



## COUNCIL MINUTES

May 8, 2017

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on May 8, 2017 at 5:45 p.m.

### COUNCIL PRESENT

John Giles  
Mark Freeman  
Christopher Glover  
David Luna  
Jeremy Whittaker  
Ryan Winkle\*

### COUNCIL ABSENT

Kevin Thompson

### OFFICERS PRESENT

Christopher Brady  
Dee Ann Mickelsen  
Jim Smith

(\*Councilmember Winkle participated in the meeting through the use of telephonic equipment.)

Mayor Giles excused Councilmember Thompson from the entire meeting.

Mayor's Welcome.

Invocation by Pastor Tim Thompson with Fountain of Life Christian Fellowship.

Pledge of Allegiance was led by Councilmember Freeman.

Awards, Recognitions and Announcements.

Pastor Linda Moeser and Director of For Our City presented the Mesa Awards to the following organizations:

- Trinity Church

Mayor Giles thanked Pastor Moeser and the award recipient for their contributions to the community.

### 1. Take action on all consent agenda items.

All items listed with an asterisk (\*) will be considered as a group by the City Council and will be enacted with one motion. There will be no separate discussion of these items unless a Councilmember or citizen requests, in which event the item will be removed from the consent agenda and considered as a separate item. If a citizen wants an item removed from the consent agenda, a blue card must be completed and given to the City Clerk prior to the Council's vote on the consent agenda.

It was moved by Vice Mayor Luna, seconded by Councilmember Freeman, that the consent agenda items be approved.

Mayor Giles declared the motion carried unanimously by those present.

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

Minutes from the March 30, April 3, 6, and 17 Council meetings.

3. Take action on the following liquor license applications:

\*3-a. American Legion Post 2

This is a one-day charitable event to be held on Saturday, May 20, 2017 from 11:00 a.m. to 6:00 p.m., at Desert Wind Harley Davidson, 922 South Country Club Drive. **(District 4)**

\*3-b. IL Forno Italian Restaurant

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for La Patagonia Restaurants of America LLC, 6606 East McKellips Road, Suite 104 – Jared Francisco Naumann, agent. The existing license held by IL Forno Italian Restaurant LLC will revert to the State. **(District 5)**

4. Take action on the following contracts:

\*4-a. One-Year Renewal Contract for Catering and Concession Services at the Mesa Convention Center for the Parks, Recreation and Community Facilities Department. (Citywide)

This contract provides a professional caterer to staff, manage, and operate food and beverage catering and concession services at the Mesa Convention Center (MCC).

The Parks, Recreation and Community Facilities Department and Purchasing recommend authorizing the renewal contract with Personal Touch Catering, Inc. This contract provides revenue to the City based on the contracted vendor's sales for food and beverage, catering and concession services for MCC clients.

\*4-b. One-Year Renewal Contract for Painting Services for City Projects as requested by the Parks, Recreation and Community Facilities Department. (Citywide)

This contract provides five qualified vendors with journeyman painters and painter's helpers, the tools, and transportation to perform painting and necessary surface preparation for various City projects as directed by the City. When the need for painting services arises, the qualified vendors competitively quote the work.

The Parks, Recreation and Community Facilities Department and Purchasing recommend authorizing the renewal contract with Diamond Ridge Development Corporation; Skyline Builders & Restoration, Inc.; East Valley Disaster Services, Inc. (a Mesa business); AO Painting, Inc.; and Ghaster Painting & Coatings, Inc.; cumulatively not to exceed \$950,000, based on estimated requirements.

- \*4-c. Purchase for Walkway Replacement Project for the Mesa Arts Center as requested by the Parks, Recreation and Community Facilities Department. **(District 4)**

This project will replace the delaminating decorative tile walkways in the northwest quadrant of the Mesa Arts Center campus with new tile.

The Parks, Recreation and Community Facilities and Arts and Culture Departments and Purchasing recommend authorizing the purchase using the State of Arizona cooperative contract and lowest-quoted vendor, Diversified Flooring Services, at \$71,434, including applicable construction sales tax.

- \*4-d. One-Year Renewal Contract for Heavy-Duty OEM Cab/Chassis Parts for the Fleet Services Department. **(Citywide)**

This contract provides heavy-duty OEM cab/chassis parts to maintain the City's assorted fleet of approximately 175 medium and heavy-duty vehicles.

The Fleet Services Department and Purchasing recommend authorizing the renewal contract with Rush Truck Centers of Arizona, dba Rush Truck Center of Phoenix; Freightliner, Sterling, Western Star of Arizona; Vanguard Truck Center; Inland Kenworth, Inc.; RWC International Ltd; and Cummins Rocky Mountain LLC; cumulatively not to exceed \$805,000, based on estimated requirements.

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

This purchase will provide one Police Patrol K9 SUV to replace a vehicle that was damaged beyond repair to support Police Operations.

The Fleet Services and Police Departments, and Purchasing recommend authorizing the purchase from the contract with Midway Chevrolet, at \$37,727.36. This purchase is funded by the Vehicle Replacement Fund.

- \*4-f. Three-Year Term Contract for Handheld Drug Identification Systems for the Police Department (Sole Source). **(Citywide)**

This contract will initially provide Forensic Services with five handheld TruNarc Identification Systems, a handheld analyzer system used for rapid identification of suspected narcotics in field testing; which uses a single test for multiple controlled substances that provides clear, definitive results for presumptive identification. This equipment has been validated and certified by Maricopa County Attorney's Office.

The Police Department and Purchasing recommend authorizing the purchase using the State of Arizona cooperative contract with ThermoFisher Scientific, at \$145,000 annually, based on estimated requirements. The initial purchase of five systems and associated supplies is funded by Asset Forfeiture (RICO) Funds. Future purchases would be funded by the Police Department operating budget.

- \*4-g. Purchase of Three Replacement Vehicles (Two Pickup Trucks and One SUV) for the Fire and Medical Department. **(Citywide)**

The three vehicles that are being replaced have met established replacement criteria and will be either traded, auctioned, sold, or deployed for special uses as part of the ongoing Fire and Medical vehicle replacement program.

The Fire and Medical Department and Purchasing recommend authorizing purchase using the State of Arizona cooperative contract and the contract with PFVT Motors, Inc., dba Peoria Ford, at \$92,750.58; and the contract with Berge Ford (a Mesa business), at \$36,201.10; for the total purchase of \$128,951.68. This purchase is funded by the Capital – General Fund.

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

This contract provides light control cabinets used to feed and control streetlight systems on Mesa's streets and roadways. Each unit consists of aluminum housing, including an electrical service panel, circuit breakers, contactors and other associated controls inside. The units are used to replace cabinets damaged in vehicular accidents or older, deteriorating steel cabinets, as necessary.

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

- \*4-i. Purchase of New Supervisory Control and Data Acquisition (SCADA) Server License and SCADA Runtime License for the Signal Butte Water Treatment Plant as requested by the Water Resources Department (Sole Source). **(Citywide)**

The SCADA software is used by City plants and the Utilities Control Center to monitor and control the four utilities; water, wastewater, gas and electric. This purchase will provide software that will be used to program, setup and test the SCADA system prior to the new treatment plant coming online.

The Water Resources Department and Purchasing recommend authorizing the purchase from the sole source vendor, GE Intelligent Platforms, Inc., at \$26,420.02, based on estimated requirements.

- \*4-j. Purchase of Licensing to Upgrade IT Software Packages for the Information Technology Department. **(Citywide)**

This purchase will provide the licensing to upgrade several software packages, including Microsoft Windows, Visio and Project, and VMWare Horizon, to maintain vendor support, ensure up to date security and to assure interoperability with other entities.

The Information Technology Department and Purchasing recommend authorizing the purchase using the State of Arizona cooperative contract and lowest-quoted vendor, CDW-G, at \$51,873.12.

- \*4-k. Amendment and Dollar-Limit Increase to the Motorola Service Agreement for the TOPAZ Regional Wireless Cooperative Network for Additional Lifecycle Services as requested by the Information Technology Department – Communications and Infrastructure (Sole Source). **(Citywide)**

Motorola is offering additional lifecycle services to improve the security and reliability of the TOPAZ networks. These include security and network monitoring services, which are more comprehensive than the City can provide, bringing the radio dispatch consoles at all TRWC member dispatch facilities under one contract to improve security, upgrades, and problem resolution. These expanded services provide for Motorola to be the first responder to network and console problems instead of City personnel. This amendment provides services for the Fire Hazard Zone Communications System (Fire VHF), which was added to the TRWC's portfolio at the request of the TRWC Users Group in 2014. This network is planned to be ready for use by July 1, 2017. The services provided by this amendment include software and hardware upgrade services similar of the 7/800 MHz P25 network, and after the expiration of the Motorola one-year warranty, security and network monitoring and first responder services by Motorola for the Fire VHF network.

The Information Technology Department and Purchasing recommend authorizing the amendment and dollar-limit increase of \$3,119,976 with the sole source vendor, Motorola Solutions Inc. (Motorola), increasing the contract amount from \$3,314,559 to \$6,434,535, plus applicable taxes for the six-year term contract from July 1, 2017 to June 30, 2023, based on estimated requirements.

- \*4-l. Purchase of Replacement Servers and Software for the Customer Information System Upgrade as requested by the Information Technology Department. **(Citywide)**

The City's Customer Information System (CIS) is used to bill City utilities and other services. This system is running on servers that are near the end of their supportable industry life. This server upgrade is timed to coincide with the software upgrade of the CIS to minimize impact to Mesa citizens. A significant benefit of the software and hardware upgrade is to better secure the system and customer data.

The Information Technology Department and Purchasing recommend authorizing the purchase from the State of Arizona cooperative contracts and lowest quoted vendors: CDW Government, at \$30,959.42; and Insight Public Sector, at \$5,977.40; and purchase from the sole source vendor, Hansen Technologies, at \$23,591.15; for the combined total award of \$60,527.97. This purchase is funded by the Information Technology Lifecycle.

- \*4-m. Purchase of Microwave Lifecycle Replacement for the Information Technology Department – Communications and Infrastructure. **(Citywide)**

The City operates a point-to-point microwave radio network that complements the City's fiber optic network. Microwave is the primary connection path for mission-critical Public Safety communications, such as the TOPAZ Regional Wireless Cooperative (TRWC) 800 MHz radio network and the new Fire Hazard Zone Communications System (VHF), and provides redundancy and bandwidth to City data services, including workstations, utility operations and monitoring networks, and the radio network shared between the City and Mesa Public Schools for Transportation, Solid Waste, and other non-Public Safety City services.

This project will be upgrading 12 of the microwave links that have equipment that is no longer supported by the manufacturer and does not support the transmission protocols and bandwidths required for current and future technologies. The upgraded microwave

will also reduce operating costs, because of new equipment and manufacturer's warranty.

The evaluation committee recommends awarding the contract to the highest-scored and lowest-priced proposal from Aviat Networks, at \$436,170.30, based on estimated requirements.

\*4-n. Dollar-Limit Increase to the Term Contract for Managed Print Services for Citywide Departments. **(Citywide)**

Managed Print Services is an outsourced vendor service that provides the City's printing, copying, scanning, and faxing using existing and new hardware. This service includes hardware maintenance and providing all supplies, including toner, except paper. Managed Print Services enabled departments to replace old, unreliable and high energy use devices with new, current-technology and multi-purpose devices. The City has successfully optimized the City's fleet of devices through reducing its printer fleet, strategic replacements of older devices, and improved management information about City printing over the past four years. Overall, the City has saved approximately \$403,044 annually as a result of this managed print services contract.

The City's usage of Managed Print Service has increased since originally estimated in 2013 (\$50,000 per month). The increased cost is not associated with an increase in printing, but instead is related to the retirement of older legacy devices and an increase in the use of the Managed Print Services contract to replace those devices that were not previously under this contract.

The Information Technology Department and Purchasing recommend authorizing a dollar-limit increase of \$120,000, increasing the contract amount from \$600,000 to \$720,000 in year 4, based on current usage; and authorizing a dollar-limit increase of \$240,000, increasing the contract amount from \$600,000 to \$840,000 in year 5, based on estimated requirements; with Arizona Office Technologies-Xerox.

\*4-o. Gilbert Road Light Rail Extension – City Funded Electric Utility Improvements. **(District 4)**

The improvements include upgrades to City utilities and other facilities that are located adjacent to or within the new light rail facilities, but are not directly impacted by the project. These improvements are referred to as Concurrent Non-Project Activities, which must be funded by the City.

Staff recommends approval of funding of electric utility improvements on Main Street between Ashland and Horne. The total cost of the proposed improvements is \$354,836.66, which includes a \$30,000 allowance for City of Mesa – requested modifications during construction. The project is funded by 2014 authorized Electric Bonds.

\*4-p. Main and Lindsay Sewer Project. **(District 2)**

This project will include installing a 12-inch and 15-inch sewer line from east of the Eastern Canal on Main Street to the Lindsay Road intersection. The size of the sewer will increase to 18-inches as it is routed south along Lindsay Road to the Broadway Road intersection. The manhole at the intersection of Lindsay and Broadway Roads will

be upgraded to a diversion structure to facilitate collection system operation and maintenance.

Staff recommends awarding the contract to Kinkaid Civil Construction LLC, in the amount of \$1,992,454.80, and authorizing a 10% change order allowance in the amount of \$199,245, which will only be utilized for approved change orders. This project is funded by the 2014 authorized Wastewater Bonds.

5. Take action on the following resolution:

- \*5-a. Approving and authorizing the City Manager to enter into five separate Intergovernmental Agreements (IGAs) with the Flood Control District of Maricopa County for the construction, construction management, operation and maintenance of drainage improvements. **(Districts 1, 2, 4 and 5)** – Resolution No. 10952.

The five proposed IGAs are for the following projects: 1) Skyview Drainage Project – north of Brown Road, west of Power Road (District 5); 2) Gilbert and Hackamore Drainage Project – north of Brown Road and east of Gilbert Road (District 1); 3) Firefly and Southern Drainage Project – north of Southern Avenue and east of Sossaman Road (District 5); 4) Maple and Main Drainage Project – north of Main Street and west of Greenfield Road (District 2); and 5) Lazona and Broadway Drainage project – north of Broadway Road and east of Stapley Drive (District 4)

The Flood Control District of Maricopa County will fund 75% 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 remaining costs.

6. Take action on the following resolutions declaring terms/rates/fees/charges to be public records and available to the public, and introducing the following ordinances to modify City-owned utility terms/rates/fees/charges and setting May 22, 2017 as the date of the public hearing on these ordinances:

- \*6-a. A resolution declaring proposed terms/rates/fees/charges for electric utility services to be a public record. **(Districts 1 and 4)** – Resolution No. 10953.
- \*6-b. An ordinance modifying terms/rates/fees/charges for electric utility services. **(Districts 1 and 4)**
- \*6-c. A resolution declaring proposed terms/rates/fees/charges for natural gas utility services to be a public record. **(Citywide)** – Resolution No. 10954.
- \*6-d. An ordinance modifying terms/rates/fees/charges for natural gas utility services. **(Citywide)**
- \*6-e. A resolution declaring proposed terms/rates/fees/charges for water utility services to be a public record. **(Citywide)** – Resolution No. 10955.
- \*6-f. An ordinance modifying terms/rates/fees/charges for water utility services. **(Citywide)**
- \*6-g. A resolution declaring proposed terms/rates/fees/charges for wastewater utility services to be a public record. **(Citywide)** – Resolution No. 10956.

- \*6-h. An ordinance modifying terms/rates/fees/charges for wastewater utility services. **(Citywide)**
- \*6-i. A resolution declaring proposed terms/rates/fees/charges for solid waste utility services to be a public record. **(Citywide)** – Resolution No. 10957.
- \*6-j. An ordinance modifying terms/rates/fees/charges for solid waste utility services. **(Citywide)**
- \*6-k. A resolution declaring proposed terms/rates/fees/charges for utility service fees to be a public record. **(Citywide)** – Resolution No. 10958.
- \*6-l. An ordinance modifying terms/rates/fees/charges for utility service fees. **(Citywide)**

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

- \*7-a. Amending Sections 9-6-1, 9-6-4(D)10 and 9-6-5 of the Mesa City Code to allow for a reduced street lighting pilot program and the use of LED streetlights – Ordinance No. 5376.

The changes would be in effect from June 1, 2017 through December 31, 2019, and would allow the City to determine appropriate night-time lighting levels and the light color or appearance that should be permitted within various areas of the City. The two areas to be included in the street lighting pilot program are within the Desert Uplands Area and City of Mesa Electric Service Area.

- \*7-b. **Z16-056 (District 6)** The 11500 through 11600 blocks of East Warner Road (south side). Located at the southwest corner of Warner Road and Meridian Road (8± acres). Rezone from LC to RSL-3.0; and Site Plan Review. This request will allow the development of a single residence subdivision. Jeff Giles, Clouse Engineering, applicant; 56<sup>th</sup> MD, Inc., owner – Ordinance No. 5377.

Staff Recommendation: Approval with conditions

P&Z Board Recommendation: Approval with conditions (Vote: 5-0)

- \*7-c. **Z17-007 (District 1)** The 2300 block of East McKellips Road (north side). Located east of Gilbert Road on the north side of McKellips Road (1.3± acres). Rezone from AG to RM-2 BIZ; and Site Plan Review. This request will allow for a multi-residential development. Porter Kyle, LLC, applicant; Parry Investments, LLC, owner – Ordinance No. 5378.

Staff Recommendation: Approval with conditions

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

- \*7-d. **Z17-005 (District 6)** The 9700 through 9800 blocks of East Southern Avenue (south side) and the 9700 through 9800 blocks of East Hampton Avenue (north side). Located west of Crismon Road and south of Southern Avenue (19.4± acres). Rezone from RS-43 to PEP and RM-2 PAD; and Site Plan Review. This request will allow for a multi-residential development and a future office development. Brennan Ray, Burch and Cracchiolo, applicant; Montgomery 320, LLC, owner – Ordinance No. 5379.



**A “yes” vote will be for approval of the zoning case as recommended by the Planning and Zoning Board.**

Staff Recommendation: Denial

P&Z Board Recommendation: Approval with conditions (Vote: 5-0)

8. Take action on the following subdivision plats:

- \*8-a. “Sunland Springs Village Unit Eight Phase Two” **(District 6)** The 3000 – 3100 blocks of South Willow Wood (both sides). Located east of Signal Butte Road and South of Guadalupe Road. 9 RS-6-PAD single residence lots (2.45± acres). Craig M. Ahlstrom, SSV Unit 8 Development, Inc., owner; Jeff Giles, Clouse Engineering, Inc., engineer.
- \*8-b. “Springs Condominium Homes” **(District 6)** The 3100 block of South Signal Butte Road (east side). Located south of the southeast corner of Signal Butte and Guadalupe Roads. 86 RM-2-PAD-PAD multi-residence units (10.19± acres). Craig M. Ahlstrom, Springs Condominium Homes, Inc., owner; Jeff Giles, Clouse Engineering, Inc., engineer.
- \*8-c. “Desert Trails Condominium” **(District 6)** The 3100 block of South Signal Butte Road (east side). Located south of the southeast corner of Signal Butte and Guadalupe Roads. 34 RM-2-PAD-PAD multi-residence units (4.34± acres). Craig M. Ahlstrom, Desert Trails Condominium, LLC, owner; Jeff Giles, Clouse Engineering, Inc., engineer.

**Items not on the Consent Agenda**

9. Items from citizens present.

Ginger Hamp, a Mesa resident, expressed concern regarding the privatization of prisons. She stated that privatizing prisons will never serve the community since it does not get to the root of the problem. She added that private prisons are not held accountable in supporting humans to overcome why they were arrested. She further noted that even if mandated to offer supportive services, they lack the incentive to do a good job as they would welcome repeat offenders who represent more money for them. **(See Attachment 1)**

10. Adjournment.

Without objection, the Regular Council Meeting adjourned at 6:02 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 8<sup>th</sup> day of May, 2017. 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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(Attachments – 1)

I work for people with cognitive and physical disabilities. Due to federal regulations and decades of work, my people were moved out of asylums and are no longer de-humanized as they once were. When I hear about privatization of prisons, I feel we are moving backwards in de-humanizing people who do not function within ~~the normative construct of your average person~~. I see the prison population as needing additional supports to learn from bad decisions they've made. Privatizing prisons will never serve the community better because it will never get to the root of the problem. Private prisons want to fill beds because more beds equates to more money. Private prisons don't want to help fix the systemic problems that cause crime to happen. Private prisons will not be held accountable in to supporting humans in overcoming why they were arrested (such as addiction, mental illness, poverty, poor education, and lack of opportunity). Even if private prisons were mandated to offer supportive services, they lack in the incentive to do a good job because they would actually welcome repeat offenders who represent more money for them.

<sup>will</sup> I use a quote ~~from~~ a friend who ~~once~~ worked in the prison system for 5 years: "The idea of running a profitable company with the concept of human punishment as your business model is inhumane and unethical in the extreme."