



City of Mesa

*Council Chambers
57 E. First Street*

City Council

Meeting Agenda - Final

Monday, May 19, 2014

5:45 PM

CITIZEN PARTICIPATION

All citizens are permitted and encouraged to speak on agenda items. If you are interested in speaking on an agenda item, please fill out a blue card in the back of the room and give it to the City Clerk. When the Council considers the item, you will be called to the podium to provide your comments.

The City of Mesa is committed to making its public meetings accessible to persons with disabilities. For special accommodations, please contact the City Manager's Office at (480) 644-3333 or (480) 644-2778 (TDD) at least 48 hours in advance of the meeting.

CONSENT AGENDA

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.

Mayor Alex Finter

Vice Mayor Chris Glover - District 4

Councilmember Dave Richins - District 1

Councilmember Terry Benelli - District 2

Councilmember Dennis Kavanaugh - District 3

Councilmember David Luna - District 5

Councilmember Scott Somers - District 6

Roll Call

(Members of the Mesa City Council will attend either in person or by telephone conference call)

Invocation by Pastor Tony Frazee, Gateway Bible Church**Pledge of Allegiance****Mayor's Welcome****Awards, Recognitions and Announcements****1 Take action on all consent agenda items.****Items on the Consent Agenda**

***2** [14-0548](#) Approval of minutes of previous meetings as written.

3 Take action on the following liquor license applications:

***3-a** [14-0517](#) Fry's Food & Drug 123

A grocery store is requesting a new Liquor Store License for Smith's Food & Drug Centers, Inc., 2727 East Broadway Road - Lauren Merrett, agent. This is a location-to-location transfer. **(District 2)**

***3-b** [14-0518](#) La Famiglia Pizza & Pasta

A restaurant that serves lunch and dinner is requesting a new Restaurant License for Polita VII, LLC, 1859 West Guadalupe Road, Suite 101 - Girolamo Randazzo, agent. The existing Restaurant License held by Tutti Santi Mesa, LLC, will revert back to the State. **(District 3)**

***3-c** [14-0519](#) Native New Yorker

A restaurant that serves lunch and dinner is requesting a new Restaurant License for Signal Butte NNY Restaurant, LLC, 1947 South Signal Butte Road, Suite A - Amy Nations, agent. The existing Restaurant License held by J Bar G Restaurants, Inc., will revert back to the State. **(District 6)**

***3-d** [14-0520](#) Tokyo Joe's

A restaurant that serves lunch and dinner is requesting a new Restaurant License for Tokyo, Inc., 1935 South Val Vista Drive, 101 - Andrea Lewkowitz, agent. There is no existing license at this location. **(District 2)**

4 Take action on the following contracts:***4-a** [14-0530](#) City's Annual Replacement Program of Personal Computers for Various City Departments **(Citywide)**

The City continues with its citywide lifecycle replacement strategy for Personal Computer (PC) acquisition and support to ensure the PC platform continues to meet the business needs of the City. This request includes 54 ruggedized and semi-ruggedized laptops for Police, Fire and Medical and Water Resources. In addition, remaining available funds will support desktop PC replacement for ninety-eight workstations in various City departments. The purchase also includes tablets which are currently being evaluated for use within the City.

Information Technology and Purchasing recommend authorizing purchases using the National Intergovernmental Purchasing Alliance Company (NIPA) cooperative contract with Visual Pro 360, at \$226,090.33 and the State of Arizona cooperative contract with Dell, Inc., at \$77,494.35, for the combined total award of \$303,584.68.

***4-b** [14-0524](#) Purchase of Replacement Carpet at the Main Library and Dobson Police Station as requested by the Facilities Maintenance Department **(Citywide)**

The 13 year-old carpet in the Main Library, 2nd floor Admin and 1st floor book stack areas, are in poor condition and ready for life cycle replacement. The carpet in the Dobson Police Station building is in extremely poor condition and is part of the building's remodel project. Traffic Enforcement will be utilizing the building after the facility is remodeled.

Facilities Maintenance and Purchasing recommend authorizing the purchase using the State of Arizona cooperative contract with Continental Flooring at \$28,463.82, including applicable construction sales tax.

- *4-c** [14-0527](#) Dollar-Limit Increase to the Term Contract for Emergency Response, Non-Emergency Response and Household Hazardous Waste Event Support for the Development and Sustainability Department **(Citywide)**
- Environmental and Sustainability requests the dollar-limit increase through the initial contract period (10/31/2014), and for years two and three. The increase is necessary because of increased participation in the Household Hazardous Waste program.
- Development and Sustainability and Purchasing recommend authorizing a dollar-limit increase of \$120,000, increasing the contract amount from \$460,000 to \$580,000 annually, based on estimated requirements. This purchase is partially funded by the Environmental Compliance Fee and the Mesa Green and Clean Fee.
- *4-d** [14-0528](#) Purchase of Stage Floor Refurbishment and Replacement for the Mesa Arts Center (Single Bid) **(Citywide)**
- This contract will provide all labor, equipment, materials, and services for the installation and finishing of resilient wood floors at the Mesa Arts Center. The existing Masonite stage floor in the Nesbitt/Elliot Playhouse and the Farnsworth Studio Theaters will be replaced. The work will be completed during the month of July, allowing installation to be completed during downtime.
- Arts & Culture, Mesa Arts Center and Purchasing recommend awarding the contract to single qualified bidder, Paul R. Peterson Construction, Inc., at \$73,796.40. This purchase is funded by the Mesa Arts Center Restoration Fund.
- *4-e** [14-0529](#) One-Year Term Contract for Temporary Employment Services for the Arts and Culture Department as requested by the Human Resources Department **(Citywide)**
- This contract will provide the City qualified, cost-effective, temporary workers to fill positions and provide temporary services of the type as required by the Mesa Arts Center on an as-needed basis.
- Human Resources and Purchasing recommend authorizing a one-year contract using the City of Chandler cooperative contract with Devau Human Resources, at \$700,000, based on estimated requirements.

- *4-f** **14-0521** Three-Year Term Contract for Luminaires and Components for Streetlight Lamps for the Materials and Supply Warehouse (for the Transportation and Facilities Maintenance Departments) **(Citywide)**

This contract will provide various sizes of luminaires and components for streetlight lamps for the replacement of existing and the installation of future streetlight luminaires for use by the Transportation and Facilities Maintenance Departments.

Business Services, Transportation, Facilities Maintenance and Purchasing recommend awarding the contract to the lowest priced, responsive and responsible bidders: Independent Electric Supply/ESSCO; Voss Electrical Co., dba Voss Lighting; Wesco Distribution, dba Brown Wholesale Electric and Wesco Distribution Inc., not to cumulatively exceed \$265,000 annually, based on estimated requirements.

- *4-g** **14-0523** Purchase of Two Replacement Vehicles including One Sport Utility Vehicle and One Cab and Chassis Vehicle for the Fire and Medical Department **(Citywide)**

This purchase will provide one 2015 Ford Explorer for use by Technical Services, Dispatch and Deployment, and Fire and Life Safety Education; and one 2015 Super-Duty Chassis Cab F-550 for use by Fire Suppression as a wild land apparatus.

Fire and Medical and Purchasing recommend authorizing the purchase from the lowest priced, responsive and responsible bidder, PFVT Motors, Inc., at \$79,949.93. This purchase is funded by the Fire and Medical Services Budget.

- *4-h** **14-0525** Three-Year Term Contract for Fence, Gate and Safety Rail Repair/Installation for the Transportation Department **(Citywide)**

This contract will provide for the repairs/installation of fencing, trash racks, safety rails and bollards. Work will be performed at a variety of locations on an as-needed basis.

Transportation and Purchasing recommend awarding the contract to the lowest priced, responsive and responsible bidders, Biddle & Brown Fence Co., LLC (Primary) and Empire Fence, LLC (Secondary) (a Mesa business), at \$500,000; annually, based on estimated requirements.

***4-i** **14-0526** Three-Year Term Contract for Heavy-Duty Automotive Body Repair Services for the Fleet Services Department (**Citywide**)

This contract will establish a qualified vendor list of automotive body repair firms to provide non-exclusive repair service, on an as-needed basis. The awarded vendors will provide all labor, tools, materials, garage facility and insurance to perform body and related mechanical repair work for the City's fleet of approximately 300 heavy-duty trucks.

An evaluation committee representing Fleet Services and Purchasing evaluated responses and recommends awarding the contract to the highest scored proposals from Rush Truck Center - Phoenix; Vanguard Truck Center; Freightliner of Arizona; and MAACO Collision Repair (a Mesa business), at \$150,000 annually, based on estimated requirements.

***4-j** **14-0531** Purchase of a Replacement Pneumatic Turning Target System for the Police Department (**Citywide**)

This contract will provide for the purchase and installation of a pneumatic high speed turning target system at the Mesa Police multi-agency shooting range, including the removal of the existing turning target system. The current turning target system was installed over 13 years ago and the system is at end of life and replacement is needed at this time.

An evaluation committee representing Police and Purchasing evaluated responses and recommends awarding the contract to the highest scored proposal from Action Target, at \$52,026.40. This purchase is funded by AZ POST Grant Agreement (\$37,200.00) and by Police operating budget (\$14,826.40).

***4-k** **14-0532** Purchase of Video Surveillance Equipment to Upgrade the Closed Circuit Television System for the Mesa Municipal Court (**Citywide**)

Municipal Court's current Closed Circuit Television (CCTV) system is not adequate to provide security services through surveillance viewing of accessible public areas at the Court facility and its courtrooms. The recommended system upgrade would increase the number of CCTV cameras from 44 to 79, reposition cameras to eliminate blind spots in numerous areas and add another video monitor to increase viewing capability by 25%.

Municipal Court and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder, IP Camera Warehouse, dba National Supply Contractors, at \$129,062.20.

*5 [14-0564](#) Approving a salary adjustment for City magistrates, effective July 1, 2014.

6 Take action on the following resolutions:

*6-a [14-0482](#) Authorizing and supporting the submittal of a grant application by AGUILA Youth Leadership, Inc., to the Gila River Indian Community for \$300,000 over three years to expand college preparation services to students in the East Valley.

*6-b [14-0483](#) Authorizing and supporting the submittal of a grant application by Arizona Autism Charter School to the Gila River Indian Community for \$300,000 over three years to support their Health and Wellness Activity Center and Sensory Gym.

*6-c [14-0484](#) Authorizing and supporting the submittal of a grant application by Arizona Burn Foundation to the Gila River Indian Community for \$500,000 over five years to support their Strategic Growth Campaign to expand services.

*6-d [14-0485](#) Authorizing and supporting the submittal of a grant application by Arizona Museum of Natural History to the Gila River Indian Community for \$89,050 over three years to support expansion of Mesa Grande Cultural Park Educational Outreach to Title 1 Schools.

*6-e [14-0486](#) Authorizing and supporting the submittal of a grant application by ATLATL to the Gila River Indian Community for \$15,000 to support the 31 st Annual Roy Track Mesa Pow Wow.

*6-f [14-0487](#) Authorizing and supporting the submittal of a grant application by A.T. Still University of Health Sciences to the Gila River Indian Community for \$300,000 over three years to support outreach expansion for their Native Students Achieving Healthcare Professions program.

*6-g [14-0488](#) Authorizing and supporting the submittal of a grant application by Banner Health Foundation to the Gila River Indian Community for \$200,000 over three years to expand special education programming at the Howard S. Gray School at Banner Behavioral Health Center.

*6-h [14-0489](#) Authorizing and supporting the submittal of a grant application by Boy Scouts of America Grand Canyon Council to the Gila River Indian Community for \$125,000 to expand traditional scouting programs.

*6-i [14-0490](#) Authorizing and supporting the submittal of a grant application by the Child Crisis Center to the Gila River Indian Community for \$75,000 to support Emergency Shelter Services.

- *6-j [14-0492](#) Authorizing and supporting the submittal of a grant application by the City of Mesa Police Department to the Gila River Indian Community for \$44,435 to support Rape Aggression Defense (R.A.D.) Community Education and Training.
- *6-k [14-0493](#) Authorizing and supporting the submittal of a grant application by the Gene Lewis Boxing Club to the Gila River Indian Community for \$35,000 to support their Building Futures, One Child at a Time program.
- *6-l [14-0494](#) Authorizing and supporting the submittal of a grant application by the City of Mesa's Mesa Counts on College Department to the Gila River Indian Community for \$75,000 to support the Community Educational Access Center.
- *6-m [14-0495](#) Authorizing and supporting the submittal of a grant application by Mission of Mercy to the Gila River Indian Community for \$25,000 to support their Mobile Clinic services.
- *6-n [14-0496](#) Authorizing and supporting the submittal of a grant application by Oakwood Creative Care to the Gila River Indian Community for \$75,000 over three years to support their Adult Day Health Services Program.
- *6-o [14-0497](#) Authorizing and supporting the submittal of a grant application by Paz de Cristo to the Gila River Indian Community for \$87,000 over three years to support Extended Day Shelter Services.
- *6-p [14-0498](#) Authorizing and supporting the submittal of a grant application by the Save the Family Foundation to the Gila River Indian Community for \$30,000 to support their Homeless Families Intervention Project.
- *6-q [14-0499](#) Authorizing and supporting the submittal of a grant application by Visit Mesa to the Gila River Indian Community for \$56,000 to support marketing and sales for tourism.
- *6-r [14-0500](#) Authorizing and supporting the submittal of a grant application by Whisper n Thunder to the Gila River Indian Community for \$75,000 over three years to support higher education for Native Americans through their Leadership Academy.
- *6-s [14-0563](#) Authorizing and supporting the submittal of a grant application by the City of Mesa's Library Services Department to the Gila River Indian Community for \$5,100 to support Digital Literacy Community Education and Training.

- *6-t [14-0536](#) Approving and authorizing the City Manager to enter into a Firm Transportation Service Agreement with a term of ten years ("Supply Period") for the transportation of natural gas with El Paso Natural Gas, A Kinder Morgan Company. **(Citywide)**
- *6-u [14-0421](#) Approving and authorizing the City Manager to enter into the Second Amendment to the Gilbert Road Light Rail Transit Extension Agreement in the amount of \$4,135,737 to continue project design and real estate acquisition activities and initiate the procurement of services for final design, construction, and public art for the 1.9 mile light rail extension. Funding is 94.3% (\$3,900,000) from the Federal Congestion Mitigation Air Quality Fund from the Maricopa Association of Governments, and 5.7% (\$235,737) matching City funds. **(District 4)**
- *6-v [14-0491](#) Modifying fees and charges for the Arts & Culture Department.
- *6-w [14-0554](#) Modifying fees and charges for the Planning division and the Development Services division of the Development and Sustainability Department.
- *6-x [14-0555](#) Modifying fees and charges relating to the Environmental Compliance requirements as a part of the Development and Sustainability Department.
- *6-y [14-0556](#) Modifying fees and charges for Falcon Field Airport.
- *6-z [14-0557](#) Modifying fees and charges for the Library.
- *6-aa [14-0558](#) Modifying fees and charges for the Transportation Department.

7 Introduction of the following ordinance and setting June 2, 2014 as the date of the public hearing on this ordinance:

- *7-a [14-0513](#) Amending the Mesa Zoning Ordinance; Title 11 of the Mesa City Code; Chapters 6, 7, 8, 31 and 58 regarding the zoning districts that allow tattoo parlors and body piercing salons, and deleting criteria for the requirement of Council Use permits of same, and providing penalties for violations. **(Citywide)**

Staff recommendation: Approval

P&Z Board recommendation: Approval (Vote: 3-1, Boardmembers Clement, Hudson and Johnson absent)

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

- *8-a [14-0457](#) **A14-04 (District 1)** Annexing 5.8 ± acres of land located east of the northeast corner of Alma School and McLellan Roads. This annexation is initiated by the property owners.

9 Discuss, receive public comment, and take action on the following resolutions and ordinances:

- *9-a [14-0433](#) A resolution declaring modified City Code for the Residential Solid Waste tax to be a public record; and an ordinance modifying the City Code Title 5, Chapter 13 regarding the Residential Solid Waste Development Tax.

- *9-b [14-0462](#) A resolution declaring modified Terms and Conditions for the Sale of Utilities to be a public record; and an ordinance modifying the Terms and Conditions for the Sale of Utilities related to customer account maintenance, credit and refund policies, certain clerical corrections, and clarifying verbiage.

10 Take action on the following subdivision plats:

- *10-a [14-0514](#) "The Summit at Mountain Bridge" (**District 5**) The 8700 to 8800 blocks of East McKellips Road (north side). Located north and west of East McKellips Road and North Ellsworth Road. 74 RS-15 PAD lots (38 ± acres) Pinnacle Ridge Holdings, LLC, owner; Daniel Matthews, Wood, Patel & Associates, Inc., engineer.
- *10-b [14-0515](#) "Leawood" (**District 2**) The 4100 block of East Southern Avenue (south side). Located on the southwest corner of East Southern Avenue and South Norfolk (6.2± acres). Porchlight Holdings, owner; Reese Anderson/Ralph Pew, Pew and Lake PLC, applicant.
- *10-c [14-0516](#) "Adobe Meadows" (**District 5**) 10,500 to 10,700 blocks of East Adobe Road (north side) and the 800 to 900 blocks of North Signal Butte Road (west side). Located at the northwest corner of Signal Butte Road and Adobe Road (40.0± acres). Land Holdings Co., LLC, owner; Paul Dugas, applicant; M2 Group, Inc., engineer.

Items not on the Consent Agenda

- 11 Conduct a public hearing and take action on the following resolution relating to the annual assessments for the Mesa Town Center Improvement District No. 228:**
- 11-a [14-0551](#)** Conduct a public hearing.
- 11-b [14-0522](#)** A resolution approving the 2014 District Assessments for Mesa Town Center Improvement District No. 228. The final assessments do not include any rate increases. **(District 4)**
- 12 Conduct a public hearing and take action on the following ordinances modifying city-owned utility rates/fees/charges and resolutions declaring the rates/fees/charges to be a public record and available to the public.**
- 12-a [14-0550](#)** Conduct a public hearing on modifications to rates/fees/charges on the sale of city-owned utilities: water, wastewater, electric, solid waste, natural gas and utility service fees.
- 12-b [14-0427](#)** A resolution declaring modified rates/fees/charges for electric utility services to be a public record; and an ordinance modifying the rates/fees/charges for electric utility services.
- 12-c [14-0428](#)** A resolution declaring modified rates/fees/charges for natural gas utility services to be a public record; and an ordinance modifying the rates/fees/charges for natural gas utility services.
- 12-d [14-0429](#)** A resolution declaring modified rates/fees/charges for water utility services to be a public record; and an ordinance modifying the rates/fees/charges for water utility services.
- 12-e [14-0430](#)** A resolution declaring modified rates/fees/charges for wastewater utility services to be a public record; and an ordinance modifying the rates/fees/charges for wastewater utility services.
- 12-f [14-0431](#)** A resolution declaring modified rates/fees/charges for solid waste utility services to be a public record; and an ordinance modifying the rates/fees/charges for solid waste utility services.
- 12-g [14-0432](#)** A resolution declaring modified utility service fees to be a public record; and an ordinance modifying the utility service fees.

At this time the Mayor and Council will recess the Regular Council meeting and convene a Special Council meeting for the purpose of approving the Budget and the Five-Year Capital Improvement Program. This Regular Council meeting will reconvene immediately after the Special Council meeting is adjourned.

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

- 13-a [14-0455](#) Z14-005 (District 2)** 5656 East Albany Street (north side). Located north and east of North 56th Street and East Main Street (32± acres). Rezone from Maricopa County R1-8 SC to City of Mesa RS-9 AS. This request will establish City of Mesa zoning on previously annexed property.

Staff Recommendation: Approval with Conditions

P&Z Board Recommendation: Approval with Conditions (Vote: 6-0-1, Vice Chair Coons, abstain)

- 13-b [14-0456](#) Z14-006 (District 2)** 5656 East Albany Street (north side). Located north and east of North 56th Street and East Main Street (32± acres). Rezone from RS-9 AS to RSL2.5 PAD. This request will allow the development of a single-residence subdivision. **(Legal Protest: 6 votes required)**

Staff Recommendation: Approval with Conditions

P&Z Board Recommendation: Approval with Conditions (Vote: 3-1-1, Boardmember Di Bella, nay; Vice Chair Coons, abstain; Boardmembers Hudson and Johnson, absent)

14 Items from citizens present. (Maximum of three speakers for three minutes per speaker).

15 Adjournment.

The Council may vote to hold an executive session for the purposes of obtaining legal advice from the City Attorney (A.R.S. §38-431.03A(3)) or to discuss and instruct the City Attorney regarding the City's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation. (A.R.S. §38-431.03A(4))