

COUNCIL MINUTES

December 5, 2016

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on December 5, 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

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

Mayor's Welcome.

Invocation by Piyush Shah of the Jain faith.

Pledge of Allegiance was led by Lindsay Freeman, Mayor's Youth Committee member.

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 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 October 27 and November 21, 2016 Council meetings.

3. Take action on the following liquor license applications:

*3-a. Commemorative Air Force Airbase Arizona Museum

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

*3-b. Carniceria El Portero

A butcher shop is requesting a new Series 10 Beer and Wine Store License for Carniceria Toro Loco LLC, 624 West Broadway Road, Suites 205-206 – Eduardo Gonzalez Romero, agent. The existing license held by Carniceria El Potrero LLC, will revert back to the State. **(District 4)**

*3-c. Breaking Eggs Café

A restaurant that serves breakfast and lunch is requesting a new Series 12 Restaurant License for Breaking Eggs Café LLC, 6663 East McDowell Road, Suite 101 – John Paul Wilcoxon, agent. There is no existing license at this location. **(District 5)**

*3-d. Venezia's Pizzeria

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Venezia's New York Style Pizza-Mesa No. 1 Inc., 2721 South Ellsworth Road, Suite 107 – Domenick Montanile, agent. There is no existing license at this location. **(District 6)**

*3-e. Venezia's Pizzeria

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Venezia's New York Style Pizza-Mesa No. 2 Inc., 5057 East McKellips Road, Suites 106-107 – Domenick Montanile, agent. There is no existing license at this location. **(District 5)**

4. Take action on the following contracts:

*4-a. **Three-Year Contract for Fingerprinting Services for the Human Resources Department. (Citywide)**

This contract will provide fingerprinting services for the City for prospective employees, volunteers, contract workers or temporary agency workers.

The evaluation committee recommends awarding the contract to SecureOne, Inc., dba SecureOne Security Services, at \$58,150.00 annually, based on estimated requirements.

*4-b. **Three-Year Term Contract for Gradation Glass Beads for Pavement Markings for the Materials and Supply Warehouse (for the Transportation Department). (Citywide)**

Transportation Field Operations uses gradation glass beads in the liquid application of pavement markings to enhance the reflectivity of pavement markings. The glass beads are blended in the pavement marking materials to give continuous reflectivity.

The Business Services and Transportation Departments, and Purchasing recommend authorizing the contract using the State of Arizona cooperative contract with Potters Industries, LLC, at \$55,000 annually, based on estimated requirements.

- *4-c. Dollar-Limit Increase to the Term Contract for Roll-Off Refuse Containers for the Environmental Management and Sustainability Department. **(Citywide)**

On May 2, 2016, Council approved the three-year term contract at \$84,500.00 for the first-year term. The Department received budget allocation and approval starting in FY 2016/17 for a lifecycle project for the repair and replacement of their bin and roll-off inventory. This increase is for the purchase of roll-off containers under the lifecycle project.

The Environmental Management and Sustainability Department and Purchasing recommend a dollar limit increase of \$85,000.00 with Wastebuilt Southwest LLC, increasing the contract amount from \$84,500.00 to \$169,500.00 for the first-year based on requirements.

- *4-d. Three-Year Term Contract for Ammunition for the Police Department. **(Citywide)**

This contract will provide ammunition of all types including less-lethal products and related services. Mesa cooperatively solicited this agreement, acting as the lead agency for the contract, and included the following agencies: Town of Gilbert, Maricopa County Community College District, and Maricopa County. Specifications, usage, and specific requirements of each agency were included in the bid solicitation.

Police and Purchasing recommend awarding the contract (Mesa's purchases) to the lowest, responsive and responsible bidders: Miwall Corporation, San Diego Police Equipment Co., Inc., and North American Energy I, LLC, dba True Shot Gun Club, cumulatively not to exceed \$450,000 annually, based on estimated requirements.

- *4-e. Three-Year Term Contract for Pawn Web-Based Application for the Police Department. **(Citywide)**

This contract will upgrade the City's current pawn application that monitors and maintains pawn shop and second-hand store information to a web-based application. The planned upgrades will allow the police department to offer pawn tickets online, eliminate voided tickets, print out current and historical transactions and statements, automatically gather various statistics and benchmarks, and electronically report transactions to Maricopa County Sheriff's Office as mandated by statute.

The evaluation committee recommends awarding the contract to the highest-scored proposal from LeadsOnline, LLC, at \$78,672 annually, based on estimated requirements.

- *4-f. Purchase of Additional Replacement and Upgrade Network Equipment for the Distribution Router Project for the Information Technology Department. **(Citywide)**

This purchase will provide necessary network equipment to replace aging City distribution routers and network analysis performance management tools to provide additional capacity and redundancy with a high availability design. The current

equipment is at end of service life; support and hardware replacements are no longer available.

The Information Technology Department and Purchasing recommend authorizing purchase from the City's existing contract with Insight Public Sector, Inc., at \$164,601.17; and authorizing use of the State of Arizona cooperative contract with Enterprise Networks Solutions (a Mesa business), at \$44,757.59; for the combined total award of \$209,358.76. This purchase is funded by the Information Technology Life Cycle FY 2016/17 budget and the Information Technology Department operating budget.

- *4-g. Purchase of Three Replacement CNG Powered Heavy-Duty Front Loading Refuse Trucks for the Environmental Management and Sustainability Department. **(Citywide)**

The vehicles being replaced have met established replacement criteria and will be retired and sold at auction. These vehicles are used for the collection of the City's commercial accounts. Fleet and Solid Waste Management are replacing existing diesel with CNG refuse trucks as part of the conversion of the fleet to CNG.

The Fleet Services and Solid Waste Management Departments, and Purchasing recommend authorizing purchase from the existing contract with Rush Truck Centers of Arizona, Inc., dba Rush Truck Center, Phoenix, at \$1,057,584.96. This purchase is funded by the Utility Replacement Extension and Renewal Fund.

- *4-h. One-Year Renewal of Term Contract for Heavy Duty Truck Brake and Wheel Parts for the Fleet Services Department. **(Citywide)**

This contract provides heavy duty truck brake and wheel parts for various pieces of rolling stock equipment owned by the City.

The Fleet Services Department and Purchasing recommend authorizing the renewal with Arizona Brake & Clutch Supply, Inc.; FleetPride (a Mesa business); and Freightliner of Arizona; cumulatively not to exceed \$160,000 annually, based on estimated requirements.

5. Take action on the following resolutions:

- *5-a. Approving and authorizing the City Manager to enter into a Grant Agreement with the Arizona Criminal Justice Commission to accept \$100,000 in grant funds that will be used for training and equipment for the Police Department's Forensic Services Division. **(Citywide)** – Resolution No. 10890
- *5-b. Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with the State of Arizona, Department of Emergency and Military Affairs, to be a participant in the Arizona Mutual Aid Compact to receive and provide emergency assistance in the event of a major incident in Mesa or other areas of the state. **(Citywide)** – Resolution No. 10891
- *5-c. Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with the Flood Control District of Maricopa County for the future construction, use and maintenance of a multi-use pathway within the Buckhorn-Mesa Watershed Project. **(District 5)** – Resolution No. 10892

- *5-d. Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with the Rio Verde Fire District for the sharing of radio communications sites and facilities. **(Citywide)** – Resolution No. 10893
- *5-e. Endorsing the creation of the Sherwood Mesa Irrigation Water Delivery District that is generally bounded by University Drive on the north, Main Street on the south, Stapley Drive on the west, and Lazona Drive on the east. **(District 4)** – Resolution No. 10894

The formation of an Irrigation Water Delivery District (IWDD) allows residents within the district to make improvements and perform maintenance and operations of their irrigation system. Final designation of the IWDD is determined by the Maricopa County Board of Supervisors.

6. Introduction of the following ordinances and setting December 12, 2016 as the date of the public hearing on these ordinances:

- *6-a. Amending section 503.1.1 of the 2006 International Fire Code, as adopted in Title 7, Chapter 2, Section 3 of the Mesa City Code. **(Citywide)**

The amendment to Section 503.1.1 relates to fire apparatus access roads for buildings and facilities, and provides that the fire code official is authorized to increase the 150-foot dimension requirement when it is determined that other hazard-mitigating factors are present. The amendment also re-organizes the section for clarity.
- *6-b. Amending the Mesa City Code, Title 2, Chapter 25, Sections 1, 2, and 3, entitled “Independent Commission on Compensation for Elected Officials” (Commission), to increase minimum meeting and reporting time requirements and modify data collection requirements, as recommended by the Commission.
- *6-c. Z16-044 **(District 5)** Located east of the 200 to 400 blocks of North Power Road and south of the 6800 to 7000 blocks of East University Drive. Located east of Power Road and south of University Drive (15.8± acres). Rezoning from LC to RSL-2.5-PAD; and Site Plan Review. This request will allow for development of a single-residence subdivision. Mark Pugmire, Highland Communities, LLC, applicant; Highland Communities, LLC, owner.

Staff Recommendation: Approval with conditions

P&Z Board Recommendation: Approval with conditions (Vote:7-0)

- *6-d. Z16-049 **(District 6)** 2400 to 2700 blocks of South Signal Butte Road (west side), 10000 through 10700 blocks of East Guadalupe Road (north side), and 2600 through 2700 blocks of South Crismon Road (east side). Located west of Signal Butte Road, north of Guadalupe Road and east of Crismon Road encompassing the entire Mulberry residential development. Modifying the project narrative associated with the Mulberry PAD (172.5± acres). Rezoning from RSL-2.5-PAD and RM-2-PAD to RSL-4.5-PAD on 43.4± acres in the 10000 through 10300 blocks of East Guadalupe Road and 2600 through 2700 blocks of South Crismon Road, known as Mulberry Parcel 5; and Site Plan Review. This request will allow for single residence development. Paul Dugas, applicant; Desert Vista 100, LLC, owner.

Staff Recommendation: Approval with conditions

P&Z Board Recommendation: Approval with conditions (Vote:7-0)

*6-e. See: **Items not on the Consent Agenda.**

7. Take action on the following subdivision plats:

- *7-a. "Sunland Springs Village Unit 10" **(District 6)** The 11400 through 11500 blocks of East Ocaso Avenue (south side). Located south of the southwest corner of Meridian and Guadalupe Roads. 71 RS-6 PAD single residence lots (18.19± acres). Springs Nine Development, Inc., developer. Jeff Giles, Clouse Engineering, engineer.
- *7-b. "Eastmark Development Unit 6 South Parcel 6-3" **(District 6)** The 10600 through 10800 blocks of East Point Twenty-Two Boulevard (north side). Located south of the southwest corner of Elliott Road and Signal Butte Road. 1 PCD commercial lot (11.38± acres). DMB Mesa Proving Grounds, LLC, developer. Daniel Hemken, P.E., Hoskin Ryan Consultants, Inc., engineer. **(CONTINUED TO THE DECEMBER 12, 2016 REGULAR COUNCIL MEETING)**

Items not on the Consent Agenda

- 6-e. Z16-054 **(District 1)** 2200 block of East University Drive (north side). Located east of Gilbert Road on the north side of University Drive (2.11± acres). Rezoning from RS-6 to RM-2-BIZ; and Site Plan Review. This request will allow for attached single residence development. Doug Sweeney, Brighton Companies, LLC., applicant; David K. Stephens Trust, owner.

Staff Recommendation: Approval with Conditions

P&Z Board Recommendation: Approval with Conditions (Vote: 6-0-1)

Planning Director John Wesley provided a brief background of the two-acre tract requesting to be rezoned in order to allow a duplex development. He indicated that both the Planning and Zoning Board and staff have recommended approval.

Mayor Giles reported that the applicant was not present, but a speaker form was received from a resident requesting to speak on the item.

Barbara Alexandra Eads, a Mesa resident, expressed her opposition relative to the rezoning of the 2200 block of East University Drive (north side) and Site Plan Review. She stated that she was representing several residents from her subdivision and listed their concerns as follows:

- The proposed two-story development is surrounded by only one-story properties.
- The proposed development will destroy the privacy of the adjacent properties. She requested that the City Council require the developer to plant tall and mature trees along the boundary of Units 1 through 8.
- The proposed development has only one exit/entrance and the added vehicles can cause traffic congestion and accidents.
- The proposed development lacks greenspace and play structures for children, which encourages them to cross University Drive to visit play areas.
- The proposed development may stimulate investor purchases that result in rental units, which will decrease the value of surrounding homes.

- The \$225,000 base purchase price of the proposed units will decrease the median value of the surrounding homes.

Councilmember Richins suggested that Item 6-e be tabled to the next City Council meeting to allow time to discuss.

City Attorney Jim Smith agreed that tabling Item 6-e would allow staff to amend some of the stipulations.

In response to a question from Mayor Giles, Mr. Wesley recalled that some landscape considerations were discussed by the Planning and Zoning Board but no official changes were requested to the stipulations.

It was moved by Councilmember Richins, seconded by Vice Mayor Kavanaugh, that item 6-e be tabled to a future Council meeting.

Carried unanimously.

8. Items from citizens present.

There were no items from citizens present.

9. Adjournment.

Without objection, the Regular Council Meeting adjourned at 6:03 p.m.

JOHN GILES, 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 5th day of December, 2016. 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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