



COUNCIL MINUTES

September 18, 2017

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on September 18, 2017 at 5:45 p.m.

COUNCIL PRESENT

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

COUNCIL ABSENT

None

OFFICERS PRESENT

Christopher Brady
Dee Ann Mickelsen
Jim Smith

(*Councilmembers Freeman and Glover participated in the meeting through the use of telephonic equipment.)

Mayor's Welcome.

Invocation by Pastor James Adams with Cornerstone Church.

Pledge of Allegiance was led by Jacob Klien, Scout Troop #301.

Awards, Recognitions and Announcements.

Mayor Giles presented a proclamation for the United Food Bank Hunger Action Month to Dave Richins President/CEO of the United Food Bank.

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 Thompson, seconded by Vice Mayor Luna, that the consent agenda items be approved.

Carried unanimously.

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

Minutes from the September 11, 2017 Council meeting.

3. Take action on the following liquor license applications:

*3-a. Downtown Mesa Association

This is a one-day charitable event to be held on Friday, December 1, 2017 from 6:00 P.M. to 10:00 P.M. for Downtown Mesa Association on Main Street from Center Street to Robson and Macdonald from Main Street to 1st Avenue. **(District 4)**

*3-b. Queen of Peace Catholic School

This is a one-day religious event to be held on Saturday, September 30, 2017 from 5:00 P.M. to 11:59 P.M., at Queen of Peace Catholic Church, 141 North Macdonald. **(District 4)**

*3-c. Ultimate Imaginations

This is a one-day charitable event to be held on Friday, January 5, 2018 from 6:00 P.M. to 10:00 P.M. for Ultimate Imaginations on Main Street from Center Street to Robson and Macdonald from 1st Avenue to 1st Street. **(District 4)**

*3-d. Ultimate Imaginations

This is a one-day charitable event to be held on Friday, February 2, 2018 from 6:00 P.M. to 10:00 P.M. for Ultimate Imaginations on Main Street from Center Street to Robson and Macdonald from 1st Avenue to 1st Street. **(District 4)**

*3-e. Ultimate Imaginations

This is a one-day charitable event to be held on Friday, March 2, 2018 from 6:00 P.M. to 10:00 P.M. for Ultimate Imaginations on Main Street from Center Street to Robson and Macdonald from 1st Avenue to 1st Street. **(District 4)**

*3-f. Dollar General Store #17324

A retail merchandise store is requesting a new Series 10 Beer and Wine Store License for DG Retail LLC, 8418 E Southern Avenue - Kathryn Ann Kelliher, agent. There is no existing license at this location. **(District 5)**

4. Take action on the following contracts:

*4-a. One-Year Renewal Contract for Auctioneering Services for the Fleet Services, Police and Business Services Departments. **(Citywide)**

The Auctioneer disposes surplus City vehicles, equipment, firearms and other surplus property as needed. Their main objective is to maximize the City's return on surplus sales and minimize operational costs.

The Fleet Services, Police and Business Services Departments and Purchasing recommend authorizing the renewal with The Public Group, LLC and Sierra Auction Management, Inc.

*4-b. Three-Year Term Contract for Graphic Design Services for the Mesa Arts Center. **(Citywide)**

The Mesa Arts Center is contracting with a firm to manage the design of all marketing collateral and launch the brand effort to expand their reach and awareness in the community. The contracted firm will assist with concept creation for major community events, marketing collateral creation including print ads, brochures, fliers, posters, digital art, mailers, window clings and more.

The evaluation committee recommends awarding the contract to the highest-scored proposal from Hackett Advertising Public Relations Initiative, dba HAPI at \$72,000 annually, based on estimated requirements.

*4-c. Dollar-Limit Increase to the Term Contract for Contractor Building Maintenance Services as requested by the Parks, Recreation and Community Facilities Department. **(Citywide)**

This contract provides experienced journeymen to perform a variety of tasks including rough and finish carpentry remodel work such as walls, ceilings, doors, windows, drywall, stairs, tile, masonry, concrete, electrical and mechanical repairs, and other maintenance work at City facilities. Most of the contractor building maintenance projects are funded by the departments using these services.

The Parks, Recreation and Community Facilities Department and Purchasing recommend authorizing a dollar-limit increase of \$620,000 cumulatively with Builders Guild Inc.; Diamond Ridge Development Corporation; Jokake Construction Services; Hernandez Companies, Inc.; East Valley Disaster Services, Inc.; and Robert N. Ewing General Contractor, Inc.; increasing the annual contract amount from \$2,300,000 to \$2,920,000 for the third-year of the three-year term, based on estimated requirements.

*4-d. Re-Award the Term Contract for Vector Control Services for the Parks, Recreation and Community Facilities Department. **(Citywide)**

This contract will provide for the treatment of mosquito vector control at all City parks, retention basins and sports field facilities (146 locations) on a monthly/bi-monthly basis. The previous vendor, a sole proprietor, is no longer able to fulfill the requirements due to health issues.

The Parks, Recreation and Community Facilities Department and Purchasing recommend re-awarding the contract to the second-lowest, responsive and responsible bidder, City Wide Pest Control, Inc., at \$164,868, based on estimated requirements.

*4-e. Three-Year Term Contract for Shade Screen Canopy, Wind Screen, and Batter's Eye Repair and Replacement Services for the Parks, Recreation and Community Facilities Department. **(Citywide)**

This contract will provide repair and replacement services for shade screen canopies, wind screens, batter's eye and their structures. Services include repair and replacement

of existing fabric covers, existing structural parts, screen fabrication and installation of new fabric covers.

The evaluation committee recommends awarding the contract to the highest-scored proposal from Shade 'N Net of Arizona, Inc., at \$120,000 annually, based on estimated requirements.

*4-f. One-Year Renewal Contract for Hydraulic Hose and Fittings for the Fleet Services Department. **(Citywide)**

This contract will provide for the purchase and delivery of Parker-brand automotive and truck hydraulic hose and fittings required for the City's medium and heavy-duty vehicles and equipment.

The Fleet Services Department and Purchasing recommend authorizing the renewal with FleetPride (a Mesa business), at \$102,000, based on estimated requirements.

*4-g. One-Year Renewal Term Contract for Original Equipment Manufacturer (OEM) Heavy-Duty Truck Repair Services for the Fleet Services Department. **(Citywide)**

This contract provides OEM heavy-duty truck repair parts and preventative maintenance services for the City's fleet of approximately 200 heavy-duty trucks. Multiple vendors were awarded to provide repair services to maintain warranties and to maximize vehicle life. These vendors will be used for heavy-duty repairs that require special tools, special training and repairs or repairs that may be covered by a partial warranty.

The Fleet Services Department and Purchasing recommend authorizing the renewal contract with Freightliner of Arizona & Western States Fire Equipment; Cummins Rocky Mountain, LLC (a Mesa business); Arizona Refuse Sales, LLC; W.W. Williams Southwest, Inc.; and RWC International, Ltd.; cumulatively not to exceed \$712,000 annually, based on estimated requirements.

*4-h. Dollar-Limit Increase for the Term Contract for Dust Palliative/Stabilizer and Related Items for the Transportation Department. **(Citywide)**

This contract provides dust palliative/stabilizer and related items to stabilize unpaved areas such as vacant lots, roads, shoulders and alleys in accordance with Maricopa Air Quality Rules and City Code. Demand for these services has increased and is greater than estimated for year five. City staff believes stabilization demands will continue at the current rate; therefore, an annual increase is being requested for years five and six of the term contract.

The Transportation Department and Purchasing recommend authorizing a dollar-limit increase of \$100,000 using the Maricopa County cooperative contract with Earthcare Consultants LLC, increasing the contract amount from \$300,000 to \$400,000 annually, for years five and six, based on estimated requirements.

*4-i. Three-Year Term Contract for Water-Reducible Alkyd Paint for the Environmental Management and Sustainability Department. **(Citywide)**

This contract will provide paint that will be used to paint and refurbish the City's trash and recycle bins and roll-off boxes.

The Environmental Management and Sustainability Department and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidders, Bert's Paint, Inc., and Intrepid Coatings, Inc., for a combined annual contract amount of \$27,000, based on estimated requirements.

*4-j. Two-Year Renewal Contract for Water and Wastewater Laboratory Services for the Water Resources Department. **(Citywide)**

This contract provides various outside laboratories to test water and wastewater samples for compliance with current and changing federal, state and local regulations. Nearly all metropolitan Phoenix cities and towns with water utilities use these same laboratories for their compliance testing services.

The Water Resources Department and Purchasing recommend authorizing the renewal contract using the City of Tempe cooperative contract with Accutest Laboratories, Northern California, Inc.; Aquatic Consulting and Testing, Inc.; Eurofins Eaton Analytical, Inc.; Legend Technical Services of Arizona, Inc.; TestAmerica Laboratories, Inc.; and Trans West Analytical Services; cumulatively not to exceed \$150,000 annually, based on estimated requirements.

*4-k. Greenfield Water Reclamation Plant (GWRP), Phase III Expansion - GMP No. 1, Construction Manager at Risk (CMAR). **(Citywide)**

The City of Mesa, Town of Gilbert, and Town of Queen Creek (the "Owners") seek to provide an additional 14 million gallons per day annual average day flow of liquids and solids treatment capacity at the existing GWRP, complete with the required infrastructure, technology, and environmental features to ensure a reliable, efficient, and expanded plant to meet the current and future demands of the Owners. GMP No. 1 is the first of two GMPs for the project.

Staff recommends awarding a contract for this CMAR project to McCarthy Building Companies, in the amount of \$46,764,110, plus an additional change order allowance of \$1,402,923 (3%), for a total of \$48,167,033. This project is funded by the Greenfield Water Reclamation Plant Joint Venture Fund, based on usage. Mesa's portion is \$29,044,721 and is funded by 2014 authorized Wastewater bonds.

*4-l. Mesa-Falcon Field Airport Airfield Lighting and Signage Upgrades. **(District 5)**

The airfield lighting system is over 30 years old and in need of replacement. This project will enhance safety at Falcon Field Airport by replacing aging equipment and cabling that is at the end of its useful life. Improvements will also include upgrading from the existing incandescent lighting equipment to light emitting diode (LED) technology that will improve reliability and efficiency while also reducing utility costs.

Staff recommends awarding the contract for this project to the lowest, responsible bidder, Rural Electric, Inc., in the amount of \$1,331,146 and authorize a change order allowance in the amount of \$133,114.60 (10%). The approved FAA grant will fund 91.06% of the total estimated cost with local matching funds required for the remaining 8.94%. Falcon Field has applied to the Arizona Department of Transportation, Aeronautics Group (ADOT) for a matching grant to fund 4.47% and the Airport Enterprise Fund will fund the remaining 4.47%. If an ADOT grant is not received, Falcon

Field will fund the entire local match of 8.94%, with funding available from the adopted FY2017-18 Falcon Field Capital Program.

5. Take action on the following resolutions:

*5-a. Approving and authorizing the City Manager to accept proposition 202 funds from the Gila River Indian Community in the amount of \$120,700 and administer the awarded funds as pass-through grants to designated awardees. **(Citywide)** – Resolution No. 11034.

*5-b. Approving and authorizing the submittal of a grant application with the Arizona Department of Transportation (ADOT) for the construction of the Mesa Southeastern Canal Phase 3 Shared - Use Pathway, and authorizing the City Manager to execute such documents as may be necessary to accept the grants, if awarded. The project would design and construct a 3.5 mile of shared-use pathway, which would be the final link in the regional non-motorized system. **(District 6)** – Resolution No. 11035.

Under the conditions of the ADOT Transportation Enhancement Grant Program, recipients of the grant are required to provide a 5.7% local match (up to \$370,500) to the federal funds that are awarded for construction of the project. This local match and any needed additional options would be funded by the Local Street Sales Tax Fund.

*5-c. Approving and authorizing the submittal of a grant application with the Arizona Department of Transportation (ADOT) for the construction of the Eastern Canal from McKellips to Baseline Road Shared - Use Pathway, and authorizing the City Manager to execute such documents as may be necessary to accept the grants, if awarded. The project will complete the trail along the west side of the Eastern Canal. **(District 1 and 2)** – Resolution No. 11036.

Under the conditions of the ADOT Transportation Enhancement Grant Program, recipients of the grant are required to provide a 5.7% local match (up to \$199,500) to the federal funds that are awarded for construction of the project. This local match and any needed additional options would be funded by the Local Street Sales Tax Fund.

*5-d. Approving and authorizing the City Manager to accept funds made available through Grant Agreement(s) with the Arizona Commission on the Arts up to the maximum of \$47,000 for the Mesa Arts Center programming including engagement and education for fiscal year 2017/18. **(Citywide)** – Resolution No. 11037.

*5-e. Approving the purchase of, and authorizing the City Manager to enter into Agreements with the Western Area Power Administration for electric transmission services for a ten-year term. **(Districts 1 and 4)** – Resolution No. 11038.

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

*6-a. **A17-002 (District 6)** Annexing property 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. – Ordinance No. 5406.

*6-b. **Z17-034 (District 6)** The 6000 through 6300 blocks of South Power Road. Located south of Williams Field Road between the northbound and southbound lanes of Power

Road (11 ± acres). Rezone from AG to RM-4-BIZ, LC-BIZ with a Council Use Permit to allow for residential uses in a commercial district; and Site Plan Review. This request will allow the development of a multi-residential development with commercial and retail services. Lance Baker, AIA, Synectic Design, applicant; Power One, LLC, owner. – Ordinance No. 5407.

Staff Recommendation: Approval with conditions

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

- *6-c. **Z17-036 (District 2)** The 2900 through 3000 blocks of East Southern Avenue (north side) and the 1000 through 1200 blocks of South Los Alamos Road (west side). Located east of Lindsay Road on the north side of Southern Avenue (27± acres). Rezone from AG to RSL-4.5-PAD; and Site Plan Review. This request will allow the development of a single-residence subdivision. Sean B. Lake, Pew and Lake, applicant; Allred Family Ltd, Partnership, owner. – Ordinance No. 5408.

Staff Recommendation: Approval with conditions

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

Items not on the Consent Agenda

7. Conduct a public hearing and take action on the following Minor General Plan Amendment, GPMInor17-001, and zoning ordinance introduced at a prior Council meeting:

- 7-a. Conduct a public hearing on Minor General Plan Amendment GPMInor17-001.

Mayor Giles announced that this is the time and place for a public hearing regarding the Minor General Plan Amendment GPMInor17-001.

There being no citizens wishing to speak on this issue, the Mayor declared the public hearing closed.

- 7-b. **GPMInor17-001 (District 2)** The 4700 through 4800 block of East Baseline Road (north side). Located east of Greenfield Road on the north side of Baseline Road (21.8± acres). Minor General Plan amendment to change Character Type from Employment to Mixed Use Activity District. The request will allow for the development of a multi-residential complex. Stephen C. Earl, Earl, Curley & Lagarde, applicant; R.O.I. Properties, LLC; Baseline 2005, LLC; Crisko Baseline, LLC; Dale and Janice Gray Trust, owner. – Resolution No. 11039.

Staff Recommendation: Adoption

P&Z Board Recommendation: Adoption (Vote: 5-1)

It was moved by Councilmember Thompson, seconded by Vice Mayor Luna that Resolution No. 11039 be adopted.

Carried unanimously.

- 7-c. **Z17-038 (District 2)** The 4700 through 4800 block of East Baseline Road (north side). Located east of Greenfield Road on the north side of Baseline Road (21.8± acres). Rezone from AG, LI, and PEP-PAD to RM-3-PAD; and Site Plan Review. This request will allow the development of a multi-residential development. Stephen C. Earl, Earl, Curley & Lagarde, applicant; R.O.I. Properties, LLC; Baseline 2005, LLC; Crisko Baseline, LLC; Dale and Janice Gray Trust, owner. – Ordinance No. 5409.

Staff Recommendation: Approval with conditions

P&Z Board Recommendation: Approval with conditions (Vote: 5-1)

It was moved by Vice Mayor Luna, seconded by Councilmember Thompson that Ordinance No. 5409 be adopted.

Carried unanimously.

10. Items from citizens present.

Nate Caine, a Mesa resident, reported that he initially planned to discuss several problems related to District 3 which include, traffic congestion on Southern Avenue in the Fiesta District, Fiesta Mall, and the dilapidated Fiesta Village. He stated that he realizes that is not possible and asked that these items be listed as the long-term and neglected challenges that face District 3. He added that there has been no outreach from the City to District 3 regarding the replacement Councilmember and noted that in his opinion these are the following values he would like to see in the Councilmember:

- Communication with the citizen's
- Receptive to the citizen's opinions
- See transparency in the decision-making process
- Teamwork

He concluded by saying that he would prefer that Council choose a competent person to fill the Councilmember vacancy that would agree not to seek election in the coming year in order to have a fair playing field for all candidates running for the position.

Pat Miktus, a Mesa resident, remarked that at the corner of her lot there are two valve meter boxes and that one box has had bees inside it and which has created a problem for over 15 years. She noted that this has been an ongoing issue as the bees continue to return even after the City removes them. She pointed out that the bees become a safety issue for the children that walk back forth from the bus stop. She requested that the oldest box containing the bees be removed from her property.

11. Adjournment.

Without objection, the Regular Council Meeting adjourned at 6:08 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 18th day of September, 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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