



COUNCIL MINUTES

June 5, 2017

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on June 5, 2017 at 5:45 p.m.

COUNCIL PRESENT

John Giles
David Luna
Mark Freeman
Christopher Glover
Kevin Thompson
Jeremy Whittaker

COUNCIL ABSENT

Ryan Winkle

OFFICERS PRESENT

Christopher Brady
Dee Ann Mickelsen
Jim Smith

Mayor Giles excused Councilmember Winkle from the entire meeting.

Mayor's Welcome.

Mayor Giles asked everyone to stand and observe a moment of silence.

Pledge of Allegiance was led by Councilmember Thompson.

Awards, Recognitions and Announcements.

Economic Development Director Bill Jabjiniak presented the LaunchPoint business award winners to the following:

- Urbix Resources
- CleanRouter

Mayor Giles thanked Mr. Jabjiniak and the award recipients for their contributions to the community.

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.

City Attorney Jim Smith explained that as part of the motion to approve the consent agenda, the motion shall include items 7-a, 7-b, 8-a, and 8-b an amendment to the documents, stating that

all references to June 19, 2017 will be amended to June 26, 2017 and all references to July 19, 2017 will be amended to July 26, 2017.

It was moved by Councilmember Freeman, seconded by Vice Mayor Luna, that the consent agenda items be approved, subject to amendments on items 7-a, 7-b, 8-a, and 8-b documents that all references to June 19, 2017 will be amended to June 26, 2017 and all references to July 19, 2017 will be amended to July 26, 2017.

Mayor Giles declared the motion carried unanimously by those present.

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

Minutes from the May 22, 2017 Council meeting.

3. Take action on the following recommendations made by the Judicial Advisory Board:

- *3-a. Reappointment of City Magistrate, Valerye Boyer-Wells, to a four-year term beginning July 1, 2017, and ending June 30, 2021.
- *3-b. Reappointment of City Magistrate, Craig Fujii, to a two-year term beginning July 1, 2017, and ending June 30, 2019.
- *3-c. Reappointment of City Magistrate, Lisa Johnson, to a two-year term beginning July 1, 2017, and ending June 30, 2019.

Mayor Giles recognized City Magistrate's Valerye Boyer-Wells, Craig Fujii, and Lisa Johnson and thanked them for their service to the City.

4. Take action on the following liquor license applications:

*4-a. Hyatt Place Phoenix-Mesa

A hotel with a bar and restaurant that serves breakfast, lunch, and dinner is requesting a new Series 11 Hotel/Motel License for Summit Hotel TRS 133 LLC, 1422 West Bass Pro Drive – David Scott Murray, agent. The existing license held by Mesa Food & Beverage LLC will revert to the State. **(District 1)**

*4-b. Bella Pizza & Pasta

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Now That's Italian LLC, 2905 South Ellsworth Road, Suite 101 – Steven Fick, agent. There is no existing license at this location. **(District 6)**

5. Take action on the following contracts:

- *5-a. Three-Year Term Contract for Block Wall Cleaning, Painting and Repair Services for the Transportation Department. **(Citywide)**

This contract will provide block wall cleaning, painting and repair services on an as-needed basis at a variety of locations within the Mesa city limits.

The Transportation Department and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder, Signature Facilities, at \$91,000 annually, based on estimated requirements.

- *5-b. One-Year Renewal Contract for AC Delco and Motorcraft Vehicle Parts for the Fleet Services Department. **(Citywide)**

This contract provides genuine AC Delco (General Motors) and Motorcraft (Ford) parts for the City's fleet of General Motors and Ford autos, vans and light trucks.

The Fleet Services Department and Purchasing recommend authorizing the renewal with USD, Inc., at \$200,000 annually, based on estimated requirements.

- *5-c. Three-Year Term Contract for Mechanical Fittings for the Materials and Supply Warehouse (for use in the Energy Resources Department). **(Citywide)**

This contract will provide Lycofit mechanical fittings for new construction projects and the maintenance and repair of existing gas utilities. These fittings are used to connect polyethylene pipe in the City's natural gas distribution system.

The Business Services and Energy Resources Departments and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder, Border States, at \$37,500 annually, based on estimated requirements.

- *5-d. Purchase for Replacement/Upgraded Hardware – Network Storage and Software for the Evidence Management System for the Police Department. **(Citywide)**

This purchase will replace both the Digital Image Management System and the Evidence and Property Management Software with a unified system. The Digital Image Management System has been in use since 2008 and has reached its maximum storage capacity, and the QueTel Evidence and Property Management Software is over 15 years old, is out-of-date and behind on updates and upgrades. The unified system will improve access, auditing, management and storing of both digital and physical evidence.

The Police Department, Information Technology and Purchasing recommend authorizing the purchase using the National IPA/City of Tucson cooperative contract with CDW-G, at \$36,142; and purchase from the sole source vendor, QueTel Corporation, at \$235,351.77; for the total purchase of \$271,493.77. The hardware purchase from CDW-G is funded by a 2016 Justice Assistance Grant (JAG). The software purchase from QueTel Corporation is 40% funded by JAG and 60% funded by Information Technology Software Lifecycle funds.

- *5-e. Purchase of Ten Additional Portable Radios for the Information Technology Department – Communications and Infrastructure. **(Citywide)**

Police and Fire have modernized their handheld and vehicle mounted two-way radios. Also, the Fire members of the TOPAZ Regional Wireless Cooperative have added a Hazard Zone Communications network, which operates on a VHF frequency band. Communications requires updated radios to observe, reproduce and troubleshoot problems, and test functions.

Information Technology – Communications and Purchasing recommend authorizing the purchase using the State of Arizona cooperative contract with Motorola Solutions Inc., at \$74,787.44.

- *5-f. Purchase for Advanced Security Software Subscription for the Information Technology Department. **(Citywide)**

This purchase will provide an annual subscription for advanced endpoint protection for 5,000 devices. This annual subscription is needed because the traditional antivirus solution is no longer effective in stopping current attacks, such as stealth malware, ransomware and zero-day attacks.

The Information Technology Department and Purchasing recommend authorizing the purchase from the Maricopa County cooperative contract and lowest-quoted vendor, SHI, at \$138,083.70.

- *5-g. Purchase of One Replacement Quantitation Instrument (DNA Polymerase Chain Reaction System) and Software Upgrade for an Existing Quantitation Instrument for the Police Department (Sole Source). **(Citywide)**

Forensic Services Division's Biology Unit completes DNA analysis of samples related to investigations conducted by the Mesa and Gilbert Police Departments. The laboratory currently owns two instruments used to quantify DNA. The software associated with these instruments cannot be used with newer quantitation kits. The Unit has requested the upgrade of an existing instrument that only requires a computer and software upgrade, and the purchase of a new 7500 Real Time PCR instrument as a full replacement for the older instrument.

The Police Department and Purchasing recommend awarding the contract to the sole source vendor, Life Technologies, at \$62,942.93. This purchase is funded by DNA Capacity Enhancement and DNA Backlog Reduction Program Grants.

- *5-h. Three-Year Term Contract for Gas Masks and Canisters for the Police Department. **(Citywide)**

Police Department members risk being exposed to many different types of toxic chemicals. Each year Safety Services fits each Officer's mask to confirm fit and test functionality. Gas masks become less functional over time with repeated use and exposure to elements. During this year's fitting, many masks were identified as no longer fit for service. The canisters also have an expiration date and need to be replaced periodically. The Department has an immediate need to replace 48 masks and to purchase 800 canisters.

The Police Department and Purchasing recommending awarding the contract to the lowest, responsive and responsible bidder, Mallory Safety & Supply LLC, at \$100,000 annually, based on estimated requirements.

- *5-i. Desert Well No. 19 Equipping Project – 4731 S. Signal Butte Road. **(District 6)**

Desert Well No. 19 will pump water to the existing 8 million gallon reservoir at the Signal Butte Water Treatment Plant via a well collection waterline in Signal Butte Road. New

development in Southeast Mesa has increased water demand and Desert Well No. 19 is now required to meet this demand.

Staff recommends awarding the contract to the lowest, responsible bidder, CSW Contractors, Inc., in the amount of \$1,199,028.50, plus an additional \$119,903 (10%), as a change order allowance, for a total amount of \$1,318,931.50. This project is funded by the 2014 authorized Water Bonds.

6. Take action on the following resolutions:

- *6-a. Approving and authorizing the City Manager to enter into a Development Agreement for City Share Reimbursement with Greenfield 60 Apartments LLC, for the reimbursement of \$60,696 for sidewalk improvements that are being required by Mesa in conjunction with a proposed multi-family development known as San Piedra Apartments, located at 4510 East Banner Drive. **(District 2)** – Resolution No. 10975.
- *6-b. Approving and authorizing the City Manager to authorize repurposing \$22,389,393 of city street projects in the Maricopa Association of Governments Arterial Life Cycle Program, as well as increasing the local match by \$1,353,337 to an estimated total of \$10,623,607, and allow for a 10% contingency of the total local match for the Gilbert Road Light Rail Extension project. **(Districts 1, 2, 4 and 5)** – Resolution No. 10976.
- *6-c. Approving and authorizing the City Manager to accept a Grant Award from the National Recreation and Park Association in the amount of \$25,000 to enhance and expand Out-of-School Time Nutrition Programs in Mesa. **(Citywide)** – Resolution No. 10977.
- *6-d. Approving and authorizing the City Manager to accept, expend and distribute grant funds from the U.S. Department of Housing and Urban Development, Continuum of Care Shelter Plus Care Grant, in the amount of \$85,748, for the purposes of providing rental assistance, supportive services, and related administrative services to disabled families experiencing homelessness. **(Citywide)** – Resolution No. 10978.
- *6-e. Modifying fees and charges for the Parks, Recreation, and Community Facilities Department. **(Citywide)** – Resolution No. 10979

7. Take action on the following resolution and introduction of the following ordinance regarding the Personnel Rules and setting June 26, 2017 as the date of the public hearing on this ordinance:

- *7-a. Resolution declaring that certain documents filed with the City Clerk and entitled “City of Mesa Personnel Rules” effective July 26, 2017, to be a public record and providing availability of the documents for public use and inspection. **(Citywide)** – Resolution No. 10980.
- *7-b. Ordinance repealing the existing Personnel Rules applicable to City of Mesa employees, and adopting new Personnel Rules needed primarily to ensure compliance with changes in Arizona State law pursuant to the passage of Proposition 206. **(Citywide)**

8. Introduction of the following ordinances and setting June 26, 2017 as the date of the public hearing on these ordinances:

- *8-a. **Z17-018 (District 4)** The 400 block of South Bellview (east side). Located south of Broadway Road and east of Mesa Drive (.5± acres). Rezone from NC to RSL-4.5. This

will allow for the development of 3 single residential lots. Kim Fallbeck, City of Mesa, applicant; City of Mesa, owner.

Staff Recommendation: Approval with conditions

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

- *8-b. Amending Section 11-31-34 of the Mesa City Code pertaining to medical marijuana facilities, including dispensaries, cultivation facilities, and infusion facilities, regarding the separation of churches from the medical marijuana facilities. **(Citywide)**

Staff Recommendation: Approval

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

9. Discuss, receive public comment, and take action on the following ordinance:

- *9-a. **Z17-013 (District 6)** The 6800 to 9200 blocks of East Pecos Road (north and south sides). Located east of Power Road and west of Ellsworth Road on the north and south sides. The southern boundary is defined by the current city limit line, which runs along the rail road alignment from Power Road to Sossaman Road, then follows Germann Road to the Hawes Road alignment then north to Pecos Road and east to Ellsworth Road. The northern boundary follows the quarter section that is adjacent to the north right of way line of Pecos Road from Power Road to Sossaman Road, then north to the southern boundary of Phoenix-Mesa Gateway Airport east to Ellsworth Road (1,030± acres). Rezoning from LC, LI, AG, PS and GI to EO to create the Pecos Road Employment Opportunity Zone. This request will establish zoning to guide future development of employment and industrial uses. JD Beatty, City of Mesa, applicant; City of Mesa, owner. – Ordinance No. 5386.

Staff Recommendation: Approval with conditions

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

10. Take action on the following subdivision plats:

- *10-a. “Villa Rialto II” **(District 6)** The 7800 block of East Baseline Road (north side). Located east of Sossaman Road on the north side of Baseline Road. 30 RM-3 PAD condominium units (2± acres). Hudd Hassell, Villa Rialto II, LLC, owner; Michael E. Fondren, RLS, E & A Consulting Group Inc., surveyor.
- *10-b. “Eastmark Development Unit 3/4 Parcels 3/4-5 through 3/4-7” **(District 6)** The 9600-9800 blocks of East Point Twenty-Two Boulevard (south side) and the 4800-4900 blocks of South Inspirian Parkway (west side) 190 PCD single residence lots. (30.13± acres) DMB Mesa Proving Grounds, LLC, owner; Raymond S. Munoz III, EPS Group, surveyor.

Items not on the Consent Agenda

11. Items from citizens present.

Andrea Garcia, a Mesa resident, stated that she is a paramedic for a private ambulance company and is here as a private citizen. She noted that at a prior Council meeting, private

paramedics were referred to as “Uber drivers.” She emphasized that paramedic work is hard and that a paramedic saves lives just like the City’s Fire and Medical paramedics. She remarked that she believes the comment from City Manager Christopher Brady was not meant to insult private paramedics as he was explaining the difference between private Emergency Medical Service (EMS) and the City’s Fire and Medical services, however, she requested an apology or acknowledgement.

Jay Gittrich, a Mesa resident, asked Council to reconsider the CoreCivic contract. He stated the opinion that for-profit jails are bad for the City due to hidden costs, gives Mesa a bad reputation, and would discourage businesses from coming to Mesa. He added that he would like to hear from the new Police Chief regarding for-profit jails. He noted that the jails should be a public service, not a for-profit enterprise.

12. Adjournment.

Without objection, the Regular Council Meeting adjourned at 6:04 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 June, 2017. 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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