

## COUNCIL MINUTES

July 1, 2015

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on July 1, 2015 at 5:51 p.m.

### COUNCIL PRESENT

John Giles  
Dennis Kavanaugh  
David Luna  
Dave Richins  
Kevin Thompson

### COUNCIL ABSENT

Alex Finter  
Christopher Glover

### OFFICERS PRESENT

Christopher Brady  
Debbie Spinner  
Dee Ann Mickelsen

Mayor Giles excused Councilmembers Finter and Glover from the entire meeting.

Mayor's Welcome.

Invocation by Pastor Tony Frazee with Gateway Bible Church.

Pledge of Allegiance was led by Joshua Phillips, Scout Troop No. 995.

1. Appointment of Jim Smith as City Attorney, effective July 24, 2015, and approval of employment contract.

Mayor Giles invited Deputy City Attorney Jim Smith to come forward.

Mayor Giles commented that Mr. Smith, who has served in the City Attorney's Office for several years, recently participated in a rigorous interview and evaluation process for the position of City Attorney. He noted that speaking on behalf of the entire Council, everyone felt very fortunate to have someone of Mr. Smith's caliber to assume the extremely important role of City Attorney.

Mr. Smith thanked the Council for selecting him to serve as City Attorney and noted that it was truly an honor and privilege. He stated that he looked forward to working for the Council and with all of the City departments. He remarked that it was also a privilege to be the leader of the City Attorney's Office. He further recognized City Attorney Debbie Spinner for her many contributions to the City, as well as being his mentor. He introduced his family members who were present in the audience.

It was moved by Vice Mayor Kavanaugh, seconded by Councilmember Luna, that the appointment of Jim Smith as City Attorney be approved.

Mayor Giles declared the motion carried unanimously by those present.

Mayor Giles congratulated Mr. Smith on his appointment.

2. 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 Luna, that the consent agenda items be approved.

Mayor Giles declared the motion carried unanimously by those present.

\*3. Approval of minutes of previous meetings as written.

Minutes from the June 15 and 18, 2015 Council meetings.

4. Take action on the following liquor license applications:

\*4-a. Ultimate Imaginations

This is a one-day charitable event to be held on Friday, September 4, 2015 from 6:00 p.m. to 10:00 p.m. on Main Street, between Center and Robson and Macdonald, between Pepper and 1<sup>st</sup> Avenue. **(District 4)**

\*4-b. Ultimate Imaginations

This is a one-day charitable event to be held on Friday, October 2, 2015 from 6:00 p.m. to 10:00 p.m. on Main Street, between Center and Robson and Macdonald, between Pepper and 1<sup>st</sup> Avenue. **(District 4)**

\*4-c. Ultimate Imaginations

This is a one-day charitable event to be held on Friday, November 6, 2015 from 6:00 p.m. to 10:00 p.m. on Main Street, between Center and Robson and Macdonald, between Pepper and 1<sup>st</sup> Avenue. **(District 4)**

\*4-d. Ultimate Imaginations

This is a one-day charitable event to be held on Friday, December 4, 2015 from 6:00 p.m. to 10:00 p.m. on Main Street, between Center and Robson and Macdonald, between Pepper and 1<sup>st</sup> Avenue. **(District 4)**

\*4-e. Hermes Market 2

A convenience store is requesting a new Series 10 Beer and Wine Store License for Hermes Market 2 LLC, 1931 West University Drive – Amy S. Nations, agent. The existing license held by B&S Carniceria Market LLC will revert back to the State. **(District 3)**

\*4-f. Matta's Grill & Cantina

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for MGC EV LLC, 1157 North Ellsworth Road, Suite 101-103 – Elizabeth A. Gray, agent. There is currently no existing license at this location. **(District 5)**

5. Take action on the following contracts:

\*5-a. Contract for Insured Cash Sweep Services as requested by the Financial Services Department. **(Citywide)**

This contract will provide Insured Cash Sweep Services (ICS) to use idle cash holdings and create returns in accordance with the City's Investment Policy objectives. The City will deposit amounts with the qualified banks for short-term investment of City funds, resulting in return based on the market at the time of the quarterly quotes and placements. These investments are fully insured by the Federal Deposit Insurance Corporation (FDIC).

The evaluation committee recommends awarding a three-year contract to the qualified proposals from CoBiz Bank NA, dba Arizona Business Bank; Gateway Commercial Bank (a Mesa business); and Western Alliance Bank, dba Alliance Bank of Arizona. These qualified financial institutions will be placed on the City's approved vendor listing to provide ICS services.

\*5-b. One-Year Renewal of the Term Contract for Offender Monitoring Services for the Municipal Court. **(Citywide)**

This contract provides a contractor for Global Positioning System (GPS) tracking equipment and monitoring services, including all material, labor and services for the Municipal Court. GPS-enabled ankle bracelets and monitoring services are used for pre-trial release in the In-Custody Courtroom at the Court.

The Municipal Court and Purchasing recommend authorizing a one-year renewal using the Arizona Supreme Court, Administrative Office of the Courts cooperative contract with B.I. Incorporated, at \$55,000.00, based on estimated requirements.

\*5-c. Purchase of an Additional Light-Duty Truck with Service Body for the Facilities Maintenance Department. **(Citywide)**

This purchase will provide a 2015 Ford 250, regular cab truck equipped with an eight-foot service body to support Facilities Maintenance operations. Last year, Parks, Recreation and Commercial Facilities transferred a full-time position to Facilities Maintenance to allow greater efficiency for the maintenance of City facilities. The transition, however, did not come with a vehicle to perform these duties.

The Fleet Services and Facilities Maintenance Departments and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder, Berge Ford (a Mesa business), at \$38,378.99. This purchase is funded by the Capital – General Fund.

\*5-d. Dollar-Limit Increase to the Term Contract for Fence, Gate and Safety Rail Repair/Installation for the Transportation Department. **(Citywide)**

This increase is needed specifically for the addition of fence installations for the alley gate program. This contract provides for the repairs and installation of fencing and gates, trash racks, safety rails and bollards. Work is performed at a variety of locations within the City limits, including City-owned property, government-owned property, privately owned property and commercial property for which permission to enter has been obtained.

The Transportation Department and Purchasing recommend authorizing a dollar-limit increase of \$50,000.00, increasing the annual contract amount from \$500,000.00 to \$550,000.00.

**\*5-e. One-Year Renewal of Term Contract for Heavy Equipment Rental for the Transportation Department. (Citywide)**

Transportation periodically needs to rent heavy equipment for storm drain system maintenance, right-of-way maintenance and road hazard responses, typically with limited notice. Rental items such as compaction, drilling, landscape, paving and moving equipment; backhoe-loaders and backhoes; front end wheel loaders and tractor loaders; sump and trash pumps; water trucks and tower; and miscellaneous tools are available through this contract.

Transportation and Purchasing recommend authorizing a one-year renewal using the State of Arizona cooperative contract with multiple vendors: RDO Construction Equipment Company; Hertz Equipment Rental Corp.; Empire Southwest, LLC (a Mesa business); Earhart Equipment Corp.; Qualex Construction Inc.; Sunbelt Rentals, Inc.; and Neff Rental, LLC; not to cumulatively exceed \$200,000.00 annually, based on estimated requirements.

**\*5-f. Purchase of a Replacement Light Duty High Cube Box Truck for the Water Resources Department. (Citywide)**

This contract will provide one high cube box truck for the Wastewater Utility to use as a mobile lab for Industrial Pretreatment. The vehicle being replaced has met established criteria and will be retired and sold at auction.

The Water Resources Department and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder, Berge Ford (a Mesa business), at \$144,615.75. This purchase is funded by the Utility Replacement Extension and Renewal Fund.

**\*5-g. Three-Year Term Contract for Repaired/Rebuilt Recycle Pumps and New Replacement Recycle Pumps and Mixers for the Water Resources Department (Sole Source). (Citywide)**

The contract will provide for the purchase of new replacement and repaired/rebuilt Landia AXP-I pumps for the Northwest and Southeast Water Reclamation Plants. These pumps are a critical component to the plants and a backup unit needs to be on hand in case a pump goes down.

The Water Resources Department and Purchasing recommend awarding the contract to the sole source vendor, Landia, Inc., at \$100,700.00 annually, based on estimated requirements.

- \*5-h. Three-Year Term Contract for Deep Well and Well Pump Maintenance and Repair for the Water Resources Department. **(Citywide)**

This contract will provide deep well and well pump maintenance and repair services to include pulling/repairing deep well pumps, videoing wells, brushing and bailing well casings and other related services for the maintenance and operation of 31 wells. It is critical that all wells remain in a state of optimal performance to ensure a safe and adequate water supply for Mesa customers in the event that flows are reduced from the surface water plants.

The evaluation committee recommends awarding the contract to the highest scored proposals from Weber Water Resources, LLC (primary) and Southwest Waterworks Contractors Inc. (secondary), cumulatively not to exceed at \$280,000.00 annually, based on estimated requirements.

6. Take action on the following resolutions:

- \*6-a. Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with Maricopa County establishing a Maricopa Workforce Connections Youth Center (Genesis Center). **(Citywide)** – Resolution No. 10651.

This Genesis Center provides youth development services for economically disadvantaged youth 14 through 24 years of age who may face barriers to staying in school, completing high school, or finding stable employment. There is no cost to the City for this program and minimal impact to Library staff and facilities.

- \*6-b. Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with San Juan County, New Mexico to allow the County to use Mesa's agreement for helicopter engine parts, repair, and overhaul services with Aeromarine America, Inc. (a Mesa business at Falcon Field). **(Citywide)** – Resolution No. 10652.

San Juan County's procurement policies require a cooperative procurement agreement, which for the City would be an IGA, for cooperative use of another agency's contract.

- \*6-c. Levying the amount to be raised by a secondary property tax and the rate upon each one hundred dollars (\$100) of assessed valuation of property subject to taxation within the City of Mesa for the fiscal year ending June 30, 2016 – Resolution No. 10653.

7. Take action on the following resolution and introduction of the following ordinance regarding the Personnel Rules and setting July 8, 2015 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" dated August 7, 2015 a public record and providing availability of the documents for public use and inspection. **(Citywide)** – Resolution No. 10654.
- \*7-b. Ordinance repealing the existing Personnel Rules applicable to City of Mesa employees and adopting new Personnel Rules. **(Citywide)**

8. Introduction of the following ordinance and setting July 8, 2015 as the date of the public hearing on this ordinance:

- \*8-a. **Z15-015 (District 1)** Ordinance - 2305 North Harris Drive. Located north of McKellips Road and west of Gilbert Road (4.74± acres). Rezone from RS-43 to RS-35-PAD and Site Plan Review. This request will allow the development of a single-residence subdivision. Jeff Welker, Welker Development Resources, LLC, applicant; Robert S. Holyoak, owner.

Staff Recommendation: Approval with Conditions

P&Z Board Recommendation: Approval with Conditions (Vote: 6-0-0, Boardmember Hudson, absent.)

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

- \*9-a. Repealing in its entirety Title 1 (Administrative), Chapter 29 (Deputy City Manager) of the Mesa City Code for administrative purposes. **(Citywide)** – Ordinance No. 5293.

10. Take action on the following subdivision plat:

- \*10-a. "Monticello" **(District 5)** The 8600 block of East Brown Road (south side). Located west of Ellsworth Road on the south side of Brown Road. 36 RSL2.5 PAD lots (5.44 ac.). Funk Family Enterprises, LLC, owner; Shane R. Barnett, Barnett Land Surveying, LLC, Surveyor.

**Items not on the Consent Agenda**

11. Items from citizens present.

Karen Gevaert, a Mesa resident, addressed the Council and requested that the Mesa Opinion Survey be included on a future Council agenda for discussion and consideration.

12. 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 1<sup>st</sup> day of July, 2015. 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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