



City of Mesa

*Council Chambers
57 E. First Street*

City Council Meeting Agenda - Final

Monday, April 18, 2016

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 AzRelay 7-1-1 at least 48 hours in advance of the meeting.

Si necesita asistencia o traducción en español, favor de llamar al menos 48 horas antes de la reunión al 480-644-2767.

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 John Giles

Vice Mayor Dennis Kavanaugh - District 3

Councilmember Dave Richins - District 1

Councilmember Alex Finter - District 2

Councilmember Chris Glover - District 4

Councilmember David Luna - District 5

Councilmember Kevin Thompson - District 6

Mayor's Welcome

Roll Call

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

Invocation by Mrs. Lucia Anderson with the Family Federation for World Peace and Unification.

Pledge of Allegiance

Awards, Recognitions and Announcements

1 Take action on all consent agenda items.

Items on the Consent Agenda

***2** [16-0440](#) Approval of minutes of previous meetings as written.

3 Take action on the following liquor license applications:

***3-a** [16-0429](#) Arizona Sports and Entertainment Commission

This is a one-day charitable event to be held on Saturday, May 14, 2016 from 12:00 P.M. to 10:00 P.M., at 2202 West Rio Salado Parkway **(District 1)**

***3-b** [16-0430](#) Mr. J's Market

A convenience store is requesting a new Series 10 Beer and Wine Store License for Bhowmick LLC, 559 North Country Club Drive - Suprio Kumar Bhowmick, agent. The existing license held by TK66 LLC will revert back to the State. **(District 1)**

4 Take action on the following off track betting license application:

***4-a** [16-0445](#) Turf Paradise, TP Racing LLLP

New Off Track Betting License for Turf Paradise, TP Racing LLLP to telecast at Dos Gringos, located at 1958 South Greenfield Road, DG Baseline LLC. Applicant: Vincent Acri Francia. **(District 2)**

5 Take action on the following contracts:

- *5-a** **16-0389** Purchase of Subscription Licenses for the Citywide Upgrade of IT Desktop Systems Administration Software as requested by the Information Technology Department (**Citywide**)

System Center Configuration Manager (SCCM) is a systems management software product developed by Microsoft for managing large groups of computers. Configuration Manager provides remote control, patch management, software distribution, operating system deployment, network access protection and hardware and software inventory. ITD uses it to manage approximately 4,125 computing devices in the City's fleet. The new version of SCCM brings enhanced management tools, modern scripting capabilities, more capable administrative control, and contains tools that will allow Mesa to deploy and manage Windows 10 and future operating system upgrades. In addition, the subscription model will give the City rights to upgrade and use future versions of SCCM as they are released.

The Information Technology Department and Purchasing recommend authorizing the purchase using the State of Arizona Western States Contracting Alliance cooperative contract with SHI International, at \$105,237.

- *5-b** **16-0424** Three-Year Term Contract for Private Security Officer Services for Various City Facilities (**Citywide**)

The contract will provide security officer services for the following City facilities: the Mesa Arts Center, the Arizona Museum of Natural History, the Main Library, the downtown Customer Service Center and the East Mesa Customer Service Center. In addition, this agreement also provides a security officer for mobile patrol for the Mesa City Plaza building as well as an Account Manager. All work performed will fall under the category of general security service, but hours and duties will vary according to site.

A protest was received from Weiser Security Services, Inc. The Protest Officer reviewed the issues raised and denied the protest. As allowed by the Procurement Rules, Weiser filed an appeal of the Protest Officer's decision. The City Manager's Office reviewed the appeal and denied the appeal.

The evaluation committee recommends awarding a three-year contract to the highest scored proposal from Trident Security Services, Inc., at \$700,000 annually, based on estimated requirements.

- *5-c** **16-0411** Dollar-Limit Increase to the Service Agreement for Hardware Maintenance and Toner of Three Production Printers for the Business Services Department **(Citywide)**

This contract provides parts and toner for two black and white production printers and one color production printer for the City's Print Shop. In June 2015, the multiple-quoted contract was put in place while Print Services finished an extensive review of their services and operations. Print Services is finalizing leases for new machines, which should be coming to Council in an upcoming meeting. The increase is a bridge until the new machines can be approved and delivered.

The Business Services Department and Purchasing recommend authorizing a dollar-limit increase of \$15,000 with Pacific Office Automation, increasing the contract amount from \$23,122 to \$38,122 for the contract term through June 30, 2016.

- *5-d** **16-0425** Three-Year Term Contract for Clay, Glaze and Miscellaneous Materials for the Arts & Culture Department (Single Bid) **(Citywide)**

This contract will provide different types of clay, glaze and materials for the Mesa Arts Center Ceramics Studio for multiple classes and workshops for the public and students.

The Arts & Culture Department and Purchasing recommend awarding a three-year contract to the single responsive and responsible bidder, Marjon Ceramics, Inc., at \$35,000 annually, based on estimated requirements.

- *5-e** **16-0390** Three-Year Term Contract for Window Cleaning Services for Citywide Buildings as Requested by the Parks, Recreation and Community Facilities Department **(Citywide)**

This contract will provide window cleaning services, which include interior, exterior, panes, frames and the attaching/supported hardware. The contract includes services to clean entrance doors and pressure washing on an as-requested basis including the Mesa Arts Center canopy sails.

The evaluation committee recommends awarding the contract to the highest scored proposal from Imperial Window Cleaning, Inc., at \$89,535 annually, based on estimated requirements.

***5-f 16-0433** Three-Year Term Contract for Larvicide Mosquito Control Chemicals for the Parks, Recreation and Community Facilities Department (Single Bid) **(Citywide)**

This contract will provide chemicals, as specified, to be used to treat standing water for mosquito control at the larva stage. The bid notice went to over 560 registrants. The solicitation allowed "or equivalent" products; two No-Bid responses were received and both indicated that they could not provide an equivalent product.

The Parks, Recreation and Community Facilities Department and Purchasing recommend awarding the contract to the single, responsive and responsible bidder, Clarke Mosquito Control Products, Inc., at \$107,000 annually, based on estimated requirements.

***5-g 16-0416** Three-Year Term Contract for Aquatic Maintenance Repair Parts for the Parks, Recreation and Community Facilities Department **(Citywide)**

The City's Aquatics Maintenance Division maintains eleven aquatic facilities including Brimhall, Carson, Fremont, Kino, Mesa, Rhodes, Shepherd, Skyline, Stapley, Riverview Park and Eastmark. This contract will provide various aquatic maintenance repair parts including gas chlorine monitors, gas chlorine regulators, automated chemical controllers, water-play equipment, water-play programmable logic controllers and other various items.

The Parks, Recreation and Community Facilities Department and Purchasing recommend awarding a three-year contract to the lowest, responsive and responsible bidders: Aquatic Environmental Systems, Inc.; and Play It Safe Playgrounds & Park Equipment, Inc.; cumulatively not to exceed \$30,000 annually, based on estimated requirements.

***5-h 16-0414** Purchase of a Community Care Emergency Medical Records (EMR) System for the Mesa Fire and Medical Department **(Citywide)**

This purchase will provide a two-year subscription to a comprehensive, integrated, enterprise-level emergency medical record system for the Community Care units in the Mesa Fire and Medical Department. The system will allow the Community Care units to maintain medical record history for their patients. The subscription includes system software, configuration, implementation and conversion services, and product training and support.

The evaluation committee recommends authorizing the purchase of a two-year subscription and implementation services to the highest scored proposal from Starwest Associates, at \$206,765.44. This purchase is funded by the Center for Medicare and Medicaid Services - CMS Grant.

***5-i [16-0413](#) Three-Year Term Contract for Advanced Traffic Controllers and Software for the Transportation Department (**Citywide**)**

This purchase will provide Linux-based Advanced Traffic Controllers with a newer controller standard, replacing what the City has used for over 20 years. This purchase will also provide D4 controller firmware and has advanced light rail transit features absent in other software options. Initially, this equipment will be deployed at signalized-intersections in the light rail corridor to take advantage of the advanced feature and then will likely expand to other signalized locations throughout the City.

The Transportation Department and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidders: Clark Electric Sales, Inc., dba Clark Transportation Solutions; and Advanced Traffic Solutions, LLC, dba Fourth Dimension Traffic, cumulatively not to exceed \$120,000 annually, based on estimated requirements.

***5-j [16-0391](#) Renewal of the Term Contract for Large Gas Meters for the Materials and Supply Warehouse (for the Energy Resources Department) (Single Bid) (**Citywide**)**

This contract provides large capacity rotary gas meters for new construction, maintenance and repair of existing utilities. These are commercial meters used to monitor volume of customer gas usage for billing purposes on high-demand services. The meters comply with national and industry standards.

The Business Services, and Energy Resources Departments, and Purchasing recommend authorizing a one-year renewal with Tri-Pacific Supply, Inc., at \$275,000 annually, based on estimated requirements.

***5-k [16-0412](#) Purchase of DNA Mixture Interpretation Software for the Police Department (Sole Source) (**Citywide**)**

This purchase is for Mesa Police Department's Forensic Services Division. Evidence from investigations frequently contain low-levels of DNA and mixtures of DNA from two or more individuals. These mixtures are currently being de-convoluted using manual mathematical calculations. The purchase of the software will result in very complex mixtures becoming resolvable or mixtures that are currently de-convoluted using time consuming manual calculations be resolved more efficiently.

The Police Department and Purchasing recommend authorizing the purchase from the sole source vendor, NicheVision Forensics, LLC, at \$86,169.60. This purchase is grant funded by the National Institute of Justice.

***5-I 16-0435 Three-Year Term Contract for Protective Equipment for the Police Department (Citywide)**

The Police Department provides training for a unified law enforcement and medical response to an active shooter situation. In an effort to provide realistic and effective interactive training, force-on-force marking cartridges are used during scenarios. Risk of injury to students and actors during this training is mitigated by using proper protective equipment including protective pants, throat collars, vests and helmets.

The Police Department and Purchasing recommend awarding a three-year contract to the lowest, responsive and responsible bidder, San Diego Police Equipment Company, at \$50,000 annually, based on estimated requirements. The initial purchase amount of \$20,578.80 is funded by Homeland Security Grant Funds. After the initial purchase, the annual contract will be funded by the Police Department's operating budget.

***5-m 16-0432 Purchase of One Replacement Gas Chromatograph Mass Spectrometer/Flame Ionization Detector for the Police Department (Citywide)**

This purchase is for the Forensic Services Toxicology Unit and will provide one Agilent Headspace Gas Chromatograph Mass Spectrometer/Flame Ionization Detector (GCMS/FID) and computer software for the Toxicology Unit to detect drugs in blood and urine. The GCMS/FID has the capability for full range of testing related to any blood evidence submitted to the lab that may contain volatile substances as listed in Arizona Revised Statutes. The instrument allows testing for more substances than the City's current equipment can identify.

The Police Department and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder, Agilent Technologies, Inc., at \$169,860.85. This purchase is funded by the Governor's Office of Highway Safety Grant Program (\$84,500), the DUI Abatement Grant Program (\$84,500) and the Police Department operating budget (\$860.85).

- *5-n [16-0431](#)** Purchase for the Conversion of an Existing DUI Van to a Hostage Negotiations Van for the Police Department **(Citywide)**

The Police Department requested that Fleet Services convert their old DUI command van into a new hostage negotiations van. Up-fitting the van will allow expanded phone capability and a dedicated quiet room to be used for important hostage negotiations. The current vehicle is old, small and not equipped to support the job requirements of today. The purchase of a new fully dedicated hostage negotiations van would cost approximately \$185,000.

The Fleet Services and Police Departments, and Purchasing recommend authorizing the purchase using the State of Arizona cooperative contract with Quality Vans & Specialty Vans, at \$65,000. This purchase will be funded by Asset Forfeiture RICO funds.

- *5-o [16-0427](#)** One-Year Term Contract for Gas Data Loggers for Wastewater Collections and Wastewater Treatment Plants as Requested by the Water Resources Department (Sole Source) **(Citywide)**

This contract will provide gas data loggers used to monitor hydrogen sulfide gas in the wastewater collection system and odor control at the wastewater treatment plants. The City currently utilizes about 30 OdaLog devices and they need to be rotated out every six months. This contract will allow the Water Resources Department to purchase spares to rotate out the current devices.

The Water Resources Department and Purchasing recommend awarding the contract to the sole source vendor, Detection Instruments Corporation, at \$50,000, based on estimated requirements.

- *5-p [16-0428](#)** Purchase of Spare Headworks Washer Compactor System for the Greenfield Water Reclamation Plant for the Water Resources Department (Sole Source) **(Citywide)**

This purchase will provide a spare headworks washer unit for the Greenfield Water Reclamation Plant. The headworks washer reduces pollutants in the initial state of the wastewater treatment process. The spare unit will allow for a quick change out in the event of damage to or failure of the unit in operation and provide the necessary time needed to obtain replacement parts.

The Water Resources Department and Purchasing recommend authorizing an additional purchase with the sole source vendor, Huber Technology, Inc., at \$34,175.

- *5-q** **16-0426** Three-Year Term Contract for Bronze Water Service Valves, Fittings, Fire Hydrants and Repair Parts for the Materials and Supply Warehouse (for the Water Resources Department) **(Citywide)**

This contract will provide a variety of valves, fittings, fire hydrants and repair parts stocked in the Materials and Supply Warehouse for use by Water Resources for the maintenance of the City's water distribution system and City-owned fire hydrants.

The Business Services and Water Resources Departments, and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidders, Ferguson Enterprises Inc., dba Ferguson Waterworks; HD Supply Waterworks, Ltd.; Dana Kepner Co.; and Fullerform Systems Inc.; cumulatively not to exceed \$651,000 annually, based on estimated requirements.

- *5-r** **16-0439** Term Contract for Replacement Influent Pump Discharge Valve Actuators for the Water Resources Department (Sole Source) **(Citywide)**

This contract will provide actuators in various sizes for the City's wastewater treatment facilities' influent pump stations. Water Resources has been replacing existing actuators with Rotork actuators; there are approximately 70 Rotork actuators in use. The City has standardized with Rotork actuators throughout the City's water reclamation plants (Northwest, Southeast and Greenfield) as this provides for a common operation for our operators, lower spare parts inventory and plant operators and maintenance crews are familiar with these actuators.

The Water Resources Department and Purchasing recommend authorizing a one-year term contract with the sole source vendor, MISCO Water, at \$75,000 annually, based on estimated requirements.

- *5-s** **16-0401** Greenfield Park Improvements Project **(District 2)**

On November 6, 2012, Mesa voters approved a Parks Bond Program. The Greenfield Park Urban Fishing Lake and playground renovation was included in this bond program as part of the Park Renovation and Enhancement Projects focus area.

Staff recommends awarding Hunter Contracting Company as the Construction Manager at Risk for this project with Pre-Construction Services contract in the amount of \$33,964.93. This project is funded by the 2012 authorized Parks Bond.

***5-t 16-0434 Desert Well No. 18 Equipping Project (District 6)**

Desert Well No. 18 was originally drilled in 2008 but was not equipped due to the drop-off in water demand. New development in southeast Mesa has increased water demand, and Desert Well No. 18 equipping is now required to meet this demand. The project includes installation of the necessary pump, piping, electrical, chlorination equipment and other site improvements to make this well operational.

Staff recommends awarding the contract for this project to the lowest, responsible bidder, Garney Companies, Inc., in the amount of \$1,099,700, with a change order allowance of \$109,970, for a total authorized amount of \$1,209,670. Funding is available through the 2014 authorized Water System Revenue Bond.

***5-u 16-0436 Horne Drainage Improvements Project Construction Manager at Risk
Guaranteed Maximum Price (GMP) No.1 (District 4)**

A new drainage basin is proposed to be constructed on the southeast corner of Horne and 9th Avenue with surrounding drainage infrastructure for GMP 1. This will make significant improvements to the drainage infrastructure on Horne and the adjacent neighborhood.

Staff recommends that Council award a contract for this project to CSW Contractors, Inc., in the amount of \$938,914.32 (GMP 1), and authorize a change order allowance in the amount of \$93,891.43; a total authorized amount of \$1,032,805.75. Funding is available from the Local Street Sales Tax and from the Flood Control District of Maricopa County through the Small Project Assistance Program.

6 Take action on the following resolutions:

***6-a 16-0376 Authorizing and supporting the submittal of a grant application by the City of Mesa Parks, Recreation and Community Facilities Department to the Fort McDowell Yavapai Nation in the amount of \$10,000.00 to expand the Making Waves Aquatic Scholarship Program, and approving the City Manager to accept and administer subsequent awarded funds. (Citywide)**

***6-b 16-0377 Authorizing and supporting the submittal of a grant application by the City of Mesa Police Department's Victim Services Unit to the Fort McDowell Yavapai Nation in the amount of \$5,000.00 to provide emergency shelter for victims and children, and approving the City Manager to accept and administer subsequent awarded funds. (Citywide)**

- *6-c** [16-0375](#) Authorizing and supporting the submittal of a grant application by Visit Mesa to the Fort McDowell Yavapai Nation in the amount of \$62,000.00 to support sales and marketing to promote tourism for the area, and approving the City Manager to accept and administer subsequent awarded funds as a pass-through grant. **(Citywide)**
- *6-d** [16-0378](#) Authorizing and supporting the submittal of a grant application by Child Crisis Arizona to the Fort McDowell Yavapai Nation in the amount of \$20,000.00 to support their Children's Emergency Shelter program, and approving the City Manager to accept and administer subsequent awarded funds as a pass-through grant. **(Citywide)**
- *6-e** [16-0379](#) Authorizing and supporting the submittal of a grant application by Boy Scouts of America, Grand Canyon Council, to the Fort McDowell Yavapai Nation in the amount of \$15,000.00 to expand their Outreach Initiative, and approving the City Manager to accept and administer subsequent awarded funds as a pass-through grant. **(Citywide)**
- *6-f** [16-0380](#) Authorizing and supporting the submittal of a grant application by Arizonans for Children to the Fort McDowell Yavapai Nation in the amount of \$20,000.00 to support their Mesa Visitation Center operations, and approving the City Manager to accept and administer subsequent awarded funds as a pass-through grant. **(Citywide)**
- *6-g** [16-0381](#) Authorizing and supporting the submittal of a grant application by A New Leaf to the Fort McDowell Yavapai Nation in the amount of \$10,000.00 to provide Homeless and Domestic Violence Shelter services, and approving the City Manager to accept and administer subsequent awarded funds as a pass-through grant. **(Citywide)**
- *6-h** [16-0382](#) Authorizing and supporting the submittal of a grant application by Mesa Public Schools to the Fort McDowell Yavapai Nation in the amount of \$113,540.00 to support their Services for Native American Student Success program, and approving the City Manager to accept and administer subsequent awarded funds as a pass-through grant. **(Citywide)**
- *6-i** [16-0405](#) Approving the purchase of, and authorizing the City Manager to enter contracts for, May through September and July through August supplies of 15 and 10 megawatts, respectively, of electric power and associated energy for periods from three (3) up to ten (10) years. **(Districts 1 and 4)**

- *6-j** **16-0419** Approving and authorizing the City Manager to enter into three separate Intergovernmental Agreements (IGAs) with the Flood Control District of Maricopa County for the construction, construction management, operation and maintenance of drainage improvements within the City. **(Districts 2 and 4)**

The three proposed IGAs are for the following projects: 1) 63rd Street and Broadway Road Project; 2) Extension Road and 2nd Avenue Project; and 3) Solomon Road and Southern Avenue Project.

The Flood Control District of Maricopa County will fund seventy-five percent of the project construction costs incurred for each project, up to a maximum contribution of \$250,000. The City will be responsible for funding the remainder of the costs at an estimated total of \$890,000.

- *6-k** **16-0420** Approving and authorizing the City Manager to enter into an Intergovernmental Agreement (IGA) with the Flood Control District of Maricopa County (FCDMC) for the purchase, installation and maintenance of automated warning stations. **(Citywide)**

The FCDMC currently maintains an Automated Local Evaluation in Real Time (ALERT) system throughout the County with 15 stations in Mesa. This IGA will expand the ALERT system by providing the City with 15 additional stations, which will allow for better response to flood hazards at identified areas. The City is responsible for the purchase of the 15 rain gauges, at \$124,862, and the FCDMC will be responsible for installation and operation and maintenance of the stations (including all associated costs) after the initial installation.

- *6-l** **16-0374** Calling the Primary Election for August 30, 2016; designating election dates; and providing the last date for candidates to file nomination papers. **(Citywide)**

- *6-m** **16-0415** Setting the date of May 16, 2016, at 5:45 P.M. as the date of the public hearing for the annual assessment for the Mesa Town Center Improvement District No. 228. **(District 4)**

For fiscal year 2016/17, the Town Center Improvement District will be assessing 546 parcels at a 3% increase, for a total of \$294,829.35.

7 Introduction of the following ordinances and setting May 2, 2016 as the date of the public hearing on these ordinances:

- *7-a [16-0408](#)** 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.

Staff Recommendation: Approval with conditions

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

- *7-b [16-0410](#)** 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.

Staff Recommendation: Approval with conditions

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

- *7-c [16-0409](#)** 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. Introduction of the Revised Ordinance.

Staff Recommendation: Approval with conditions

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

- *7-d [16-0407](#)** Z16-004 (**District 6**) 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.

Staff Recommendation: Approval with conditions

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

8 Take action on the following subdivision plat:

- *8-a** **16-0316** "The Villas at Sonoran Ridge" (**District 5**) The 7400 to 7600 blocks of East Southern Avenue (north side). Located at the northwest corner of Southern Avenue and Sossaman Road. 81 RSL-2.5 PAD PAD single residence lots (11.55± ac.). KB Home Phoenix, Inc., owner; Mary F. Kennedy, EPS Group, surveyor.

Continued from the April 4, 2016 City Council meeting.

Items not on the Consent Agenda**9 Discuss, receive public comment, and take action on this following ordinance:**

- 9-a** **16-0159** Z16-002 (**District 2**) 1728 South Greenfield Road. Located South of US Hwy 60 on the west side of Greenfield Road. Request for Council Use Permit. This request will allow installation of a multi-tenant Freeway Landmark Monument sign within the Greenfield Gateway commercial center. Charlie Gibson, applicant; Greenfield Gateway Retail Investments, LLC, owner.

Staff Recommendation: Approval with conditions

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

Continued from the April 4, 2016 City Council meeting.

10 Discuss, receive public comment, and take action on the following ordinance and resolution relating to the property located in the 7100 to 7200 blocks of East McDowell Road, on the northwest corner of McDowell Road and Ridgecrest:

- 10-a** **16-0308** Z15-044 (**District 5**) Ordinance. The 7100 and 7200 blocks of East McDowell Road (north side) Located east of Power Road on the north side of McDowell Road (14.3 acres). Rezone from PEP-PAD-PAD (7.53 ± acres) and LC-PAD-PAD (6.77 ± acres) to LC-BIZ-PAD and a Council Use Permit. This request will allow for the development of a transitional senior living facility (independent living, assisted living, memory care). Ralph Pew, Pew and Lake, applicant; JCA Holdings, LLC, owner.

Staff Recommendation: Denial

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

Continued from the April 4, 2016 City Council meeting.

- 10-b** [16-0385](#) A resolution approving and authorizing the City Manager to enter into an amendment to a development agreement concerning the property at the northwest corner of McDowell Road and Ridgecrest. The First Amendment is entered into with JCA Holdings, LLC, to allow the development of a senior living community as specified in Z15-044 and only on parcel number 219-19-007S.
(District 5)

Continued from the April 4, 2016 City Council meeting.

- 11 Items from citizens present. (Maximum of three speakers for three minutes per speaker).**
- 12 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))