



COUNCIL MINUTES

July 11, 2016

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on July 11, 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

John Pombier
Jim Smith
Dee Ann Mickelsen

Invocation by Pastor Mike Cash with East Valley Free Will Baptist Church.

Pledge of Allegiance was led by Councilmember Kevin Thompson.

Mayor's Welcome.

Awards, Recognitions and Announcements.

Mayor Giles recognized Councilmember Luna, who was celebrating his birthday today.

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.

Mayor Giles stated that several citizens have requested to speak on item 4-f and asked for the item to be removed from the consent agenda.

It was moved by Vice Mayor Kavanaugh, seconded by Councilmember Glover, that the consent agenda be approved as amended.

Carried unanimously.

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

Minutes from the July 5, 2016 Council meeting.

3. Take action on the following contracts:

- *3-a. Three-Year Term Contract for Custodial Services for Parks and Sports Field Facilities for the Parks, Recreation and Community Facilities Department. **(Citywide)**

This contract provides custodial services for numerous City park restrooms. Work includes furnishing all labor, transportation and equipment to perform the janitorial service as specified.

The Parks, Recreation and Community Facilities Department, and Purchasing recommend awarding a three-year contract with Clean Scene AZ, LLC, at \$135,410 annually, based on estimated requirements.

- *3-b. One-Year Renewal for the Term Contract for Heavy Duty Synthetic Diesel Oil for the Fleet Services Department. **(Citywide)**

The Fleet Services Department and Purchasing recommend authorizing a one-year renewal using the Mohave Educational Services cooperative contract with North American Lubricants, at \$65,000 annually, based on estimated requirements.

- *3-c. Five-Month Contract Renewal for Ammunition for the Police Department. **(Citywide)**

Mesa, as the lead/issuing agency, together with City of Tempe Police Department, Navajo County Sheriff's Office, and Cochise County Sheriff's Office, solicited bids to enter into this contract for the purchase of ammunition. Specifications and requirements of each agency were included in the bid solicitation. Renewal is being requested because the solicitation of a new contract is taking longer than expected as it will be a national cooperative contract led by the City.

The Police Department and Purchasing recommend authorizing a five-month renewal with San Diego Police Equipment Co, Inc., Miwall Corporation and Professional Police Supply, dba Adamson Police Products, cumulatively not to exceed \$350,000, based on estimated requirements.

- *3-d. One-Year Term Contract for IT Infrastructure Storage Equipment to Support Closed Circuit Television (CCTV) Cameras for the Police Department. **(Citywide)**

The Police IT Division is requesting the purchase of additional storage hardware in support of the CCTV for the Police Holding Facility. This storage will allow approximately 200 days of archived video retention for jail cameras, and will accommodate both the existing cameras, as well as the anticipated additions as part of the holding facility expansion.

The Police Department and Purchasing recommend awarding the contract using the National Intergovernmental Purchasing Alliance City of Tucson cooperative contract with CDW-G, at \$100,000 annually, based on estimated requirements. The initial purchase (approximately \$32,500) is funded by Asset Forfeiture RICO funds.

- *3-e. Purchase of Computer Aided Dispatch (CAD) Data Analysis Software and Personal Computers for the Fire and Medical Department. **(Citywide)**

This scientific, industry-vetted software solution will meet and support Mesa Fire and Medical's long-term strategic planning decisions. The product integrates with Intergraph, Mesa's current CAD solution, and is designed specifically for fire and medical services.

The Fire and Medical Department and Purchasing recommend authorizing the purchase from the sole source vendor, Deccan International, at \$323,318.69; using the State of Arizona cooperative contract with Dell Computers, at \$5,496.64; and project contingency, at \$65,763.07. The combined total award is \$394,578.40. This purchase is funded by the Center for Medicare and Medicaid Services – CMS Grant.

- *3-f. Two-Year Term Contract for a Hosted Triage Software Solution for the Fire and Medical Department. **(Citywide)**

Telehealth triage is a new and an effective process for directing patients to the appropriate level of health care. Under its Centers for Medicare Innovation Award, the Community Care program utilizes a registered nurse in the 911 Dispatch Center as part of the Telehealth service within the 911 system. The nurse is charged with triaging low level calls, and providing either advice, or dispatching the appropriate fire and/or medical service, to the caller's home. This purchase will provide a vendor-hosted software solution that will support the Telehealth Triage program.

The evaluation committee recommends awarding a two-year contract to the highest-scored proposal from LVM Systems, Inc., at \$77,947 in the first year, and \$8,509 in the second year, based on estimated requirements. This purchase is funded by the Medicare and Medicaid Services – CMS Grant.

- *3-g. Purchase of a Replacement Vendor-Hosted Information Technology Services Management (ITSM) System for the Information Technology Department. **(Citywide)**

The Information Technology Department (ITD) is seeking a replacement for their existing obsolete ITSM system that will include Help Desk ticketing, a streamlined user portal for add/change request fulfillment, incident management, asset management, change management, configuration management and service level tracking. This user portal can provide "one stop shopping" for user across the City to request IT services. This system will be a robust, resilient, and scalable vendor-hosted solution that uses current technology and leverages industry best practices.

The Information Technology Department and Purchasing recommend authorizing the purchase using the State of Arizona cooperative contract with SHI International, at \$306,705.70, plus a project contingency, at \$43,294.30, for the first-year total of \$350,000; and years 2 through 5, at \$36,000 annually, for on-going maintenance and support.

- *3-h. Purchase of Hardware and Software for the City's Annual Server/Storage Lifecycle Replacement Program. **(Citywide)**

This purchase leverages the latest technology to keep pace as more of the City's applications move into cloud environments and it takes into account the plans to move into a new datacenter by consolidating server and storage resources.

The Information Technology Department and Purchasing recommend authorizing the purchase using the U.S. Communities cooperative contract with Insight Public Sector, Inc., at \$519,432.58, plus a 10% project contingency, at \$51,000, for the combined total award of \$570,432.58. This purchase is in FY 2017's replacement program with funding available in Information Technology's Lifecycle Roadmap.

- *3-i. Purchase of Server/Storage Hardware for the City's IT Cyber-Security Auditing System for the Information Technology Department. **(Citywide)**

This purchase will provide the supporting server/storage hardware to enhance the cyber-security protection for the City's computer network. A separate agreement is being finalized to update the City's licensing of the software used.

The City has been using this system to collect, monitor and audit security event data to detect unauthorized access and changes. It provides daily reports and dashboards that are useful to the IT Security Team; the data they need to perform audits, respond to incidents and handle security investigation requests. ITD will expand the use of the system throughout the enterprise to help build the framework for a security intelligence platform capable of identifying known and unknown threats in real-time, while greatly reducing overall security exposure and response times.

The Information Technology Department and Purchasing recommend authorizing the purchase using the State of Arizona cooperative contracts with vendors: CDWG, at \$27,107.75; and EMC Corporation, at \$73,727.16; for a combined total award of \$100,834.91.

- *3-j. Purchase of Equipment and Hosting Fees for the City's Data Center Relocation Project for the Information Technology Department. **(Citywide)**

This purchase will provide a local, commercial data center (AT&T) that is within the City limits and will use Mesa's fiber optic infrastructure. Over a one-year period, AT&T will become the City's primary data center, moving from the Information Technology (IT) building that is currently located at 59 East First Street, and in need of significant upgrades. Additional benefits include: redundant power; heating and cooling; removal of single points of failure; 24/7 monitoring and dedicated security staff; ability to reuse the City's IT building for other purposes; reduced power usage (greener computing); flexibility to expand or contract with demand; and easier access to a wide variety of internet service providers.

The Information Technology Department and Purchasing recommend authorizing purchases using sole source and cooperative contracts, and competitive quoted and lowest bid pricing; with AT&T, at \$321,815.45; Sentinel Technologies, at \$176,876.56; U.S. Critical, at \$15,870.62; Zayo Group, at \$70,272.60; and project contingency, at \$58,483.52. The combined total award is \$643,318.75.

- *3-k. One-Year Renewal of the Term Contract for Heavy Equipment Rental for the Transportation Department. **(Citywide)**

This contract provides multiple vendors for the rental of a variety of heavy equipment available with and without an operator on an as-needed basis. This equipment will be

used for storm drain system maintenance, right-of-way maintenance and road hazard responses.

The Transportation Department 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; cumulatively not to exceed \$200,000 annually, based on estimated requirements.

- *3-l. Arterial Street Reconstructions/Traffic Signal Projects – University Drive (Sossaman Road to 88th Street), Signal Butte Road (Southern Avenue to Weir Avenue), Southern Avenue (58th Place to Power Road). **(Districts 5 and 6)**

This project will replace the deteriorated asphalt pavement with new asphalt pavement that includes a polymer modified asphalt surface course improvement, expansion to the existing curbs and sidewalks, street lighting, Intelligent Transportation System infrastructure and waterline infrastructure. The intersection of University Drive and Sossaman Road will be widened to increase roadway capacity. Repairs will be made to existing sewer manholes that are in need of rehabilitation, and a traffic signal will be installed at Signal Butte and Emelita Avenue/Grove Street.

Staff recommends awarding the project contract to the lowest, responsible bidder, Nesbitt Contracting Co., Inc., in the amount of \$6,197,149, and authorize a change order allowance in the amount of \$619,715 (10%), for a total authorized amount of \$6,816,864. Funding is made available through the FY 13/14 Streets Bond Program, Local Streets Sales Tax, FY 14/15 Water Bond Program and Wastewater Reserve, and the Extension and Replacement Fund Program.

- *3-m. Signal Butte Water Treatment Plant Construction Manager at Risk Construction Services Contract (GMP 1). **(District 6)**

The demand for potable water has been increasing due to new development in southeast Mesa. Current water demand projections require increasing the City's treatment capacity by 24 million gallons per day. In 2014, the Mesa voters approved a Water Bond Program that included construction of the Signal Butte Water Treatment Plant. The preconstruction services construction manager at risk contract was awarded to Sundt Construction for this project in March 2016.

Staff recommends awarding the Construction Manager at Risk Construction Services Contract for the first phase of construction to Sundt Construction in the amount of \$35,008,509 (GMP No. 1) and authorize a change order allowance for this phase of the project in the amount of \$1,050,255 (3%) for a total authorized amount of \$36,058,764. This project is funded by the 2014 authorized Water Bonds.

- *3-n. Brown Road Water Treatment Plant (BRWTP) Improvements Project. **(District 5)**

This project includes the installation of hydraulic pressure surge mitigation devices and equipment at the BRWTP for the protection of the existing Desert Sage and Desert Wells water distribution piping and equipment from damage. The project includes the installation of a 20,000 gallon hydropneumatic tank on the discharge of the Desert Sage High Pressure Pump Station, located at the BRWTP. The hydropneumatic tank will

provide an air cushion to dissipate high pressure surges in the Desert Sage pressure zone.

Staff recommends awarding the project contract to the lowest, responsible bidder, AJ Roberts Industrial, Inc., in the amount of \$2,742,329.96, and authorize a change order allowance in the amount of \$274,233 (10%), for a total authorized amount of \$3,016,562.96. This project is funded by the 2010 authorized Water Bonds.

- *3-o. Quarter Section Residential Street Overlays – Asphalt Only (in the vicinity of Lindsay and Baseline Roads). **(District 3)**

The existing pavement in this residential area has fallen below the Pavement Condition Index (PCI) limits of normal maintenance and repair. The concrete ramps, driveways, and sidewalks have been retrofitted, or replaced, to meet current American Disability Act (ADA) standards.

Staff recommends awarding the project contract to the lowest, responsible bidder, Nesbitt Contracting Co. Inc., in the amount of \$1,022,540, and authorize a change order allowance in the amount of \$102,254 (10%), for a total authorized amount of \$1,124,794. Funding is available from the Local Streets Sales Tax.

- *3-p. Arterial Reconstruction Project – University Drive (22nd Place to Val Vista Drive). **(Districts 1 and 2)**

The asphalt pavement on University Drive from 22nd Place to Val Vista Drive is nearing the end of its life cycle and is in need of replacement. This project will replace the deteriorated asphalt pavement with new surface and base courses of polymer modified asphalt pavement over the existing aggregate base course.

Staff recommends awarding the project contract to the lowest, responsible bidder, Combs Construction Co., Inc., in the amount of \$1,823,120, and authorize a change order allowance in the amount of \$182,312 (10%), for a total authorized amount of \$2,005,432. Funding is available in 2013 authorized Street Bonds.

- *3-q. Main Street Wastewater Improvements – Mesa Drive to Gilbert Road. **(District 4)**

The approved Design and Construction Agreement with Valley Metro includes a process for the City to add City-funded improvements to the Gilbert Road Light Rail Extension (GRE) project. These improvements are referred to as Concurrent Non-Project Activities (CNPA). This CNPA request is for wastewater improvements that fall into two specific activities: cured-in-place resin lining and new wastewater main pipeline. The cured-in-place resin lining will be installed on approximately 5,400 feet of existing wastewater main pipes that are aging. Approximately 3,300 feet of new wastewater pipe and the accompanying services are proposed to be replaced on Main Street between Horne and Stapley Drive.

Staff recommends the approval of funding the wastewater improvements located throughout the GRE project. The total amount of the proposed improvements is \$1,690,116. This project is funded by 2014 authorized Wastewater Bonds.

- *3-r. Mesa Fire and Medical Regional Dispatch Center and Emergency Operations Center (GMP No. 2). **(District 3)**

The Mesa Fire and Medical Regional Dispatch Center and Emergency Operations Center (EOC) located at 708 West Baseline Road is a 14.5 acre site with existing facilities. Proposed improvements consist of renovating approximately 9,800 square feet of floor space. GMP No. 1 was approved on June 20, 2016, to allow phase one construction to begin. GMP No. 2 is required to complete construction of the new dispatch area, EOC, training rooms, computer room and tenant improvements.

Staff recommends awarding the project contract to CORE Construction, in the amount of \$3,659,737 (Guaranteed Maximum Price No. 2), and authorize a change order allowance in the amount of \$165,000, for a total authorized amount of \$3,824,737. Funding is available from the 2008 and 2013 authorized Public Safety Bonds.

4. Take action on the following resolutions:

- *4-a. Extinguishing portions of a vehicular non-access easement at 8402 East Southern Avenue. **(District 5)** – Resolution No. 10824.

The property owner has requested the City extinguish portions of a 1-foot vehicular non-access easement at 8402 East Southern Avenue to accommodate the development of a Dollar General retail store.

- *4-b. Extinguishing a 20-foot Public Utility Easement at 1239 South Crismon Road. **(District 6)** – Resolution No. 10825.

The property owner has requested the City extinguish a Public Utility Easement that will conflict with the development of a Culver's restaurant.

- *4-c. Approving and authorizing the City Manager to enter into an Airport Improvement Program Grant Agreement with the Federal Aviation Administration (FAA) to construct re-alignment of Taxiway C and Runway 4R Run Up Area at Falcon Field Airport. The total estimated cost of the project is \$2,179,800, with the FAA paying 91.06% (\$1,984,926). Funding for the remaining 8.94% (\$194,874) is the responsibility of the City. The City will seek to obtain a matching grant from the Arizona Department of Transportation in the amount of 4.47% (\$97,437), and if obtained, the City will pay the remaining 4.47% (\$97,437) with funds from the Falcon Field Airport Enterprise Fund. **(District 5)** – Resolution No. 10826.

- *4-d. Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with the Phoenix Mesa Gateway Airport Authority for the sharing of information technology and other related services. **(District 6)** – Resolution No. 10827.

- *4-e. Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with the Drug Enforcement Administration Phoenix Field Division for the sharing of radio communications sites and facilities. **(Citywide)** – Resolution No. 10828.

- 4-f. See: **Items not on the Consent Agenda.**

- *4-g. Approving and authorizing the City Manager to enter into a long-term Parking Agreement with Alhambra Mesa, LLC, at 43 South Macdonald for the redevelopment of the historic Alhambra Hotel into student housing. **(District 4)** – Resolution No. 10829.

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

- *5-a. Adding Chapter 14, "Employment Opportunity District", to Title 11 of the Mesa Zoning Ordinance and amending sections of the Mesa Zoning Ordinance to enable the use and administration of the Employment Opportunity District. **(Citywide)** – Ordinance No. 5340.

Staff Recommendation: Approval

P&Z Board Recommendation: Approval with Conditions (Vote: 4-0)

- *5-b. Amending Table 1 in Title 5, Chapter 17 of the Mesa City Code, entitled Mesa Development Impact Fees, by removing the Parks Impact Fee from the table, which was discontinued on June 3, 2016, and reducing the total impact fee amount in the table. **(Citywide)** – Ordinance No. 5341.

- *5-c. **Z16-024 (District 6)** 5253 South Saranac. Located south of Ray Road and east of Power Road (3.26± acres). Rezoning from LI and LC to LI-AF-BIZ overlay; and Site Plan Review. This request will allow for development of an office building. John C. Manross, Design Professionals, LLC, applicant; Granite Field Investments, LLC, owner. – Ordinance No. 5342.

Staff Recommendation: Approval with Conditions

P&Z Board Recommendation: Approval with Conditions (Vote: 4-0)

- *5-d. **Z16-026 (District 6)** 6400 to 6500 blocks of South Mountain Road. Located north of Pecos Road and west of Mountain Road (5.82± acres). Rezoning from GI-AF-CUP to HI-AF. This request will allow hazardous material usage on the portion of the property associated with the existing Fujifilm Electronic Materials facility located at 6550 South Mountain Road. Brian Johns, Associated Architects, applicant; Fujifilm Electronic Materials, owner. – Ordinance No. 5343.

Staff Recommendation: Approval with Conditions

P&Z Board Recommendation: Approval with Conditions (Vote: 4-0)

6. Discuss, receive public comment, and take action on the following ordinance and resolution relating to the property located in the 9000 block of East Brown Road:

- *6-a. **Z16-027 (District 5)** 9000 block of East Brown Road (north side). Located west of Ellsworth Road on the north side of Brown Road (9.5± acres). Rezoning from LC (6± acres) and RS-43 (3.5± acres) to RM-2-PAD; and Site Plan Review and a Special Use Permit. This request will allow development of a transitional senior living facility. Wendy Riddell, Esq., Berry Riddell LLC, applicant; Ben Fatto, LLC, owner. – Ordinance No. 5344.

Staff Recommendation: Approval with conditions

P&Z Board Recommendation: Approval with Conditions (Vote: 4-0)

- *6-b. A resolution approving and authorizing the City Manager to enter into a Development Agreement with BOA Sorte Limited Partnership, Viel Gluck Limited Partnership and Ben Fatto Limited Partnership to facilitate the development of a senior living facility located in the 9000 block of East Brown Road, on the north side of Brown Road, west of Ellsworth Road. **(District 5)** – Resolution No. 10830.

Items not on the Consent Agenda

- 4-f. Approving and authorizing the City Manager to enter into a Memorandum of Understanding (MOU) with Chicanos Por La Causa, Inc., for a mixed-use, transit-oriented development of approximately 2.5 acres on the northwest corner of Country Club Drive and Main Street. **(District 4)** – Resolution No. 10831.

Mayor Giles stated that he received a number of speaker cards from individuals wishing to discuss the item.

Derek Brosemann, a Mesa resident, expressed his opposition relative to the MOU with Chicanos Por La Causa, Inc. (CPLC) and read an excerpt of the Mesa General Plan 2040. He reported that the City's statistics show that Emerson Elementary School has the largest percentage of multi-family homes averaging 73% whereas the City's average is 43%. He added that for that reason alone he would oppose the development. He noted that CPLC has done great work for the community but he opposes the development of an apartment complex and would rather see home ownership projects for the area.

Robert Scantlebury, a Mesa resident, commented on the two adjoining businesses across from El Rancho del Arte apartments that were demolished. He added that the City does not have the infrastructure or personnel to support the level of service that is required to manage large high-density complexes (i.e., landscaping/maintenance).

Heather Scantlebury, a Mesa resident, also spoke in opposition to the transit oriented concept and referred Council to an email she sent that details her opposition to the development.

Mayor Giles commented that good points were raised tonight and that he appreciates the community's response. He stated that for this reason, the City went through the process of having outreach meetings, which were well attended. He indicated his support in moving forward with the MOU and that he has high expectations for the project, which will set the tone for future downtown projects. He explained that the MOU would allow for CPLC to negotiate with the other property owners.

Councilmember Finter stated his appreciation for the speaker's feedback. He noted that the Council has been preparing for transit-oriented development over the last several years (i.e., preparing the Main Street corridor). He stated that there is a separation between what we hope to get along the transit corridor versus how we want to see the neighborhood progress. He concurred that there is a need for resources to assist the police department with the challenges relative to the apartment complex. He stated his support to approve the MOU and indicated that he still has a lot of questions but does not mind starting the process.

Councilmember Richins stated that about 10 years ago, the City started an effort called "the West Main Plan" which focused on the light rail coming to Mesa. He also noted that the Central Main Plan and the Form Based Code (FBC) all received participation from the community. He explained that the FBC allows for the City to engage with a developer in a way that allows them to have the certainty when they propose very expensive large scale projects, which allows for

orderly development in downtown. He explained that the City has been working on this plan for quite a while and today CPLC is proposing a project that meets the criteria of transit development for downtown.

It was moved by Vice Mayor Kavanaugh, seconded by Councilmember Luna, that Resolution No. 10831 be approved.

Carried unanimously.

7. Items from citizens present.

Rosa Triana, a Mesa resident, shared her concerns relative to the Mesa Royale community. She urged Council to find alternative methods to help the families. She stated that she has lived in the community for a long time and has paid her rent and taxes. She added that she understands that the City wants to open the area for new businesses and beautify the area for the light rail; but that it does not justify moving families from the community. She added that the City could assist the residents in receiving compensation from the owner when the property sells in September but that Council has chosen not to help. She noted that they have human rights and that the families are working people that do not have the means to move out and potentially cause them to be homeless.

Jesus Lopez, a Mesa resident, asked Council to find alternative resources to help the Mesa Royale families.

Councilmember Richins requested that staff add the matter relative to the Mesa Royale community to a future Council agenda. He stated that Council should have an opportunity to have a dialog with the Mesa Royale community and residents in an effort to respond to their questions and concerns.

8. Adjournment.

Without objection, the Regular Council Meeting adjourned at 6:16 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 11th day of July, 2016. 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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