

## COUNCIL MINUTES

May 2, 2016

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on May 2, 2016 at 5:56 p.m.

### COUNCIL PRESENT

John Giles  
Alex Finter  
Christopher Glover  
Dennis Kavanaugh  
Dave Richins

### COUNCIL ABSENT

David Luna  
Kevin Thompson

### OFFICERS PRESENT

Christopher Brady  
Jim Smith  
Dee Ann Mickelsen

Mayor Giles excused Councilmembers Luna and Thompson from the entire meeting.

Invocation by Ann Glover.

Pledge of Allegiance was led by Jacob Jones, Scout Troop No. 495.

Awards, Recognitions and Announcements.

Councilmember Richins thanked the Boy Scouts of America for their Eagle Projects and always making our City a beautiful place to live. He recognized Boy Scout Jacob Jones for his Eagle Project in which he assisted a homeowner with a blighted property and the other scouts who assisted with making that project successful.

### 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 Richins, that the consent agenda items be approved.

Mayor Giles declared the motion carried unanimously by those present.

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

Minutes from the February 25, March 17 and April 18, 2016 Council meetings.

3. Take action on the following liquor license applications:

\*3-a. American Legion Post 2

This is a one-day charitable event to be held on Saturday, May 21, 2016 from 12:00 p.m. to 5:00 p.m., at 922 South Country Club Drive. **(District 4)**

\*3-b. Barro's Pizza

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for KJB Enterprises Inc., 1130 West Grove Avenue, Suite 101 – Kenneth James Barro, agent. There is no existing license at this location. **(District 3)**

\*3-c. Bullpen

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Bullpen Restaurants LLC, 2235 South Power Road, Suite 127 – Andrea Dahlman Lewkowitz, agent. The existing license held by J&J Devine Restaurant Group LLC, will revert back to the State. **(District 6)**

\*3-d. Bobby Q's Ribs & Blues

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Bobby-Q II LLC, 1610 South Stapley Drive – H.J. Lewkowitz, agent. There is no existing license at this location. **(District 3)**

\*3-e. Phoenix Marriott Mesa

A hotel with a bar and restaurant that serves breakfast, lunch and dinner is requesting a new Series 11 Hotel/Motel Liquor License for Ensemble Mesa Partners Concessions LLC, 200 North Centennial Way – Randy Paul McGrane, agent. The existing license held by Pacifica Centennial LLC, will revert back to the State. **(District 4)**

4. Take action on the following contracts:

\*4-a. Purchases of Service Provider for Session Initialization Protocol (SIP) Based Telephone Trunks and Replacement Session Border Controllers for the Information Technology Department. **(Citywide)**

These purchases are required to move the City's telephone trunk system from the older (1970's) PRI methodology to new SIP technology that will improve resiliency. This modern method is designed like the Internet so it can re-route around failure points and reduce telephone outages for the City when our external telephone providers experience an outage.

In addition, the purchase of new hardware, Session Border Controllers (SBC's), is required to support this change/migrate to the SIP based telephone trunks. SBC's are gateway devices that connect the SIP telephone trunks to the City phone system. The new hardware will replace current gateway devices that have reached end of life.

The Information Technology Department and Purchasing recommend authorizing purchase for the service provider using the State of Arizona cooperative contract with

Level 3 Communications, at \$80,664 annually; and authorizing purchase for the replacement Session Border Controllers with the lowest, responsive and responsible bidder, Network Computing Architects, Inc., at \$58,804.58, based on requirements. The combined total is \$139,468.58. This purchase is funded by the Information Technology operating budget and Life Cycle Program Budget.

- \*4-b. Three-Year Term Contract for the Purchase of ATACRAIDS Analytical Software for the Police Department (Sole Source). **(Citywide)**

This purchase will provide ATACRAIDS, an easy-to-use online dashboard that provides regional and national crime data-sharing and analysis for law enforcement and defense only. It is analytical software that has the ability to analyze cross-jurisdictional data sets and quickly provide precise and predictive analysis. This software would support the COMPSTAT Unit and help with their workload. It will also perform analytics with our data and our partner agencies that use ATACRAIDS, including Tempe, Scottsdale, Chandler and Gilbert (4 of the 5 largest partners in the Fusion Center), along with Phoenix and two other West Valley agencies. In addition, the public facing portion of the program will replace the current public program with a savings of \$3,400 per year.

The Police Department and Purchasing recommend authorizing the purchase from the sole source vendor, Bair Analytics/LexisNexis, the first year at \$25,800 (funded by Asset Forfeiture RICO funds); and years 2 and 3, at \$15,000 annually (funded by the Police Department IT operating funds).

- \*4-c. Purchase of Replacement Flooring for the Mesa Police Central Substation and Broadway Recreation Center as requested by the Parks, Recreation and Community Facilities Department. **(Citywide)**

The carpet in these facilities are in extremely poor condition and ready for life cycle replacement.

The Parks, Recreation and Community Facilities Department and Purchasing recommend authorizing the purchase using the State of Arizona cooperative contract with Continental Flooring, at \$106,900.

- \*4-d. One-Year Renewal of the Term Contract for Light Control Cabinets for the Materials and Supply Warehouse (for the Transportation Department). **(Citywide)**

This contract provides light control cabinets for streetlight systems. Each unit consists of an aluminum housing, including an electrical service panel, circuit breakers, contactors and other associated controls. The units are stored in warehouse stock and are used to replace damaged cabinets or older, deteriorating steel cabinets, as needed.

The Business Services Department, Transportation Department and Purchasing recommend authorizing a renewal with Southern Manufacturing and Fabrication LLC, dba Southern Manufacturing, at \$30,000 annually, based on estimated requirements.

- \*4-e. Three-Year Term Contract for Natural Gas Service Excess Flow Valves for the Materials and Supply Warehouse (for the Energy Resources Department). **(Citywide)**

This contract will provide natural gas service excess flow valves (EFVs) for the Energy Resources Department, Gas Utility. In order to comply with federal legislation, the Gas

Utility is required to install EFVs on residential service lines for all new construction and maintenance, or repair of existing utilities, where applicable.

The Business Services Department, Energy Resources Department and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidders, Elster Perfection and RW Lyall & Company, Inc., cumulatively not to exceed \$219,016 annually, based on estimated requirements.

- \*4-f. One-Year Renewal of the Term Contract for Electric Motors, Purchases and Repairs/Rewinds for the Water Resources Department. **(Citywide)**

The City has more than 200 motors in use at the three water reclamation plants, one water treatment plant, 16 lift stations, five transfer stations, 16 pump stations, and 46 well sites. This contract provides one primary and two secondary contractors to provide electric motor repair and rewind service, and furnish and install various sizes of new motors throughout these facilities, as needed.

- \*4-g. Three-Year Term Contract for Refuse Roll-Off Containers for the Environmental Management and Sustainability Department. **(Citywide)**

This contract will provide roll-off containers used to service residential and commercial customers to keep up with Mesa's customer demand. The initial purchase will be for 18 containers during the first year of the contract. The Department anticipates minimal purchases during years two and three, however, has opted to have a contract in place. This would ensure immediate availability and competitive pricing. In years two and three, any purchases over \$25,000 annually will be subject to future Council consideration.

The Environmental Management and Sustainability Department and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder, Wastebuilt Southwest LLC, at \$84,500 for the first-year term, based on requirements.

The Water Resources Department and Purchasing recommend authorizing a one-year renewal with Keller Electrical Industries, Inc. (primary vendor); Laron, Inc. (secondary vendor); and Precision Electric Co., Inc. (a Mesa business) (secondary vendor); cumulatively not to exceed \$100,000 annually.

- \*4-h. One-Year Term Contract for Sludge Grinder Repairs and Replacements for the Water Resources and Parks, Recreation and Community Facilities (PRCF) Departments (Sole Source). **(Citywide)**

This contract will provide sludge grinder cutter cartridges for rotational repairs for 13 grinders, 11 located at the Greenfield and two at the Southeast Water Reclamation Plants. The equipment grinds any material that may be in sludge to prevent the material from clogging pumps and lines. In addition, PRCF will use their 20 year-old grinder at Red Mountain Lake. This contract will allow for grinder cutters and parts to be refurbished on a scheduled program to extend their useful life, minimize emergency repairs and maintain adequate redundancy for operating equipment.

The Water Resources Department, PRCF Department and Purchasing recommend awarding the contract to the sole source vendor, JWC International, LLC, at \$130,000 annually.

- \*4-i. Purchase of Two-Way Digital Radios and Accessories for the Environmental Management and Sustainability Department. **(Citywide)**

This purchase will provide mobile and portable dispatch radios including accessories for the Environmental Management and Sustainability Department. The radios are used by staff for routine communications, work projects in the field, and during emergency events. Environmental Management and Sustainability is switching from the TOPAZ radio network to the Mesa Public Schools radio system, which was previously Council-approved through an Intergovernmental Agreement with Mesa Public Schools and is less costly to maintain.

The Environmental Management and Sustainability Department, Communications Department and Purchasing recommend authorizing the purchase using the State of Arizona cooperative contract with B&B Selectcom, Inc., at \$84,180.71, based on estimated requirements.

5. Take action on the following resolutions:

- \*5-a. Approving and authorizing the City Manager to enter into a Facility Use Intergovernmental Agreement with Maricopa County. This Agreement provides a temporary location for holding and processing arrestees while renovations to the City's facility are being completed. During the term of the Agreement, the Police Department will be responsible for fees in the amount of \$14,500 for utility cost reimbursement and operations and maintenance fees. **(Citywide)** – Resolution No. 10776.
- \*5-b. Extinguishing a portion of a 20-foot Public Utility Easement at 1130 North Alma School Road. **(District 1)** – Resolution No. 10777.

The property owner has requested the City extinguish a portion of a Public Utility Easement that will conflict with the development of a commercial office building.

6. Take action on the following resolutions declaring terms/rates/fees/charges to be public records and available to the public, and introducing the following ordinances to modify City-owned utility terms/rates/fees/charges and setting May 16, 2016 as the date of the public hearing on these ordinances:

- \*6-a. A resolution declaring proposed terms/rates/fees/charges for electric utility services to be a public record. **(Districts 1 and 4)** – Resolution No. 10778.
- \*6-b. An ordinance modifying terms/rates/fees/charges for electric utility services. **(Districts 1 and 4)**
- \*6-c. A resolution declaring proposed terms/rates/fees/charges for natural gas utility services to be a public record. **(Citywide)** – Resolution No. 10779.
- \*6-d. An ordinance modifying terms/rates/fees/charges for natural gas utility services. **(Citywide)**
- \*6-e. A resolution declaring proposed terms/rates/fees/charges for water utility services to be a public record. **(Citywide)** – Resolution No. 10780.
- \*6-f. An ordinance modifying terms/rates/fees/charges for water utility services. **(Citywide)**

- \*6-g. A resolution declaring proposed terms/rates/fees/charges for wastewater utility services to be a public record. **(Citywide)** – Resolution No. 10781.
- \*6-h. An ordinance modifying terms/rates/fees/charges for wastewater utility services. **(Citywide)**
- \*6-i. A resolution declaring proposed terms/rates/fees/charges for solid waste utility services to be a public record. **(Citywide)** – Resolution No. 10782.
- \*6-j. An ordinance modifying terms/rates/fees/charges for solid waste utility services. **(Citywide)**
- \*6-k. A resolution declaring proposed terms for district cooling utility service to be a public record. **(District 4)** – Resolution No. 10783.
- \*6-l. An ordinance modifying terms for district cooling utility service. Format and text amendment only. **(District 4)**
- \*6-m. A resolution declaring proposed terms/rates/fees/charges for utility service fees to be a public record. **(Citywide)** – Resolution No. 10784.
- \*6-n. An ordinance modifying terms/rates/fees/charges for utility service fees. **(Citywide)**

7. Introduction of the following ordinances and setting May 16, 2016 as the date of the public hearing on these ordinances:

- \*7-a. Amending Section 9-6-5 of the Mesa City Code increasing sidewalk width requirements to five-feet wide in the Desert Upland Development Standards to be consistent with the required sidewalk widths on local residential streets in the City. **(Citywide)**
- \*7-b. Amending Section 1-12-3 of the Mesa City Code pertaining to the application of the existing Court Sustainability Fee. **(Citywide)**
- \*7-c. **A16-01 (District 1)** Annexation of property located north of the Loop 202 Red Mountain Freeway between Gilbert Road and Val Vista Drive (82.9± acres). This request has been initiated by the City in order to bring a City-owned parcel into the municipal boundaries of Mesa.

8. Discuss, receive public comment, and take action on the following ordinance and resolution relating to the property located in the 8200 to 8600 blocks of East Baseline Road:

- \*8-a. **Z16-004 (District 6)** An ordinance for the property located in the 8200 to 8600 blocks of East Baseline Road (north side). Located west of Loop 202 on the north side of Baseline Road (52.4± acres). PAD modification (52.4± acres); and Site Plan Review (16± acres). This request will allow for a multi-residence development. Susan E. Demmitt, Gammage & Burnham, applicant; Baseline Mesa, LLC, owner. – Ordinance No. 5322.

Staff Recommendation: Approval with conditions

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

- \*8-b. A resolution approving and authorizing the City Manager to terminate the existing development agreement with GVSU-202/60 and to enter into a development agreement with Baseline Mesa, LLC, and HTG Mesa, LLC, to facilitate the development of a mixed use development located in the 8200 to 8600 blocks of East Baseline Road. **(District 6)** – Resolution No. 10785.

9. Discuss, receive public comment, and take action on this following ordinances:

- \*9-a. **Z16-009 (District 2)** 1000 block of North Greenfield Road (east side). Located south of the southeast corner of Greenfield and Brown Roads (3.59± acres). Rezoning from AG to RS-15-PAD; and Site Plan Review. This request will allow a single residence development. Paul Dugas, Pinnacle Ridge Holdings, LLC, applicant; Pinnacle Ridge Holdings, LLC, owner. – Ordinance No. 5323.

Staff Recommendation: Approval with conditions

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

- \*9-b. **Z16-015 (District 2)** 6215 East Arbor Avenue. Located south of Main Street and east of Recker Road (1.8± acres). Council Use Permit for a social services facility. This request will allow for a substance abuse detoxification and treatment center. Jennifer O'Hara, Soba Recovery LLC, applicant; Soba Recovery LLC, owner. – Ordinance No. 5324.

Staff Recommendation: Approval with conditions

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

- \*9-c. **Z16-012 (District 4)** 60 South Country Club Drive. Located on the west side of Country Club Drive and south of Main Street (0.66± acres). Rezoning from DB-1 to GC-BIZ; and Site Plan Review. This request will allow for an automobile/vehicle sales and leasing facility and redevelopment of the site consistent with T4NF Transect. Sean Lake, Pew & Lake, PLC, applicant; Carmen C. Coury Trust/Recker C Leonille, owner. Take action on the Revised Ordinance. – Ordinance No. 5325.

Staff Recommendation: Approval with conditions

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

**Items not on the Consent Agenda**

10. Items from citizens present.

There were no items from citizens present.

11. Adjournment.

Without objection, the Regular Council Meeting adjourned at 6:08 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 2<sup>nd</sup> day of May, 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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