, in which event the item will be removed from the consent agenda and considered as a separate item. If a citizen wants an item removed from the consent agenda, a blue card must be completed and given to the City Clerk prior to the Council's vote on the consent agenda.

It was moved by Councilmember Kavanaugh, seconded by Councilmember Glover, that the consent agenda items be approved.

Mayor Smith stated that items 5-a through 5-o represent a number of grant applications that were submitted by various organizations to the City of Mesa for funding through the Fort

McDowell Yavapai Nation. He explained that the Gaming Compact, which was approved by Arizona voters more than ten years ago, provides that Indian tribes "give back to the community." He noted that the methodology used in this process is that the applications must pass through the City "as a conduit" to the Indian tribes. He also commented that he anticipates additional grant applications will be submitted to the City that will be forwarded on to other Indian tribes.

Mayor Smith called for the vote.

Carried unanimously.

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

Minutes from the February 20 and March 3, 2014 Council meetings.

3. Take action on the following liquor license applications:

*3-a. Commemorative Air Force Airbase Arizona

This is a one-day charitable event to be held on Sunday, April 6, 2014 from 3:30 p.m. to 6:30 p.m., at 2017 North Greenfield Road. **(District 5)**

*3-b. Soccer Village Foundation

This is a two-day charitable event to be held on Saturday, April 5, 2014 from 7:00 a.m. to 7:00 p.m. and Sunday, April 6, 2014 from 7:00 a.m. to 6:00 p.m., at 11349 South Ellsworth Road. **(District 6)**

*3-c. Ultimate Imaginations

This is a one-day charitable event to be held on Friday, March 21, 2014 from 5:00 p.m. to 11:00 p.m., on Macdonald Street from Main to Pepper. **(District 4)**

*3-d. Palm Street Culinary/Chives

A restaurant that serves lunch and dinner is requesting a new Restaurant License for Palm Street Culinary, LLC, 4012 East Palm Street, Michael Jon Mills, agent. This is an existing building with no prior liquor license. **(District 5)**

*3-e. Baby Kay's Cajun Kitchen

A restaurant that serves lunch and dinner is requesting a new Restaurant License for Twenty Two, Inc., 2051 South Dobson Road, Suite 18, Heidi A. Woodstead, agent. The previous license held at this location by L&M Enterprise, LLC, will revert back to the State. **(District 3)**

4. Take action on the following contracts:

*4-a. One (1)-Year Renewal of the Term Contract for Locksmith Services for the Facilities Maintenance Department. **(Citywide)**

This contract established a list of prequalified journeyman locksmiths to perform certain types of lock installations and repair work on various projects and buildings for the City.

Facilities Maintenance and Purchasing recommend authorizing a one-year renewal with the prequalified vendors: ACME Locksmith (a Mesa business), Anderson Lock & Safe, LLC and Desert Lock & Key, not to cumulatively exceed \$27,000, based on estimated requirements.

- *4-b. Dollar-Limit Increase to the Term Contract for Temporary Employment Services as requested by the Human Resources Department. **(Citywide)**

This contract provides a variety of experienced temporary agency workers who have the skills and qualifications necessary to perform assigned work at the Mesa Arts Center. The Chandler cooperative contract is specific for hiring staff who are familiar with Arts and Culture venues. The contract has been extended through the end of March while Chandler awards a new contract.

Human Resources, Arts and Culture and Purchasing recommend a dollar-limit increase to the City of Chandler cooperative contract with Devau Human Resources in the amount of \$55,000, from \$650,000 to \$705,000.

- *4-c. Dollar-Limit Increase for the Term Contract for General Security Services for Various City Facilities. **(Citywide)**

This contract provides security services for several City of Mesa facilities including: Mesa Arts Center, Arizona Museum of Natural History, the Main Library, the downtown Customer Service Center and the East Mesa Customer Service Center from a qualified and experienced contractor. The work performed falls under the category of general security service, but hours and duties vary according to site.

Arts & Culture and Purchasing recommend authorizing a dollar-limit increase with ICU Security Group of \$100,000, increasing the contract amount from \$550,000 to \$650,000, based on estimated requirements.

- *4-d. Three (3)-Year Term Contract for 500 and 750 MCM Wire for the Materials and Supply Warehouse (for the Energy Resources Department). **(Citywide)**

The Electric Utility uses this wire to provide new service to commercial customers. Because of the pricing volatility of wire and cable, quotes will be obtained from each of these qualified vendors when there is a need for wire.

Business Services, Energy Resources and Purchasing recommend awarding the qualified vendors on to the pre-approved list: Anixter Inc.; Power and Telephone Supply; Trillium Development Ltd Co.; and WESCO Distribution, dba Brown Wholesale Electric. The contract award is not to cumulatively exceed \$130,000 annually.

- *4-e. One (1)-Year Renewal of the Term Contract for Temporary Employment Services as requested by the Human Resources Department. **(Citywide)**

This contract provides Temporary Staffing Services for positions specific to the Arts and Culture and the Parks, Recreation and Commercial Facilities Departments. Staff is requesting to renew the current contracts through March 31, 2015 to allow time for clarification of the Affordable Care Act and its impacts on temporary services contracts. Staff believes that extending the current contracts and postponing the bid process will allow time for further federal guidance on these issues.

Arts & Culture, and Parks, Recreation and Commercial Facilities and Purchasing recommend a one-year renewal with TS Staffing Services, Inc., Labor Ready Southwest, Inc., and Allied Forces Temporary Services in an amount not to exceed \$120,000.

- *4-f. One (1)-Year Renewal of the Term Contract for Citywide Temporary Agency Worker Services as requested by the Human Resources Department. **(Citywide)**

This contract provides Citywide Temporary Staffing Services. Staff is requesting to renew the current contracts through March 31, 2015 to allow time for clarification of the Affordable Care Act and its impacts on temporary services contracts. Staff believes that extending the current contracts and postponing the bid process will allow time for further federal guidance on these issues.

Human Resources and Purchasing recommend authorizing a one-year renewal with Allstaff Services, Inc. (a Mesa business), Corporate Job Bank, GCA Services Group (a Mesa business), and Job Brokers, Inc., in an amount not to exceed \$5,078,000.

- *4-g. Three (3)-Year Term Contract for Landscape Maintenance Services for Zone 1 **(Districts 5 and 6)** and Zone 2 **(Districts 2 and 5)** – Parks, Retention Basins and Sports Fields for the Parks, Recreation and Commercial Facilities Department (PCRF).

An evaluation committee representing PCRF and Purchasing evaluated the responses and recommends awarding Zone 1 to the highest scored proposal, Mariposa Landscape Arizona, Inc., at \$601,283.19 for routine landscape maintenance, plus \$120,256.64 (20% for contingency), at \$721,539.83 annually; and Zone 2 to the highest scored proposal, Mariposa Landscape Arizona, Inc., at \$626,427.86 for routine landscape maintenance, plus \$125,285.57 (20% for contingency), at \$751,713.43 annually; based on estimated requirements. The total contract award is \$1,473,253.26 annually.

- *4-h. Purchase of Three (3) Vehicles to include: One (1) Replacement Light-Duty Cab and Chassis Service Body Vehicle, One (1) Replacement Light-Duty Crew Cab Pickup, and One (1) Fleet Addition Sedan for the Fire and Medical Department. **(Citywide)**

This purchase will provide two replacement vehicles, including a pickup truck for use by Emergency Medical Services and a cab and chassis truck for the Fire Prevention Investigator, and one fleet addition of a sedan for Fire Prevention to support the Business Education Safety Program.

Fire and Medical and Purchasing recommend authorizing the purchase from contracts with Berge Ford (a Mesa business), at \$57,631.98 and Courtesy Chevrolet, at \$21,225.95. The total award is \$78,857.93. This purchase is funded by the Capital-General Fund.

- *4-i. Purchase of Three (3) Sport Utility Vehicles (SUVs), including One (1) Replacement and Two (2) Additions for DUI Enforcement for the Police Department. **(Citywide)**

This purchase will provide one replacement SUV for the Police Department, which has met established criteria and will be sold at auction, and two additional Police Patrol SUVs to enhance DUI Enforcement throughout the City.

Fleet Services, Police and Purchasing recommend authorizing the purchase from contracts with Thorobred Chevrolet, at \$35,897.02 and Midway Chevrolet, at \$74,386.58, for the total award of \$110,283.60. This purchase is funded by the Vehicle Replacement Fund (replacement SUV) and grant funded by the Governor's Office of Highway Safety (two additional SUVs).

- *4-j. Purchase of Network and Server IT Infrastructure for Utilities' Supervisory Control and Data Acquisition (SCADA) Operation. **(Citywide)**

The infrastructure that the SCADA systems rely upon is over eight years old and beyond the systems' lifecycle. The systems have experienced several minor and major, multiple-hour outages due to aging hardware. These purchases address connectivity improvements, network component replacements, application server replacements and network security for these critical monitoring systems.

Information Technology and Purchasing recommend authorizing purchases with Enterasys Secure Networks, at \$343,888.62, Insight Public Sector, at \$71,847.69, CDW Government, at \$11,730.13, SHI International, at \$17,080.28, Enterprise Networks Solutions (a Mesa business), at \$25,862.31, Corporate Technology Solutions, at \$4,895.91, small miscellaneous purchases from various vendors purchased through the normal purchasing process, at \$30,000.00, and a 10% project contingency for \$50,530.49. The combined total award is \$555,835.43, including applicable taxes.

- *4-k. Dollar-Limit Increase and One (1)-Year Renewal to the Term Contract for Deep Well and Well Pump Maintenance/Repairs for the Water Resources Department. **(Citywide)**

Water Resources is responsible for the maintenance and operation of 31 wells. This contract provides a qualified contractor for the maintenance and repairs on deep wells, well pumps at City-owned wells and well facilities located within the City's water service area. Work includes pulling/repairing deep well pumps, videoing wells, brushing and bailing well casings and other related services.

The dollar increase is required for additional well rehabs, emergency well repairs and well abandonment activities. Water Utility's goal is to rehab each well every five years.

Water Resources and Purchasing recommend authorizing a dollar-limit increase with Weber Group, LLC, at \$135,000, from \$187,000 to \$322,000 for the current contract period and a one-year renewal, at \$322,000.

- *4-l. Riverview Multi-Use Sports Facility. **(District 1)**

This is the first Guaranteed Maximum Price package (GMP No. 1) for the Riverview Multi-Use Sports Facility. The GMP No. 1 scope of work includes early site grading and

demolition. This facility will be located on the northeast side of the Riverview site, which was previously the softball quad, and will be designed for the dual purpose of parking for the new Cubs' Stadium and multi-use sports fields. Staff anticipates bringing GMP No. 2 for the remaining construction work to the Council for consideration in late April.

The recommended total award amount is \$503,485.40 based on the GMP proposal of \$457,714.00, plus an additional \$45,771.40 (10% allowance for change orders). Funding is available in the Spring Training Bonds.

*4-m. City Well No. 14 Equipping. **(District 4)**

This project will install the necessary pump, piping, electrical, chlorination equipment, and other site improvements to make the newly re-drilled well operational. This well site pumps water directly into the City's water distribution system and provides drinking water for Mesa citizens. The site, located south of Broadway Road on Horne, is adjacent to residential homes that border the north, south and west sides of the site.

The recommended total award amount is \$1,687,472.85, based on the contract price of \$1,607,177.00, plus an additional \$80,355.85 (5% allowance for change orders). Funding is available in the 2010 Water Bond Authorization.

*4-n. Pasadena Reservoir Fill Line Rehabilitation. **(District 4)**

This project will rehabilitate a 42-inch diameter pre-stressed concrete cylinder pipe waterline for the Pasadena Reservoir, which fills the reservoir from the Val Vista Water Treatment Plant. This waterline pipe revealed evidence of deterioration in the segment that passes through the Park Centre Casitas development. A new, high-density polyethylene pipe will be installed as a liner inside the existing deteriorated pipe. The liner pipe will support imposed loads should the existing pipe further deteriorate over time.

The recommended total award amount is \$1,795,802.93 based on the GMP proposal of \$1,632,548.12, plus an additional \$163,254.81 (10% allowance for change orders). This project is funded by the voter-approved 2010 Water Bond Fund.

5. Take action on the following resolutions:

- *5-a. Authorizing and supporting the submittal of a grant application by A New Leaf to the Fort McDowell Yavapai Nation for \$100,000 to support construction of its La Mesita Family Shelter – Resolution No. 10391.
- *5-b. Authorizing and supporting the submittal of a grant application by Arizonans for Children, Inc. to the Fort McDowell Yavapai Nation for \$30,000 to provide mentor/tutor and enrichment programming for children in foster care – Resolution No. 10392.
- *5-c. Authorizing and supporting the submittal of a grant application by ATLATL Native Arts Network to the Fort McDowell Yavapai Nation for \$15,000 to support the 31st Annual Roy Track Pow Wow – Resolution No. 10393.

- *5-d. Authorizing and supporting the submittal of a grant application by Boy Scouts of America Grand Canyon Council to the Fort McDowell Yavapai Nation for \$75,000 to expand traditional Scouting programs – Resolution No.10394.
- *5-e. Authorizing and supporting the submittal of a grant application by the Child Crisis Center to the Fort McDowell Yavapai Nation for \$15,000 to support parenting education at its Family Resource Center – Resolution No. 10395.
- *5-f. Authorizing and supporting the submittal of a grant application by College Bound Mesa to the Fort McDowell Yavapai Nation for \$6,000 to extend supportive college preparation and enrollment services for students to Kino Junior High School – Resolution No. 10396.
- *5-g. Authorizing and supporting the submittal of a grant application by City of Mesa's Fire and Medical Department to the Fort McDowell Yavapai Nation for \$119,000 to improve public safety through the purchase of security card refrigerated drug boxes – Resolution No. 10397.
- *5-h. Authorizing and supporting the submittal of a grant application by City of Mesa Parks, Recreation, and Commercial Facilities Department to the Fort McDowell Yavapai Nation for \$30,000 to support efforts to prevent drowning through improved water safety for young children – Resolution No. 10398.
- *5-i. Authorizing and supporting the submittal of a grant application by the Arizona Museum of Natural History to the Fort McDowell Yavapai Nation for \$25,370 to support Youth Educational Programming at Mesa Grande – Resolution No. 10399.
- *5-j. Authorizing and supporting the submittal of a grant application by East Valley Adult Resources to Fort McDowell Yavapai Nation for \$10,000 to support the Meals While You Heal Program – Resolution No. 10400.
- *5-k. Authorizing and supporting the submittal of a grant application by Junior Achievement of Arizona, Inc. to the Fort McDowell Yavapai Nation for \$10,000 to support JA BizTown – Resolution No. 10401.
- *5-l. Authorizing and supporting the submittal of a grant application by Mesa Public Schools' Native American Education Program to the Fort McDowell Yavapai Nation for \$120,644 to support improved student academic performance – Resolution No. 10402.
- *5-m. Authorizing and supporting the submittal of a grant application by Mission of Mercy to the Fort McDowell Yavapai Nation for a total of \$10,000 to support its Access to Care – Bridging the Healthcare Gap in the East Valley Project – Resolution No. 10403.
- *5-n. Authorizing and supporting the submittal of a grant application by Southwest Shakespeare Company to the Fort McDowell Yavapai Nation for \$30,000 to support arts education – Resolution No. 10404.
- *5-o. Authorizing and supporting the submittal of a grant application by Visit Mesa to the Fort McDowell Yavapai Nation for \$52,450 to promote local tourism – Resolution No. 10405.

- *5-p. Approving and authorizing the City Manager to accept \$45,930 for equipment for the Mesa Police Department's Command Vehicle and Mobile Communications Platform. These funds are made available through a SubGrantee Agreement with the Arizona Department of Homeland Security. **(Citywide)** – Resolution No. 10406.
- *5-q. Extinguish a 10-foot public utility easement along the south property line of 5437 East Crescent Avenue, located south of Broadway Road and east of Higley Road. (District 2) – Resolution No. 10407.

The property owner has requested the City extinguish a 10-foot public utility easement to accommodate the construction of a swimming pool.

- *5-r. Staff is requesting approval from the City Council to continue negotiations to acquire property along Southern Avenue between Alma School Road and west of Longmore for the Fiesta Paseo Nodes Micro Park Project, and authorizing and directing that fee title, easements or other interests in and possession of certain real property be acquired by the City of Mesa under the power of eminent domain as a matter of public necessity. **(District 3)** – Resolution No. 10408.

6. Introduction of the following ordinances and setting April 7, 2014 as the date of the public hearing on these ordinances:

- *6-a. **Z14-011 (District 3)** Located at the northwest corner of Dobson Road and Broadway Road. (2.14± acres) Site Plan Review and Special Use Permit to allow a vehicle service station. This request will allow the development of a retail store and vehicle service station.

Staff Recommendation: Approval with Conditions

Board Recommendation: Approval with Conditions (Vote: 5-0, Boardmembers Hudson and Johnson, absent.)

- *6-b. **Z14-003 (District 4)** 345 South Shouse Street. Located west of the northwest corner of Broadway Road and Gilbert Road. (1 ± acre) Rezone from RM-3 to RM-3-BIZ and Site Plan Modification. This request will allow the development of a multi-residence townhome development.

Staff Recommendation: Approval with Conditions

Board Recommendation: Approval with Conditions (Vote: 5-0, Boardmembers Hudson and Johnson, absent.)

- *6-c. **Z14-013 (District 6)** The 8600 block of East Desert Lane (south side) and the 8600 block of East Medina Avenue (north side). Located east of Hawes Road and south of Baseline Road. (7.2± acres) Rezone from AG to RSL4.5-PAD. This request will allow the development of single residences. (PLN2013-00616)

Staff Recommendation: Approval with Conditions

Board Recommendation: Approval with Conditions (Vote: 5-0, Boardmembers Hudson and Johnson, absent.)

- *6-d. **Z14-010 (District 5)** 529 South Hawes Road. Located south of Broadway Road on the east side of Hawes Road. (3.4± acres) Rezone from R-3PAD to R-3-PAD and Site Plan Modification. This request will allow the modification of the proposed residential development and the associated PAD Ordinance.

Staff Recommendation: Approval with Conditions

Board Recommendation: Approval with Conditions (Vote: 5-0, Boardmembers Hudson and Johnson, absent.)

7. Conduct a public hearing and take action on the following ordinance, with accompanying resolution, introduced on March 3, 2014 and regarding adoption of modified Terms and Conditions for the Sale of Utilities:

- *7-a. Adopting a Resolution declaring modified Terms and Conditions for the Sale of Utilities to be public records and providing availability of the documents to the general public. **(Citywide)** – Resolution No. 10409.
- *7-b. Modifying the Terms and Conditions for the Sale of Utilities relating to frontage requirements, solid waste barrel placement, applicability of Council exceptions, and certain clerical corrections. **(Citywide)** – Ordinance No. 5208.

Items not on the Consent Agenda

8. Items from citizens present.

There were no items from citizens present.

9. Adjournment.

Without objection, the Regular Council Meeting adjourned at 6:01 p.m.

SCOTT SMITH, MAYOR

ATTEST:

DEE ANN MICKELSEN, CITY CLERK

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Council Meeting of the City Council of Mesa, Arizona, held on the 17th day of March 2014. I further certify that the meeting was duly called and held and that a quorum was present.

DEE ANN MICKELSEN, CITY CLERK

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