

## COUNCIL MINUTES

February 8, 2016

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on February 8, 2016 at 5:45 p.m.

### COUNCIL PRESENT

John Giles  
Alex Finter  
Christopher Glover  
Dennis Kavanaugh  
David Luna  
Dave Richins  
Kevin Thompson

### COUNCIL ABSENT

None

### OFFICERS PRESENT

Christopher Brady  
Jim Smith  
Dee Ann Mickelsen

Mayor's Welcome.

Invocation by Dr. Clyde Chilton with Shiloh Missionary Baptist Church.

Pledge of Allegiance was led by Councilmember Thompson.

Awards, Recognitions and Announcements.

Michelle Davidson, District Director for Congresswoman Kyrsten Sinema, addressed the Council and read aloud a memorial written for former Mayor Don Strauch that has been submitted as part of the National Congressional record:

"Statement in memoriam, Don W. Strauch Jr., April 8, 1926 – January 11, 2016. Mr. Speaker I rise today to remember Don W. Strauch Jr., Mayor Strauch, Mayor of Mesa Arizona from 1980-1984, Mesa City Councilmember from 1972-1978 and Arizona State Representative from 1987-1988. In 2003, Mayor Strauch was inducted into the Arizona Veterans' Hall of Fame for his service in the U.S. Army during World War II, his work with the American Legion, the VFW and his contributions as a civic leader. From 1966 until a few weeks before his death, Mayor Strauch lived in service to the citizens of Mesa, the State of Arizona and our great nation. Mayor Strauch was instrumental in creating the Mesa that we know today. He launched the Mesa Sister Cities program and championed the proposed Mesa Arts Center. He broke down walls of discrimination and advanced civil rights throughout Mesa and Arizona. His negotiations with McDonnell Douglas, now Boeing, convinced the company to locate to Mesa. Mesa Fire and Medical is a model of efficiency and innovation today because of the groundwork Mayor Strauch laid. He saw Mesa Libraries as a vital community partner and worked to improve them. The countless boards and commissions he was part of all benefited from Mayor Strauch's even-keeled and positive leadership style, which he was well known for throughout his life. Mayor Strauch's optimism, pragmatism and sincere belief in the greatness of Mesa was always at the center of his work. He had the strength to put partisan issues aside and work with a diverse group of community leaders during an important time of Mesa's growth. Mayor Strauch died on January 11, 2016, after

complications from a fall. He leaves behind his beloved wife Chris, his daughter Christy and a large and loving community of friends and family. Members, please join me in extending condolences to Mayor Strauch's family and the City of Mesa on this inconsolable loss of this extraordinary man. Mayor Strauch will be dearly missed and fondly remembered by everyone whose life was made better because of his selfless contributions. Kyrsten Sinema, Member of Congress, Arizona's 9<sup>th</sup> Congressional District."

Mayor Giles agreed that Mayor Strauch was an extraordinary person and thanked Ms. Davidson and Congresswoman Sinema for recognizing his contributions.

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 Vice Mayor Kavanaugh, seconded by Councilmember Glover, that the consent agenda items be approved.

Carried unanimously.

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

Minutes from the January 7 and 25, 2016 Council meetings.

3. Take action on the following liquor license applications:

\*3-a. Commemorative Air Force Museum

This is a one-day charitable event to be held on Saturday, March 12, 2016 from 5:00 p.m. to 11:30 p.m., at 2017 North Greenfield Road. **(District 5)**

\*3-b. It Ain't Chemo

This is a one-day charitable event to be held on Saturday, February 20, 2016 from 9:00 a.m. to 9:00 p.m., at 2100 West Rio Salado Parkway. **(District 1)**

\*3-c. All Saints Catholic Church

This is a one-day religious event to be held on Saturday, February 13, 2016 from 6:00 p.m. to 11:30 p.m., at 1534 North Recker Road. **(District 5)**

\*3-d. Grab N Go 202

A convenience store and gas station is requesting a new Series 10 Beer and Wine Store License for Sapra Enterprises LLC, 9202 East Main Street – Vaneet Sapra, agent. The existing license held by Lirato Inc., will revert back to the State. **(District 5)**

\*3-e. Mariscos El Rey

A restaurant that serves breakfast, lunch and dinner is requesting a new Series 12 Restaurant License for Mariscos El Costeno LLC, 830 West Southern Avenue, Suite 1 – Jared Michael Repinski, agent. There is currently no existing license at this location.  
**(District 3)**

\*3-f. Silver Star Theater

A theater with a lunch and dinner food buffet is requesting a new Series 12 Restaurant License for Silver Star Theater LLC, 5247 East Brown Road – Lawrence Edward Elliget, agent. The existing license held by Palms Theatre Inc. will revert back to the State.  
**(District 5)**

4 Take action on the following contracts:

\*4-a. Renewal of the Term Contract for Collection Services for the Business Services and Financial Services Departments. **(Citywide)**

This contract provides a qualified firm to perform debt collection services for delinquent accounts for utility bills, sales taxes, conference center, property damages, orders of protection, excess false alarms, airport and miscellaneous receivables on an as-needed basis. This service has recovered \$133,869.27 in calendar year 2015. Per the agreement, Valley Collection Service was able to retain \$19,985.38 for the same period.

The Business Services Department and Purchasing recommend authorizing a one-year renewal with Valley Collection Service, LLC, at \$30,000 annually, based on estimated requirements.

\*4-b. Renewal of the Term Contract for Residential Refuse and Recycling Containers for the Environmental Management and Sustainability Department. **(Citywide)**

This contract provides a supply of 35 gallon, 65 gallon and 95 gallon plastic refuse and recycling containers for residential use.

The Environmental Management and Sustainability Department and Purchasing recommend authorizing a one-year renewal with Rehrig Pacific Company, at \$1,068,077.59 annually, based on estimated requirements.

\*4-c. Purchase of Two Replacement Fire Apparatus, One 75' Ladder Truck and One Pumper, for the Fire and Medical Department (Sole Source). **(Citywide)**

The apparatus being replaced have met established replacement criteria and will be sold by a sealed bid process or traded-in as part of the City's fire apparatus purchase agreement with Pierce Manufacturing.

The Fire and Medical Department and Purchasing recommend this purchase using the City's five-year purchase agreement with Pierce Manufacturing Inc., through their designated, local dealer, Hughes Fire Equipment Inc., at \$1,749,778.61. This purchase is funded by the 2013 authorized Public Safety Bond.

- \*4-d. Purchase for the Upgrade and Replacement of the Lighting and Audio Visual Equipment for the Public Safety Training Facility as requested by the Police Department. **(Citywide)**

This purchase will replace the outdated lighting system with a modern, energy efficient LED system. The current lighting and audio/visual equipment have become undependable, are not energy efficient, and repair/replacement parts are costly.

The Police Department and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidders: Adorama Inc.; B&H Phot; Barbizon Light of the Rockies, dba Barbizon Light of Arizona; Horton & Associates, Inc.; K-12 Soundvision, LLC (a Mesa business); and Mark Joseph Perlmutter, dba Perlmutter Purchasing Power; cumulatively not to exceed \$56,000.

- \*4-e. Three-Year Term Contract for Electronic Driver Feedback Signs for the Transportation Department. **(Citywide)**

Driver feedback signs (radar speed display units) are electronic signs that measure vehicle speed and display it back to the driver in a digital format. The signs are typically deployed along roadways where speeding vehicles have been identified as a problem.

The Transportation Department and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder, Consolidated Electrical Distributors, Inc., dba Arizona Electric Supply (a Mesa business), at \$41,000 annually, based on estimated requirements.

- \*4-f. Purchase of Line Clearance and Tree Trimming Services for the Northeast Quadrant of Mesa's Electric Service Area (ESA) for the Energy Resources Department. **(Citywide)**

This contract will provide a qualified contractor to keep trees and vegetation clear of high voltage electric transmission, primary and secondary distribution lines and secondary service drops, in order to maintain safety and minimize and prevent electric service outages. The Northeast Quadrant of Mesa's ESA is bounded on the west by Mesa Drive, on the east by Harris, on the south by 2<sup>nd</sup> Avenue, and on the north by the Crosscut Canal.

The Energy Resources Department and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder, Asplundh Tree Expert Company, at \$34,210.00, based on estimated requirements.

- \*4-g. Renewal of the Term Contract for Replacement Parts and Supplies for the Greenfield Water Reclamation Plant for the Water Resources Department (Sole Source). **(Citywide)**

This contract provides replacement parts for the Wedeco Wastewater Disinfection System at the Greenfield Water Reclamation Plant (GWRP) on an as-needed basis. These parts are necessary for wastewater disinfection, regulatory compliance of cleaner wastewater, and to maintain the disinfection system's performance guarantee from the manufacturer.

The Water Resources Department, and Purchasing recommend authorizing a one-year renewal contract with the sole source manufacturer, Xylem Water Solutions USA, Inc., at

\$300,000, based on estimated requirements. This purchase is 58% funded by Gilbert and Queen Creek and 42% funded by the Enterprise Fund – GWRP Joint Venture.

- \*4-h. Purchase of IT Security Infrastructure for the Utilities Supervisory Control and Data Acquisition (SCADA) Network for the Water Resources and Energy Resources Departments (Sole Source). **(Citywide)**

This purchase will provide new security monitoring software to improve performance and provide increased security monitoring and alerting for the SCADA system.

The Information Technology, Water Resources and Energy Resources Departments, and Purchasing recommend authorizing the purchase from the sole source vendor, GE Intelligent Platforms, at \$32,667.30.

5. Take action on the following resolutions:

- \*5-a. Approving and authorizing the City Manager to enter into a Development Agreement and Purchase and Sale Agreement with Artspace Projects, Inc., and Artspace Mesa, LP, for the conveyance of approximately 1.7 acres of real property for the development of affordable live/work space with a tenant selection preference for artistically creative individuals. **(District 4)** – Resolution No. 10735.
- \*5-b. Approving and authorizing the City Manager to enter into a Development Agreement with MPT of Mesa-Eastmark AD, LLC, to facilitate the development of a hospital for property located at 9130 East Elliot Road. **(District 6)** – Resolution No. 10736.
- \*5-c. Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with the Arizona Department of Transportation for the construction and maintenance of the Rio Salado Multiuse Path from SR101L to Dobson Road. The City's portion of the agreement is estimated at \$9,750 annually. **(District 1)** – Resolution No. 10737.
- \*5-d. 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 \$159,072 for salary and fringe benefits of three Victim Service Specialists and related expenses for the Police Department. **(Citywide)** – Resolution No. 10738.
- \*5-e. Extinguishing an Easement for Public Utilities and an Easement for Drainage on property located at the northeast corner of 32<sup>nd</sup> Street and McKellips Road. **(District 1)** – Resolution No. 10739.

The property owner is requesting that the City extinguish the easements to accommodate future development.

- \*5-f. Granting an exception as allowed under section 24(b) of the Terms and Conditions for the Sale of Utilities to eliminate the separate service connection and metering requirements of Sections 3(a) and 3(e) of those Terms and Conditions to allow interconnected service across parcel boundaries for a proposed conference building for the Save the Family Community Services Facility located on University Drive between Centennial Way and Mesa Drive, as recommended by the Sustainability and Transportation Committee. **(District 4)** – Resolution No. 10740.

6. Introduction of the following ordinance and setting February 22, 2016 as the date of the public hearing on this ordinance:

- \*6-a. **Z15-020 (District 6)** 6400 block of East Test Drive. Located west of Power Road and south of US Hwy 60. Modification of an existing PAD overlay in the LI zoning district; and Site Plan Modification (2± acres). This request will allow for the development of auto sales on Lot F. Wendy Riddell, Riddell & Rosensteel, applicant; Joseph and Jeanette M. Cardinale Revocable Trust, owner.

Staff Recommendation: Approval with conditions

P&Z Board Recommendation: Approval with conditions (Vote: 4-3; Boardmembers Allen, Ikeda, and Hudson; nay)

7. Take action on the following resolution and introduction of the following ordinance relating to the terms, rates, fees, and charges for solid waste utility service, and setting February 22, 2016 as the date of public hearing on this ordinance:

- \*7-a. Resolution declaring modified solid waste terms, rates, fees and charges for City-owned solid waste utility service filed with the City Clerk to be a public record and providing availability of the documents for public use and inspection. **(Citywide)** – Resolution No. 10741.
- \*7-b. Ordinance adopting schedules of terms, rates, fees and charges for City-owned solid waste utility service allowing for multi-year solid waste service agreement discounts for business and commercial establishments. **(Citywide)**

8. Discuss, receive public comment, and take action on the following ordinances:

- \*8-a. **Z15-045 (District 6)** The 10000 to 11000 block of East Guadalupe Road (north side). Located west of Signal Butte Road on the north side of Guadalupe (17± acres). PAD Modification. This request will allow for the reduction of the required minimum garage width for Lots 140 – 143, 175 – 220 and 299 – 403 within Mulberry Parcels 2 and 3. Paul R. Dugas, Blandford Homes, applicant; Desert Vista 100, LLC, owner. – Ordinance No. 5313.

Staff Recommendation: Approval with conditions

P&Z Board Recommendation: Approval with conditions (Vote: 6-0; Chair Johnson, absent)

- \*8-b. Acknowledging receipt of the report and recommendations of the Independent Compensation Commission for Elected Officials (ICCEO) and to increase the compensation for the Offices of Mayor and City Council as recommended by the ICCEO by amending Ordinance 5196. - Ordinance No. 5314.

**Items not on the Consent Agenda**

9. Items from citizens present.

There were no items from citizens present.

10. Adjournment.

Without objection, the Regular Council Meeting adjourned at 6:00 p.m.

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JOHN GILES, MAYOR

ATTEST:

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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 8<sup>th</sup> day of February, 2016. I further certify that the meeting was duly called and held and that a quorum was present.

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DEE ANN MICKELSEN, CITY CLERK

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