



## COUNCIL MINUTES

June 20, 2016

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on June 20, 2016 at 5:45 p.m.

### COUNCIL PRESENT

John Giles  
Alex Finter  
Christopher Glover  
Dennis Kavanaugh\*  
David Luna  
Dave Richins\*  
Kevin Thompson

### COUNCIL ABSENT

None

### OFFICERS PRESENT

Christopher Brady  
Jim Smith  
Dee Ann Mickelsen

(\*Councilmembers Richins and Kavanaugh participated in the meeting through the use of telephonic equipment.)

Invocation by Senior Pastor James Adams with Cornerstone Church.

Pledge of Allegiance was led by Ian Fish, Scout Troop No. 673.

Mayor's Welcome.

Awards, Recognitions and Announcements.

There were no awards, recognitions or announcements.

### 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 Finter, seconded by Councilmember Glover, that the consent agenda items be approved.

Carried unanimously.

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

Minutes from the May 5 and May 26, 2016 Council meetings.

3. Take action on the following liquor license applications:

\*3-a. Sertoma Club of Mesa

This is a one-day charitable event to be held on Monday, July 4, 2016 from 4:00 p.m. to 12:00 a.m., at 263 North Center Street. **(District 4)**

\*3-b. Lily's

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Yatyas LLC, 7000 East Main Street – Brian Joseph Cole, agent. There is no existing license at this location. **(District 5)**

\*3-c. Smashburger #1522

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Smashburger Acquisition-Phoenix LLC, 6807 East Baseline Road, Suite 101 – Andrea Dahlman Lewkowitz, agent. There is no existing license at this location. **(District 6)**

4. Take action on the following contracts:

\*4-a. Contract Amendment and Value Increase to purchase an Aspect Hosted SMS/Interactive Text Response Subscription, Mobile Web Solution, and Text-to-Speech Licensing for the Business Services Department and Municipal as requested by the Information Technology Department. **(Citywide)**

The Text Response Subscription will allow citizens to text for information relating to utility accounts and/or court cases. Outbound text campaigns can be leveraged for notifications and other opt-in type engagements such as the A Better Community (ABC) Program and reminders.

The Mobile Web solution will allow seamless transition from SMS/Text to web applications for automated transactions such as payments.

The Text to Speech licensing will enhance the automated Interactive Voice Response (IVR) services currently offered by the Court, including more natural voice-back responses to citizen requests.

The Information Technology Department and Purchasing recommend authorizing the purchase with Norstan Communications, Inc., dba Black Box Network Services, at \$70,744.43.

\*4-b. Six-Year Renewal of the Service Agreement for the Motorola System Upgrade Agreement (SUA) for the Communications Department (Sole Source). **(Citywide)**

The SUA renewal will continue providing software upgrades every two years, upgrading of the radio network core hardware to support the software upgrades, and technical support services. This keeps the network current for technical support with Motorola and will also keep the TOPAZ Regional Wireless Cooperative (TRWC) in step with the Phoenix Regional Wireless Cooperative (RWC).

The existing SUA does not expire until June 30, 2017. The Communications Department has requested renewal at this time to allow certainty in budgeting for the TRWC members, including the City of Mesa; to save money (the renewal is about \$115,000 less per year than the current SUA); and demonstrate the commitment to keep the TRWC in step with the RWC.

The Communications Department and Purchasing recommend authorizing a six-year renewal of the Service Agreement with the sole source vendor, Motorola, Inc., at \$3,314,559, plus applicable taxes, based on estimated requirements.

- \*4-c. One-Year Renewal of the Term Contract for Printing Election Publicity Pamphlets for the City Clerk's Office. **(Citywide)**

This contract provides printing services for the City's election publicity pamphlets. Printing services will be needed for the City's next general election to be held on November 8, 2016, as well as any special elections that the City Council may call. Publicity pamphlets are distributed to all Mesa households with registered voters.

The City Clerk's Office and Purchasing recommend authorizing a one-year renewal with Century Graphics, Inc., at \$40,000 annually, based on estimated requirements.

- \*4-d. One-Year Renewal of the Term Contract for Uniform Garments for the Fire and Medical Department. **(Citywide)**

This contract provides various station/work uniforms (shirts, hats, outerwear, pants, shorts, dress uniform items, etc.) worn by Fire personnel during their normal daily job duties. All services and supplies necessary to provide new garments including measuring, tailoring/alterations, screen printing, embroidering and returns/exchanges are included.

The Fire and Medical Department and Purchasing recommend authorizing a one-year renewal with Matlick Enterprises, Inc., dba United Fire Equipment Company, at \$307,000 annually, based on estimated requirements.

- \*4-e. Three-Year Term Contract for Firefighting Foam for the Fire and Medical Department. **(Citywide)**

The firefighting foams are carried on firefighting apparatus, airport rescue apparatus and brush trucks to extinguish various types of fires (oil, gasoline, jet fuel, brush, structure, automobile, interior coal and tire fires) during emergency responses.

The Fire and Medical Department and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder, Matlick Enterprises, Inc., dba United Fire Equipment Company, at \$100,000 annually, based on estimated requirements.

- \*4-f. Purchase of One Replacement Chevrolet Tahoe for the Police Department. **(Citywide)**

The vehicle being replaced has met established criteria and will be retired and sold at auction.

The Fleet Services Department, Police Department and Purchasing recommend authorizing the purchase using the State of Arizona cooperative contract with Midway Chevrolet, at \$40,629.16. This purchase is funded by the Vehicle Replacement Fund.

- \*4-g. Three-Year Term Contract for Safety and Medical Supplies for the Police Department. **(Citywide)**

This contract will provide miscellaneous safety supplies for use throughout the Police Department. The supplies are used daily to conduct investigations, collect evidence and ensure crime scene integrity. Supplies include: gloves, sanitizers, safety glasses, face masks and bio-hazard items.

The Police Department and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidders: Arizona Glove & Safety Inc., dba AGS Safety & Supply; Henry Schein Inc.; Life-AssisT, Inc., dba Life-Assist, Inc.; and Masterman's LLP; cumulatively not to exceed \$65,000 annually, based on estimated requirements.

- \*4-h. Purchase for the Conversion/Upgrade of the Electrical Evidence Shelving Storage System for the Police Department. **(Citywide)**

The Police Department's Evidence Section had a motorized track system for its evidence shelving installed 20 years ago (August 1996) by TAB Office Resources. The computerized electrical, high-density units have reached their expected life cycle and require replacement. The price for the conversion/upgrade by TAB Office Resources is significantly lower than a full replacement at \$500,000 to \$1,000,000.

The Police Department and Purchasing recommend authorizing the purchase using the State of Arizona cooperative contract with TAB Office Resources, at \$150,000. The purchase is funded by the Capital Improvement Program.

- \*4-i. Three-Year Contract for Bomb Suits and Helmets for the Police Department. **(Citywide)**

The Police Department's Bomb Team will use the bomb suit and helmet when responding to explosive-related calls and to assist patrol and SWAT with operations within the City of Mesa. This suit is used by all US Bomb Teams including the FBI and ATF bomb technicians, and is compatible in interoperability between Bomb Teams.

The Police Department and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder, Atlantic Diving Supply, Inc., at \$62,000 annually, based on estimated requirements.

- \*4-j. Three-Year Term Contract for Glock Handguns for the Police Department (Single Bid). **(Citywide)**

In 2012, the Police Department selected the Generation 4 Glock handgun as the standard duty issued pistol. The initial purchase will be for 90, Glock 17 Gen4 9mm handguns for approximately \$42,021. This equipment will be issued to future academy classes and lateral officers. Additional weapons will be purchased as needed to replenish inventory in future years.

The Police Department and Purchasing recommend awarding the contract to the single, responsive and responsible bidder, Proforce Marketing, Inc., dba Proforce Law

Enforcement, at \$80,000 annually, based on estimated requirements. The Police Department is requesting an annual contract of \$80,000 to provide for additional weapons as needed to replenish inventory in future years based on estimated requirements.

- \*4-k. Purchase of Workstations and Storage Shelving for the Police Department Firearms Training Facility. **(Citywide)**

A new 4,800 sq. ft. building is being constructed at the Police Department Firearms Training Facility. Due to the larger size of the building and its additional features, the existing furnishings and shelving cannot be reused at the new facility. The purchase includes workstations/workbenches, storage shelving and accessories.

The Police Department and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder, Global Industrial, at \$22,626.33; and authorizing the State of Arizona cooperative contract with Tucson Business Interiors, at \$19,305.73; for the combined total of \$41,932.06.

- \*4-l. Dollar-Limit Increase to the Term Contract for the Pest Control Services for the Parks, Recreation and Community Facilities Department. **(Citywide)**

Facilities Maintenance has requested the increase to cover invoices from April 2016 through the contract expiration on August 31, 2016.

The Parks, Recreation and Community Facilities Department and Purchasing recommend authorizing a dollar-limit increase of \$7,000, increasing the annual contract amount from \$19,395 to \$26,395, for the final year of this contract through August 31, 2016.

- \*4-m. One-Year Renewal of the Term Contract for Generator Maintenance Services for the Water Resources, Parks Recreation and Community Facilities, and Communications Departments. **(Citywide)**

This contract provides qualified contractors to perform periodic and routine backup generator preventative maintenance, inspections and repair services for 104 emergency generators at various Citywide facilities. The contracts are essential to minimize equipment failure at utilities facilities and provide regularly scheduled maintenance of emergency generators for Water Resources; to maintain critical City emergency generators, which backup City systems for Facilities Maintenance; and the annual maintenance and inspections of 11 generators used for emergency power at radio tower sites for Communications.

The Water Resources Department, Parks Recreation and Community Facilities Department, Communications Department and Purchasing recommend authorizing a one-year renewal with W.W. Williams; and Valleywide Generator Service; cumulatively not to exceed \$445,000.00 annually, based on estimated requirements.

- \*4-n. Purchase of Five Circuit Breakers for the Energy Resources Department. **(Citywide)**

This purchase will provide five state-of-the-art circuit breakers to replace four existing, 25 plus year-old, obsolete oil circuit breakers at the Lewis and Robson Substations; one will

be used as a spare. The new replacement breakers are required to maintain safety and reliability and to increase efficiency of the transmission of power into the substations.

The Energy Resources Department and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder, Anixter Power Solutions, at \$208,795.37, based on estimated requirements.

- \*4-o. Dollar-Limit Increase to the Term Contract for C-Cure Security Access System Upgrades as requested by the Parks, Recreation and Community Facilities Department. **(Citywide)**

Facilities Maintenance recommends the conversion of the access control system in all four buildings at the new 708 West Baseline Road complex to the same C-Cure system used at other City facilities. The facilities at this complex are being reconfigured and will be occupied by City departments.

The Parks, Recreation and Community Facilities Department and Purchasing recommend authorizing a dollar-limit increase of \$30,000 with Tyco Integrated Security, increasing the initial contract amount from \$574,500 to \$604,500 for the current year of the contract term.

- \*4-p. Change Orders and Dollar-Limit Increase to the Term Contract for a Performance Cooling Water Treatment Program for the Parks, Recreation and Community Facilities Department. **(Citywide)**

This contract provides water treatment on the multiple cooling and boiler loops preventing microbial growth. The increase is needed for the addition of services: Change Order #3 – Service for the recently constructed Fiesta Paseo water feature at \$14,400 annually; and Change Order #4 – Service for Mesa Art Center's water features at \$16,800 annually; consolidating multi-departmental services into a single contract.

The Parks, Recreation and Community Facilities Department and Purchasing recommend authorizing change orders and a dollar-limit increase of \$31,200 with Water & Energy Systems Technology Inc. (a Mesa business), increasing the annual contract amount from \$42,616 to \$73,816 for Years 2 and 3 of the initial contract term.

- \*4-q. Six-Month Contract Extension and Dollar-Limit Increase to the Term Contract for Chiller Maintenance and Repair Services for Citywide Locations as requested by the Parks, Recreation and Community Facilities Department. **(Citywide)**

This extension is needed to continue services while Facilities Maintenance and Purchasing work on re-bidding the contract. The increase will cover the current invoice of \$21,903 for services completed April 2016 through June 2016, and for upcoming services through October 31, 2016, estimated at \$25,000.

The Parks, Recreation and Community Facilities Department and Purchasing recommend authorizing a six-month contract extension and dollar-limit increase of \$50,000, with Daikin Applied Americas Inc. This will increase the annual contract amount from \$55,000 to \$105,000, through October 31, 2016.

- \*4-r. Three-Year Term Contract for Asphalt Sealcoat Materials for the Transportation Department. **(Citywide)**

This contract will provide primary and secondary vendors for asphalt seal materials as well as rental equipment used for the City's sealcoat program.

The Transportation Department and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidders: Quality Emulsions, LLC (a Mesa business); Cactus Transportation, Inc.; and Crafcoc, Inc.; cumulatively not to exceed \$732,000 annually, based on estimated requirements.

- \*4-s. Three-Year Term Contract for Asphalt Sealcoat Materials and Application for the Transportation Department. **(Citywide)**

This contract will provide primary and secondary vendors for asphalt sealcoat materials, as well as materials and application used for the City's asphalt sealcoat program.

The Transportation Department and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidders: Wright Asphalt Products Company, LLC; Cactus Asphalt, A Division of Cactus Transport, Inc; Morgan Industries, Inc. (a Mesa business); Musgrove Enterprises LLC, dba SealMaster – AZ; Sunland Inc., Asphalt & Sealcoating; Holbrook Asphalt Co.; Hawker & Evans Asphalt Company, Inc.; and Pavement Sealants & Supply Inc.; cumulatively not to exceed \$4,573,304 annually, based on estimated requirements.

- \*4-t. Purchase of Networking Tools for the Supervisory Control and Data Acquisition (SCADA) Network Upgrade for the Water Resources Department as requested by the Information Technology Department. **(Citywide)**

The network infrastructure that the SCADA remote/field systems relies on is past its lifecycle. Replacement is necessary at this time to meet minimal security functions required for today's modern SCADA network. This purchase will provide tools that will tune and manage the City's SCADA network for better performance and uptime.

The Information Technology Department and Purchasing recommend authorizing the purchase using the U.S. Communities cooperative contract with Graybar, at \$44,392.39, based on estimated requirements.

- \*4-u. Purchase to Rebuild Four Lawrence Pumps for the Water Resources Department (Sole Source). **(Citywide)**

This purchase will provide rebuilt Original Equipment Manufacturer mixed liquor pumps and sole source parts for the Southeast Water Reclamation Plant. The current pumps have been in service since 1999 and have reached end of life. There is no redundancy for these pumps and loss of any one pump would reduce plant flows. The four pumps are currently performing adequately but need to be rebuilt or replaced.

The Water Resources Department and Purchasing recommend authorizing the purchase with the sole source vendor, Pioneer Equipment, Inc., at \$198,460.62.

- \*4-v. Mesa Fire and Medical Regional Dispatch Center and Emergency Operations Center. **(District 3)**

The Mesa Fire and Medical Regional Dispatch Center and Emergency Operations Center located at 708 West Baseline Road is a 14.5 acre site with existing facilities. Proposed improvements consist of interior demolition of several buildings and site

modifications to be completed as part of GMP No. 1, including repairs and replacement of portions of the existing roof, replacement and upgrades to the electrical and air conditioning systems, and additional site improvements required to maintain proper security to the site.

Staff recommends that Council award a contract for this project to CORE Construction, in the amount of \$2,289,899.00 (Guaranteed Maximum Price No. 1), and authorize a change order allowance in the amount of \$228,989.90 (10%), a total authorized amount of \$2,518,888.90. Funding is available from the 2013 authorized Public Safety Bond Program.

5. Take action on the following resolutions:

- 5-a. Approving and authorizing the City Manager to enter into a Conduit Use Agreement with Zayo Fiber Solutions for a term of 20 years. **(Districts 2, 5 and 6) – DELETED.**

This Agreement is for the use and partial construction of the City's Conduit Duct Bank System by Zayo Fiber Solutions. Zayo will pay a lump sum of \$1,897,612 prior to the issuance of a permit and will provide in-kind contributions to construct improvements to the City's duct bank, valued at \$1,650,000, for a total value estimated at \$3,547,612.

- \*5-b. Approving and authorizing the City Manager to enter into a Development Agreement with Mesa Airport Growth Properties, LLC, relating to the construction of Ray Road improvements between Power and Ellsworth Roads. **(District 6) – Resolution No. 10814**
- \*5-c. Approving and authorizing the City Manager to enter into a Grant Agreement with the U.S. Department of the Interior – Bureau of Reclamation to accept funds in the amount of \$55,000 for landscape conversion rebates for non-residential water customers. **(Citywide) – Resolution No. 10815**
- \*5-d. Approving and authorizing the City Manager to reallocate \$60,000 of Human Services funds from fiscal year 2015/2016, and allocate an additional \$50,000 of Human Services funds for fiscal year 2016/2017 to non-profit organizations for activities approved by the City Council, and to enter into agreements for disbursements of Human Services funds. **(Citywide) – Resolution No. 10816**
- 5-e. See: **Items not on the Consent Agenda.**
- 5-f. See: **Items not on the Consent Agenda.**

6. Introduction of the following ordinance and setting July 5, 2016 as the date of the public hearing on this ordinance:

- \*6-a. Amending Section 10-4-6 of the Mesa City Code to decrease speed limits from 30 MPH to 25 MPH on a portion of McLellan Road from Stapley Drive to Gilbert Road, as recommended by the Transportation Advisory Board. **(District 1)**

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

- \*7-a. **Z16-022 (District 2)** 2325 East University Drive. Located east of Gilbert Road on the south side of University Drive (2.45± acres). Rezoning from RS-6 to RSL-2.5-BIZ. This request will allow for the development of a single residence development. Mark Funk,



Funk Family Enterprises, applicant; Robert C. Horne, Elaine Farms, LLC, owner. – Ordinance No. 5338

Staff Recommendation: Approval with conditions

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

### **Items not on the Consent Agenda**

- 5-e. Submitting to the qualified electors of the City of Mesa, at the General Election on November 8, 2016, the question of increasing the City's transaction privilege (sales) tax by 0.4 percent. **(Citywide)** – Resolution No. 10817

The increase will be used solely to fund Mesa Police and Mesa Fire and Medical personnel, equipment, facilities and other services, and governmental and economic development projects, including the Arizona State University (ASU) project and other post-secondary educational projects.

Thomas Schuelke, a Mesa resident, expressed opposition of the current ASU City Center proposal for the following reasons:

- ASU's lease of \$100,000/year will only generate \$9.9 million dollars over 99 years, covering only one-eighth of the cost of the buildings paid for by the City of Mesa.
- The list of majors being offered are those with the worst job prospects, resulting in students crippled with debt and no opportunity.
- Like other higher education start-ups, the campus project may fail and inhibit other downtown efforts.

Mr. Schuelke requested that the ballot be separated into measures for the tax increase, one for public safety and one for higher education.

Deanna Villanneva-Saucedo, a Mesa resident, reported that one-third of Mesa residents are below the age of 24 and said that the community needs educational options in order to attract high-quality private sector companies with high-paying jobs. She added that Mesa needs to demonstrate a highly educated workforce and, due to the economy, that requires a financial investment of our own resources. She emphasized that ASU has proved to be a good investment with over a century of education experience and highlighted the following ASU statistics:

- Ranked #1 nationally as the most innovative school, beating Stanford University and Massachusetts Institute of Technology (MIT)
- Ranked #1 in the State and #5 in the Nation for best prepared graduates by the Wall Street Journal
- Top producer of Fulbright Scholars in the Nation, beating University of California, Los Angeles (UCLA), University of California, Berkley, and Cornell University
- ASU President Dr. Michael Crow was recognized nationally and by the Arizona Chamber of Commerce

Mara Benson, a Mesa resident and realtor, spoke in support of affordable and accessible educational opportunities in Mesa. She stated that ASU will assist in Downtown Mesa's economy and improve property values, which will attract jobs and local businesses to the area.

She also commented that funding is needed to support additional staff and resources for public safety.

Bryan Jeffries, representative of the Mesa Firefighters Association, stated that the downtown area of Mesa is aging but can be reinvigorated by education and housing, both of which will draw commerce and desired amenities to the area. He reported that the downtown Phoenix area was in a state of disarray until the insertion of education, which transformed that area and drew in commerce, creating a “hip” place to live and visit. He also stated that he supports the public safety improvements and announced that citizen surveys proved supportive as well.

Amy Osowski, representative of Downtown Mesa business owners and Retail, Arts, Innovation and Livability (RAIL) Mesa, approached the Council in support of the proposed ballot measure. She indicated that Downtown Mesa has struggled for decades and the higher education package is the right step toward building our economy, attracting new businesses, and increasing property values. She said that the higher education package is the missing link to real change and progress that we desperately need to achieve prosperous growth and make Mesa an attractive and diverse City that offers something for all of us.

It was moved by Councilmember Finter, seconded by Councilmember Luna, that Resolution No. 10817 be approved.

Carried unanimously.

- 5-f. Designating the General Election date as November 8, 2016 and the purpose of the General Election; providing the deadline for filing for and against ballot measures; providing the deadline for voter registration; and providing the times that polls will be open. – Resolution No. 10818

At the General Election, the qualified electors of the City shall vote on the following measure:

- Question 1 City Transaction Privilege (Sales) Tax Increase

It was moved by Councilmember Luna, seconded by Councilmember Glover, that Resolution No. 10818 be approved.

Carried unanimously.

8. Items from citizens present.

There were no items from citizens present.

9. Adjournment.

Without objection, the Regular Council Meeting adjourned at 6:11 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 20<sup>th</sup> day of June, 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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