

COUNCIL MINUTES

January 21, 2021

The City Council of the City of Mesa met in a Study Session Meeting via a virtual format streamed into the lower level meeting room of the Council Chambers, on January 21, 2021 at 7:30 a.m.

COUNCIL PRESENT

John Giles*
Jennifer Duff*
Mark Freeman*
Francisco Heredia*
David Luna*
Julie Spilsbury*
Kevin Thompson*

COUNCIL ABSENT

None

OFFICERS PRESENT

Christopher Brady
Agnes Goodwine
Jim Smith

(*Council participated in the meeting through the use of video conference equipment.)

Mayor Giles conducted a roll call.

1. Review and discuss items on the agenda for the January 25, 2021 Regular Council meeting.

All of the items on the agenda were reviewed among Council and staff and the following was noted:

Conflict of interest: None

Items removed from the consent agenda: None

Downtown Transformation Manager Jeff McVay provided an update on Item 5-c (**Approving and authorizing the City Manager to enter into a Fourth Amendment to the Lease Agreement with Option to Purchase with Benedictine University, for City-owned property generally located at 225 East Main Street. The Fourth Amendment increases the City's funding cap for the design and build-out of approximately 10,000 square feet to support the innovative educational partnership between Benedictine University and CO+HOOTS from \$2,000,000 to \$2,150,000 (District 4)**), on the January 25, 2021 Regular Council meeting agenda and displayed a PowerPoint presentation. (**See Attachment 1**)

Mr. McVay reviewed the agreement with Benedictine University (BenU) and CO+HOOTS, stating Council approved the agreement in December 2019. He commented the Third Amendment to the agreement with BenU committed the City to design and construct approximately 10,000 square feet (sf) at 225 E. Main Street, which is a City-owned facility that is leased. Mr. McVay reported at build-out, the project will support an innovative partnership to create the CO+HOOTS Institute at BenU, which will generate entrepreneurial opportunities for BenU students and

produce community co-working space to be part of the innovation district ecosystem. Mr. McVay added the partnership would also create approximately 300 jobs within the City of Mesa (COM). (See Page 2 of Attachment 1)

Mr. McVay remarked in the Third Amendment the City committed to a total budget of \$2 million, which included a \$1.5 million preliminary estimate for construction of the space that staff was confident could be delivered utilizing the Job Order Contract (JOC) delivery method. He pointed out in the final design and construction estimate stage, staff realized the base program could not be delivered for \$1.5 million. He concluded by saying staff went through several rounds of value engineering to present the overall budget today of \$2.15 million with a \$1.7 million construction budget. (See Page 3 of Attachment 1)

Mr. McVay explained the maximum amount the City Manager is authorized to approve for a JOC is \$1.5 million. He further explained that a JOC is often the most efficient way to deliver certain projects. He stated in addition to the amendment for the CO+HOOTS lease agreement, staff is requesting Council approval that allows the City to enter into JOCs that are above \$1.5 million but under \$2 million. He commented this would set the mechanism to allow future JOCs that exceed \$1.5 million, as well as approving a JOC for the CO+HOOTS project at \$1.7 million. (See Page 4 of Attachment 1)

In response to a question from Councilmember Thompson related to the cost benefits of JOCs versus Request for Proposals (RFPs), City Attorney Jim Smith replied this change does not increase the City Manager's authority but gives Council flexibility between \$1.5 and \$2 million, adding JOCs would still have to come back to Council each time.

City Manager Christopher Brady explained an additional factor is that \$1.5 million is not the same as it was a few years ago, especially with construction inflation. He commented JOC contracts are compared with other contracts that go through the other procurement process and the time saved from having the JOC contractor there at the beginning makes the process more efficient.

City Engineer Beth Huning advised in the early 2000s the State of Arizona changed the procurement code for construction projects. She stated the two that the City uses are JOC and Construction Manager at Risk (CMAR), which both still go through the RFP process but allows staff to select contractors based on their qualifications. She indicated statute set the amount at \$1 million, except as otherwise approved by the governing authority; however, 20 years later \$1 million does not cover very much. She explained there is still a bidding component to the JOC and RFP process; however, the methodology used for each is different. She remarked the CMAR and JOC are used on complex projects, like the BenU project, which is an old facility that can have many hidden challenges. She voiced concern that a low bid on this project would result in substantial change orders and would extend the schedule beyond what BenU and CO+HOOTS need to open the facility. She concluded by saying utilizing a JOC allows the contractor the opportunity to be at the table working on the design and the ability to inspect the building.

In response to a question from Councilmember Freeman related to the time already spent on the project, Mr. McVay commented 14 months was the amount of time spent trying to value engineer the project. He stated the first budget estimate came in at approximately \$900,000 over the initial amount and staff was able to value engineer the cost down; however, even at \$1.7 million the scope had to be decreased from the initial commitment, creating a long and arduous effort to get to an agreeable number while ensuring that BenU and CO+HOOTS would be comfortable with the delivered program.

In response to a question from Vice Mayor Duff related to the CO+HOOTS lease obligation and what they are providing, Mr. McVay stated the lease agreement is with BenU, but does establish requirements CO+HOOTS must follow. He commented in addition to the educational partnership, there is the expectation that 80 to 100 students will go through programming with CO+HOOTS, which will generate a minimum of 300 new jobs or businesses over the 10-year period of the lease. He explained CO+HOOTS is responsible for all furniture, fixtures, and equipment (FF&E) costs for the building and is committed to weekly programming for public and entrepreneurship events. He remarked the space is intended to bring ideas and build a business, until the business can graduate from the CO+HOOTS space into a brick-and-mortar location.

In response to additional questions from Vice Mayor Duff regarding the opening date, Mr. McVay stated once final design is complete the construction phase will begin which should take approximately 9 to 12 months.

Ms. Huning provided an overview on Item 4-j (**Historic Post Office Project – Pre-Construction Services and Construction Manager at Risk (CMAR) (District 4)**), on the January 25, 2021 Regular Council meeting agenda, stating the project will be funded through two bond programs. She mentioned the project is currently at 30% design and the contractor will be added at this point to get cost estimates to make sure the project is underbudget. She pointed out that the building will be designed for open community space and that Parks, Recreation and Community Facilities (PRCF) is looking at the building to allow community access and activities, as well as banquet or meeting opportunities. She indicated construction should begin this fall, provided the estimates come within budget, and should open in the fall of 2022.

Mr. McVay expanded by saying in addition to the build-out of space that will provide flexible event space, including a catering kitchen and new restrooms, there will be a build-out on the second floor to convert open space into offices, as well as conference room space. He commented that PRCF staff will be managing the space, and there will be offices available for City staff and potentially for Downtown Mesa Association staff as well.

Ms. Huning spoke on Item 5-a (**Approving and authorizing the City Manager to enter into a Lease Agreement with Maricopa County for the lease of a portion of the City-owned surface parking lot, for a ten-year term with three optional additional terms of five years each, located at 240 North Pasadena. (District 4)**), on the January 25, 2021 Regular Council meeting agenda, discussing that the City currently owns a parcel that is a parking lot south of University and east of North Center which was acquired in 1984/1985 as part of Downtown redevelopment projects. She commented the parking lot is adjacent to a building that is owned by Maricopa County and the City entered into a 30-year lease with Maricopa County for the parking spaces and that lease is at the point of expiration. She explained Maricopa County would like to sell the building but is unable to do that without the parking spaces and would like to renew the lease. She said the new lease is a 10-year lease with possible 5-year extensions.

Ms. Huning advised the City has leases with Save the Family, United Way, and Delta Hotel, which are all adjacent to the parking lot. She reported the City maintains the lot; however, the County is required to stripe and assign their spaces, and City approval is required for anything else.

City Manager Christopher Brady pointed out the County's space has been used for adult probation which has been a great concern for properties nearby, especially the hotel. He mentioned the County Manager's Office indicated there are plans to build a new facility near the court complex on Juanita and in order to complete that project they would need to sell the current property. He

elaborated that having an extended term on the parking that the City of Mesa controls would assist in the sale of the property.

In response to a question from Councilmember Thompson regarding Item 5-b, **(Approving and authorizing the City Manager to enter into a Lease Agreement with a hotel located in east Mesa, effective January 1, 2021 through December 31, 2021, for the purpose of providing temporary shelter to the City's homeless population during the COVID-19 public health emergency and funded through a federal grant, Emergency Solutions Grant-Coronavirus. (Citywide))**, on the January 25, 2021 Regular Council meeting agenda, Police Officer Aaron Raine stated statistics for the surrounding area are reviewed every week to look at the number of calls for service compared to the previous year. He mentioned the numbers are effectively a wash because while there are more calls for service, that is due to the fact that there are officers present 24 hours a day proactively working the area.

Deputy City Manager Natalie Lewis expanded by saying in 2021 the program will be reducing the number of hotel rooms from 100 to 50 and will maximize the use of those rooms. She explained the funding for the hotel rooms comes from federal dollars that were meant for COVID; however, the COVID funding source does not allow the security portion to be funded. She said the security funding will come from the General Fund and outlined police security will be reduced to 21 hours per day with a cost of \$650,000 per year.

In response to a question posed by Councilmember Thompson in regard to how many officers are committed to the hotel for security, Officer Raine stated the hotel is an off-duty assignment where officers can lottery in to pick this 21-hour assignment.

In response to a question from Councilmember Luna with respect to whether decreasing the number of rooms will provide sufficient space for the homeless, Ms. Lewis explained *Martin v. Boise* keeps any city from enforcing urban camping unless there is a bed available. She said even though there is a reduction in rooms there will be beds set aside so PD can continue enforcing urban camping.

Mr. Smith stated the City of Mesa is the only city in Arizona that has a homeless program utilizing hotel rooms and most cities are not enforcing the urban camping laws.

In response to a question posed by Councilmember Freeman on what generated the decision to reduce the number of rooms, Ms. Lewis remarked a lot has been learned over the last year and the goal is to get the most out of the rooms while working with local non-profits to free up beds. She commented that staff are working to expand the inventory using existing beds and maximizing the hotel space.

Mayor Giles added to be in compliance with the *Boise* decision, the alternative model would be to go through the process of approving a shelter within the neighborhoods of the community. He endorsed the utilization of underused hotel rooms to give the hotel operators some revenue while placing homeless in a site where wrap-around services are available as part of the system, as well as a police presence to provide security. He continued by saying the City will have to wait and see how the federal funding evolves with the new administration.

Councilmember Spilsbury expressed her support for the program in her district along with the police presence.

Vice Mayor Duff pointed out the agenda item is a one-year lease agreement which can be evaluated at the end of the year. She mentioned the pandemic continues, hotels are suffering, and this is a way to keep a hotel in business and assist the homeless.

Mayor Giles thanked staff for the presentation.

2-a. Hear a presentation and discuss an update on the Central Mesa Reuse Pipeline project.

Mr. Brady discussed that the Central Mesa Reuse Pipeline project is a critical water resource project for the City of Mesa that allows the City to come into compliance with long-term partner Gila River Indian Community (GRIC).

Water Resources Assistant Director Christopher Hassert introduced Water Resources Advisor Brian Draper and Deputy Engineer Lance Webb and displayed a PowerPoint presentation. **(See Attachment 2)**

Mr. Hassert stated the presentation will update Council on the results and recommendations from the alignment study for the project that will move water produced at the Northwest Reclamation Plant south and tie into the existing reuse system which is currently in operation and delivering water to the GRIC.

Mr. Draper discussed the Effluent Exchange Agreement with GRIC is a small part of a large landmark decision made during the adjudication of GRIC, adding this one small component is a major portion of Mesa's water portfolio. He mentioned effluent water began being delivered to GRIC back in 2008 and as part of this agreement the City is entitled up to 24,000-acre feet of water to be treated at the Signal Butte or Brown Road Water Treatment Plant. He advised today the City is delivering around 8,100-acre feet and getting back about 7,100-acre feet to be treated. (See Page 2 of Attachment 2)

Mr. Hassert shared the agreement is mutually beneficial for both GRIC and the COM. He reported GRIC receives a reliable, consistent water supply that can be used for long-term agricultural use and the advantage for the COM is the raw water for the portfolio and having flexibility to serve customers in East and Southeast Mesa. He continued by saying a project of this size could take up to three years to design and build and the City does not want to be in a position five or six years from now without a solution to expand its CAP portfolio other than going to the open market, which would be very expensive, with no guarantee that additional water could be acquired. He compared \$120 million, at a minimum, to acquire water rights versus the approximately \$100 million upfront capital costs of the pipeline. (See Page 3 of Attachment 2)

Mr. Hassert explained by going to the open market to acquire water rights, the City would have to pay for the water each year at the CAP going rate, which currently is about \$213 per acre foot. He indicated with a pipeline in place, the type of water we would receive and exchange from GRIC would only cost \$56 an acre foot because the City is only paying the energy component of the CAP rate. He pointed out having the pipeline would save the City over \$2 million per year just in operation costs.

Mr. Webb provided an overview of the project, stating the goal and objectives are to take advantage of the exchange agreement as noted by using a combination of existing lines and using the alignment study to determine routing from the turnout on Val Vista Drive and Thomas Road down to the Southeast Water Reclamation Plant (SEWRP) existing line. (See Page 4 of Attachment 2)

Mr. Webb commented the alignment study was recently finalized. He outlined the alternatives that were evaluated, and the considerations used to evaluate those alternatives. (See Page 5 of Attachment 2)

Mr. Webb presented the preferred alignment that ranked best among the options and listed the advantages to this option. (See Page 6 of Attachment 2)

Mr. Webb indicated the City is in the process of finalizing a hydraulic study which recommends a pump station at the intersection of Thomas Road and Val Vista Drive. He mentioned the City is working with consultants and anticipate design and construction taking approximately 24 months. He expanded that staff have been working closely with the Town of Gilbert on the pipeline alignment which will run through Gilbert. (See Page 7 of Attachment 2)

In response to a question from Mayor Giles regarding the estimated cost of the pipeline, Mr. Webb advised preliminary estimates are in the range of \$90 million.

Mr. Brady informed Council that every year the City is not taking this water is a missed opportunity, especially with the growth and demand for water in Southeast Mesa. He stated the City needs to be prepared to meet the needs of the large manufacturing and industrial groups who are coming to Mesa. He pointed out a \$90 million investment in this pipeline, which will last for 50 years, is still less than the upfront cost to acquire rights at \$120 million, plus the annual savings of \$2 million because of the water discount. He noted having an additional source of water in the City's portfolio is significant, as well as being able to continue to grow the City's economic development base and bring more jobs to Mesa by having water to sell.

In response to a question from Mayor Giles in regard to whether it would be less expensive to go through the process of creating a pipeline to get the effluent out to one of the treatment facilities like Signal Butte and retreat the effluent, Mr. Hassert advised Signal Butte does not have the technology to get the water to the point where it is potable per State requirements for customer use and the cost would be high to upgrade to the needed technology.

Councilmember Thompson inquired into whether there is excess capacity of water within the other areas of the City that could be utilized. He gave the example of having to turn away a large business that would have brought many jobs with high salaries to the area because the City was not able to guarantee enough water. He pointed out in last year's strategic planning session the goal was to bring more jobs to Mesa; however, having limited resources will not allow that.

Mr. Brady clarified there was no contract for land on the proposal and that the company was informed the COM would not be able to meet the water requirements for their peak periods and the company would have to find an alternative way to cool the system. He reminded Council a previous generation made a commitment and entered into a 99-year agreement with GRIC who has been waiting years for the City to deliver this water. He suggested the proposed methodology is the most beneficial to the City by delivering this effluent through the pipe without a need to be treated again. He reported the City already has the turnouts for CAP water as well as a significant amount of infrastructure in place for this arrangement and the City has an obligation to deliver the water under the agreement.

Councilmember Freeman emphasized the priority at this time is the agreement with GRIC. He discussed concerns with the southeast part of Mesa not having the aquifers that the northwest and northeast have and the need to move the water. He stated his goal is to help staff find a sustainable solution for water. He questioned how the City will pay for the pipeline, adding that

the City needs to move forward on selecting the correct pipeline route and connecting to the existing water lines due to the value of the water and the water savings.

Mr. Brady informed Council this project is no different than any other major infrastructure Capital Improvement Program (CIP) project and will likely have a portion funded through a future bond. He commented the project will take approximately four years and staff will bring this back in a year as part of a larger CIP project at which time discussions can occur regarding future revenue bonds to support the project.

Mayor Giles explained the pipeline project is a perfect example of why bonds are issued, which is because the COM is heavily involved in utilities that require significant capital investment. He provided the example of issuing bonds over 20 years to pay the \$90 million, but the savings far exceed the cost.

In response to a question from Vice Mayor Duff regarding whether the COM will have an assured supply on the exchange and if there is any danger in not receiving the supply after the investment is made, Mr. Draper explained the tribal community was allocated a very large chunk of Colorado River water which is delivered via the CAP canal, adding the agreement makes sense to GRIC because they do not have free access to the canal and the areas GRIC wants to build out for agriculture are in the south Chandler and Gilbert area. He acknowledged there could be shortages on Colorado River water at some point, which highlights the importance of this exchange for Mesa to build the portfolio.

In response to a series of questions posed by Councilmember Heredia with respect to the relationship the City has with GRIC and whether they have the infrastructure to take the water, Mr. Brady said a meeting with the Governor of GRIC took place a few months ago to discuss the project, the timeline, and their plans for the infrastructure needed on their side.

Mr. Draper expanded by saying that Mesa has a good relationship with the tribal community and have monthly contact. He explained the City receives approximately 6,100-acre feet of water via the exchange and by 2029 are expected to be delivering up to 29,400-acre feet of water, getting back a little less than 24,000-acre feet. He confirmed at present the City is not maximizing the use of the agreement. He commented that Southeast Mesa has larger businesses being developed that use a considerable amount of water but there is not much returned. He pointed out the importance of the pipeline is to bring this resource from Northwest Mesa. He said ordinarily water would be recharged in the Salt River basin, which has been down for a year and a half because it was washed out, and the water is being dumped into the riverbed with no beneficial use.

Mr. Draper replied to Councilmember Thompson's inquiry stating once the GRIC obligation is complete, any excess reclaimed water could go to other recharge facilities or recovery wells. He mentioned the last time the commodity cost of the City's water portfolio was reviewed, treated recovered effluent was approximately \$150-acre foot. He remarked this project will provide water that has been treated, the City delivers it and does not have to touch it again, and in exchange the City will receive a nice Colorado River supply at the treatment plants. He affirmed there will be opportunities down the road to possibly market any excess reclaimed water.

Mr. Brady indicated staff will move forward into the design phase and will be coming back to Council to present different approaches and more efficient ways of funding.

Mayor Giles thanked staff for the presentation.

2-b. Hear a presentation and discuss the City's fireworks ordinance.

Deputy Fire Chief Steven Ward introduced Assistant Fire Marshal Kevin Bush who displayed a PowerPoint Presentation. **(See Attachment 3)**

Chief Ward provided an overview of consumer fireworks and illegal fireworks in Mesa. He highlighted the definition of consumer fireworks and provided a list of fireworks that are allowed for purchase and use in Mesa. He stated fireworks that are not allowed include those that produce explosions, go above the ground and become aerial; and legal permitted fireworks are sparklers, cone-shaped fireworks that spray sparks, and smoke pods that do not detonate or rise above the ground. (See Pages 1 and 2 of Attachment 3)

Assistant Marshal Bush stated anyone wanting to do business selling legal fireworks must apply for a permit through Accela. He commented the permit, along with a number of required documents, is reviewed by the Fire Prevention Office for approval. He said once a kiosk is set up with inventory onsite and all the fire protection features, a Mesa Fire inspector will inspect the inventory and site, and at that point the site will be issued a permit to post for the duration of the sales period. He added Fire inspectors can also do drop-in follow-up checks. (See Page 3 of Attachment 3)

Assistant Marshal Bush highlighted the approved dates per statute, adding sales can only take place on those dates and any remaining inventory must be removed from the site by the next day. He explained the Diwali holiday was requested to be added for a two-year period and that period sunsets at the end of 2022. (See Page 4 of Attachment 3)

Mr. Smith explained there are a number of statutes that pre-empt and preclude municipalities from passing fireworks legislation and added the COM can only regulate and prohibit fireworks to the extent allowed by State statute.

Councilmember Luna discussed complaints that come in around 4th of July and New Year's Eve which are a burden to Public Safety personnel. He mentioned his frustration that the City has limited ability to enforce the statute.

In response to a question from Councilmember Luna regarding whether Fire personnel work with jurisdictions outside of the COM to ensure people are not going to other jurisdictions and bringing in illegal fireworks, Chief Ward described the close working relationship between the Mesa Fire and Medical Department (MFMD) and Mesa PD.

Assistant Marshal Bush expanded by saying that Mesa PD are provided the final list of permitted kiosks in the COM and through the connection with Valley fire marshals and State fire marshals, information is shared in an effort to collectively proceed on issues that arise. He mentioned the biggest issue is controlling the influx of illegal fireworks coming into the state and the COM.

In response to a question from Councilmember Freeman in regard to whether there are undercover officers who look for illegal sale and distribution of fireworks, Chief Ward explained MFMD works in conjunction with Mesa PD to follow up on leads in reference to someone selling illegal fireworks brought in from other jurisdictions and there has been some success with that collaboration.

Councilmember Freeman inquired about creating a pre-task force to work on complaints that come in from the community. He described a home within his district that burned down New Year's

Eve due to fireworks. He asked how to make the ordinance language more concise, so residents have a better understanding.

Mr. Brady stated the challenge for police officers is that by the time an officer responds to a complaint it is after the fact and the only way to enforce the law is by catching someone in the act of lighting the firework.

In response to a question from Councilmember Heredia regarding the fines for a retailer or person using illegal fireworks, Mr. Smith indicated Council could consider increasing fines for sales and use of illegal fireworks. He stated the fine for a first offense is \$75 for an individual using illegal fireworks and the fine for an individual selling illegal fireworks is higher but he would have to confirm the amount.

Councilmember Spilsbury pointed out that especially on the 4th of July and New Year's Eve fireworks is a free-for-all because everyone knows the police are too busy to deal with the issue and there will be no enforcement. She shared that the fireworks being lit in her neighborhood on New Year's Eve were all illegal based on the provided list. She remarked until there is more enforcement there will be no change.

In response to question posed by Vice Mayor Duff related to whether there is a quiet time after 10:00 p.m., Chief Ward advised he is not sure and would look into the question and bring that information back to Council.

Mr. Smith explained the statute and ordinance does not have a time limit for fireworks, but that could be another option as far as enforcement through the noise violation ordinance. He said he would look into that option.

Vice Mayor Duff concurred with increasing the fines and proposed doing public service announcements regarding what is legal and illegal. She supports reaching out to the Arizona League of Cities to collaborate with other cities who are having similar problems to lobby together to change the laws.

Councilmember Thompson commented he shares the same frustrations; however, asking staff to commit more time to something that cannot be enforced unless the person is caught in the act is futile. He stated he does not want to take police officers away from calls that are more important than someone shooting off an aerial firework.

Mayor Giles added the City is pre-empted by the State on this issue and he understands the citizens' frustration; however, there is not a lot the City can do. He mentioned the City regulates fireworks as much as possible, given the guardrails placed by the State. He agreed with the idea of taking the battle to the Arizona League of Cities and Towns to adopt a resolution asking the legislature to be mindful of the problems the fireworks are causing. He encouraged the community to direct their concerns on the subject to State legislators.

Mayor Giles thanked staff for the presentation.

3. Current events summary including meetings and conferences attended.

Mayor Giles –

Martin Luther King, Jr. virtual celebration

Councilmember Luna –

Empowered & Energized Latinas event - Chicanos por la Casa
NALEO Program & Membership meeting
Falcon Field project meeting
i.d.e.a Museum Foundation meeting

Councilmember Luna and Vice Mayor Duff reported on attending multiple Mesa Public Elementary Schools in their districts to encourage enrollment.

Vice Mayor Duff thanked i.d.e.a. Museum Executive Director Sunnee O'Rork for her dedication to the growth of the museum for the last 15 years. She wished Ms. O'Rork the best in her retirement.

Mayor Giles welcomed Councilmember Heredia back after recovering from COVID. He acknowledged there have been over 400,000 deaths in this country from the pandemic which has progressed to the point that everyone has been touched by the virus. He mentioned while the community is beginning to experience the benefits of the vaccine, we need to continue to be vigilant.

4. Scheduling of meetings.

City Manager Christopher Brady stated that the schedule of meetings is as follows:

Monday, January 25, 2021, 5:00 p.m. – Study Session

Monday, January 25, 2021, 5:45 p.m. – Regular Council Meeting

6. Adjournment.

Without objection, the Study Session adjourned at 9:18 a.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 Study Session of the City Council of Mesa, Arizona, held on the 21st day of January 2021. I further certify that the meeting was duly called and held and that a quorum was present.

DEE ANN MICKELSEN, CITY CLERK

CO+HOOTS @ BENEDICTINE UNIVERSITY

- 4TH AMENDMENT TO BENEDICTINE LEASE AGREEMENT
- JOB-ORDER CONTRACT INCREASE

City Council
Study Session

January 21, 2021

Jeff McVay
Manager of Downtown
Transformation

CO+HOOTS @ BENEDICTINE UNIVERSITY

Program

- Design and construction of approx. 10,000 SF within Gillette Hall
- CO+HOOTS and Benedictine University partnership
 - Entrepreneurship curriculum
 - 80-100 students in program/year
- Co-working space
 - 300 new Mesa jobs/businesses created
 - CO+HOOTS responsible for FF+E
- Regular public entrepreneurship events
- 10-year commitment (CO+HOOTS and Benedictine)



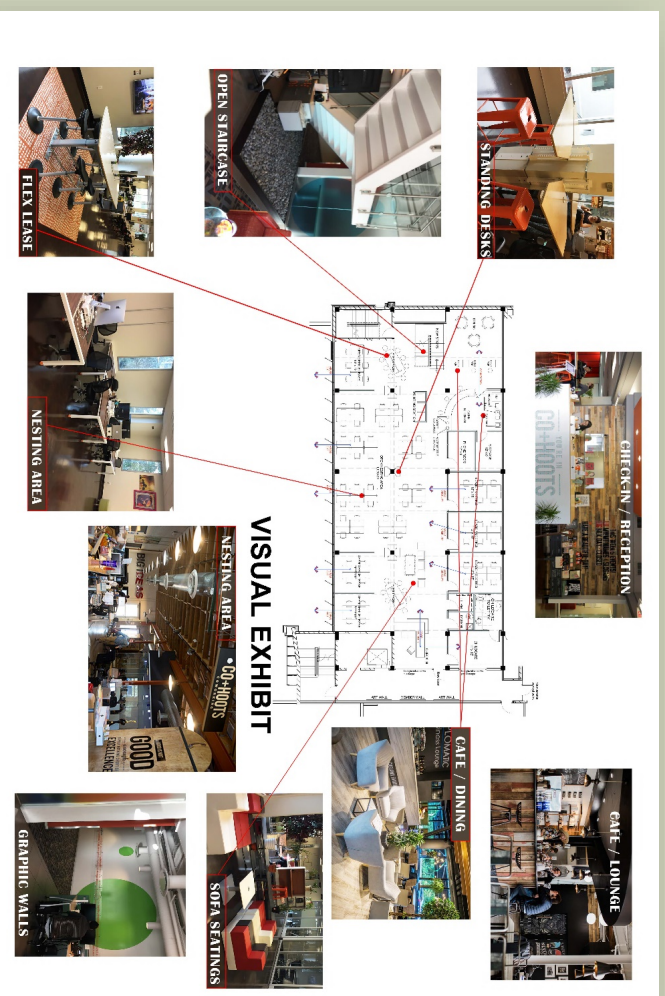
CO+HOOTS @ BENEDICTINE UNIVERSITY

Current Budget

- \$2.0M total budget
- \$1.5M construction (JOC delivery)

Updated Budget

- \$2.15M total budget
- \$1.7M construction
- Funding Source: Economic Investment Fund



JOB-ORDER CONTRACTS

Job-Order Contract

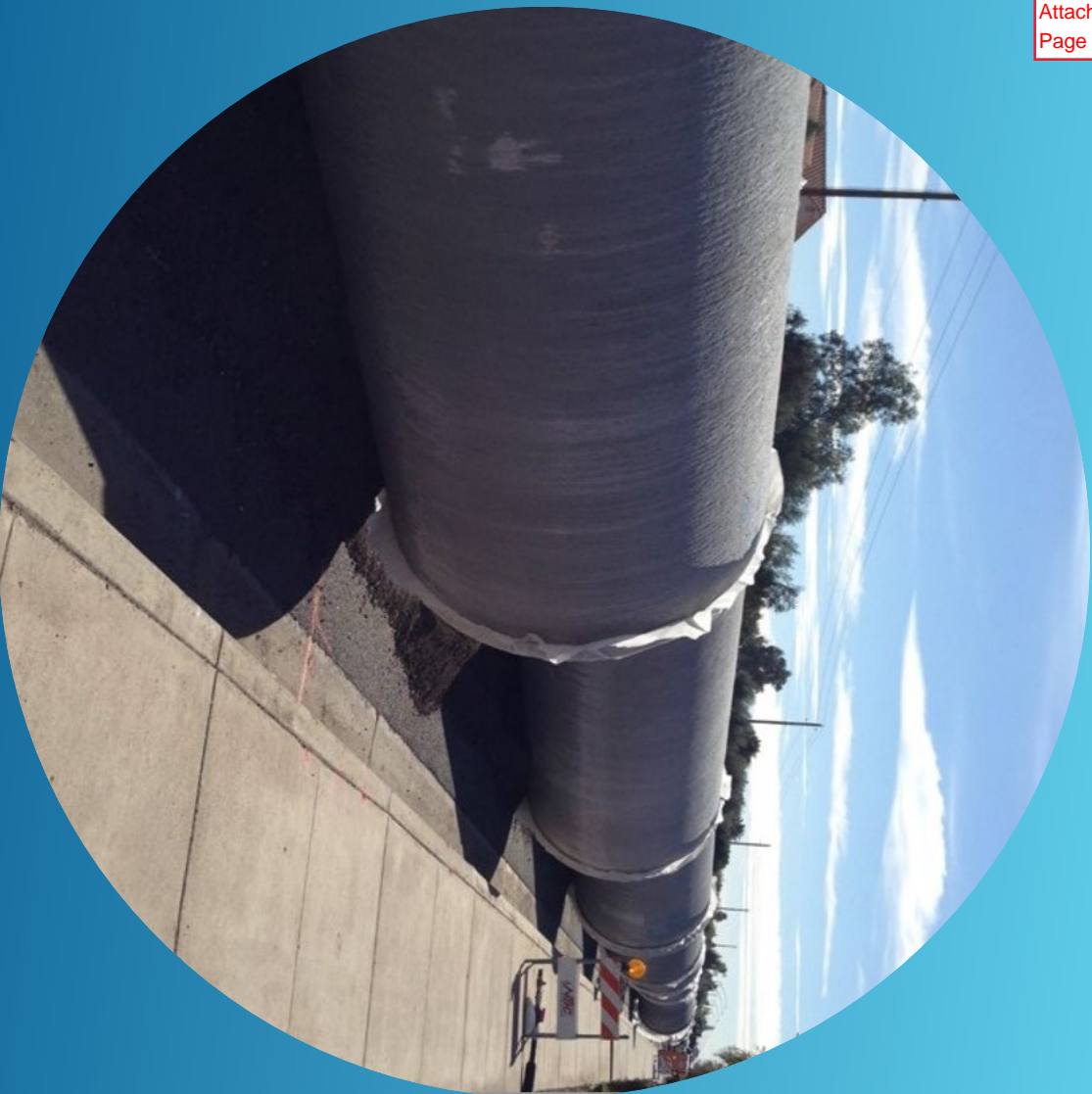
- Current limit: \$1.5M with notice to City Council
- Proposed limit: \$2.0M
 - JOCs up to \$1.5M with notice to City Council
 - JOCs \$1.5M-2.0M may be approved by resolution of City Council
- Specific approval of \$1.7M JOC amount for CO+HOOTS build-out



DISCUSSION AND QUESTIONS

mesa.a-z





CENTRAL MESA REUSE PIPELINE PROJECT UPDATE

Brian Draper, Water Resources Advisor

Lance Webb, Deputy Engineer

Presented to the Mesa City Council

Thursday, January 21, 2021



City of Mesa and Gila River Community Reclaimed Water Exchange

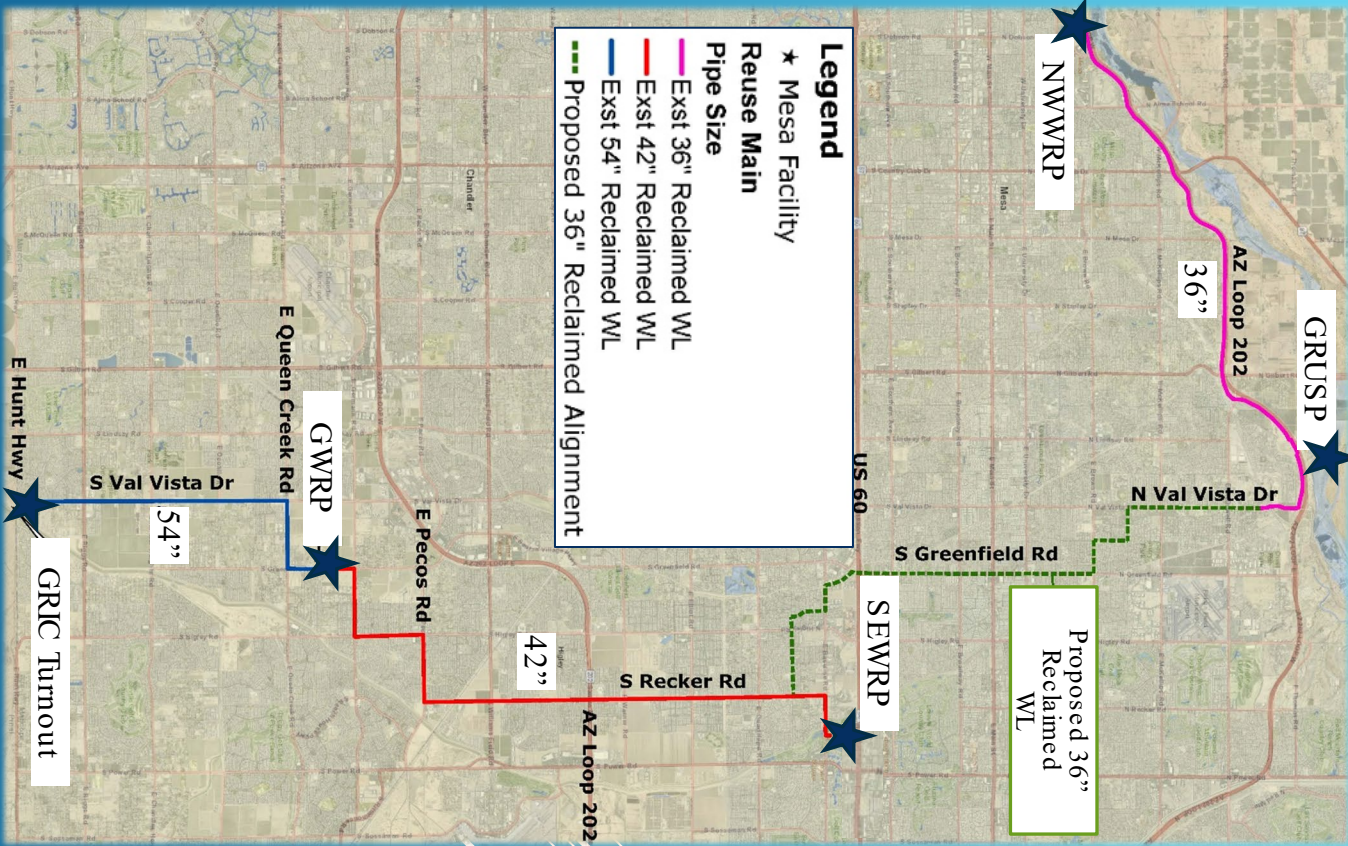
- 99-Year Agreement – Up to a Maximum of 24,000 Acre-Feet
- City began delivering water to the Community in 2008
- Mesa and the Community shall exchange Mesa Reclaimed Water and Community CAP Exchange Water at the ratio of one (1) acre-foot of Mesa Reclaimed Water for each eight-tenths (0.8) acre-foot of Community CAP Exchange Water

Goals and Objectives of the Agreement

- Meet the conditions of the agreement
- Gain additional water supplies
- Provides an economical and stable option for long term water supply while still providing a great return on investment
- The Gila River Community prefers to maintain delivery of water through the existing delivery system for agricultural purposes

PROJECT OVERVIEW

- Goal: Deliver Reclaimed Water from City’s Northwest Wastewater Reclamation Plant to the Gila River Community to Maximize Water Exchange
- Utilize Existing Infrastructure
- Connect City’s Reclaimed Waterline from North Central Mesa to the City’s Southeast Wastewater Reclamation Plant



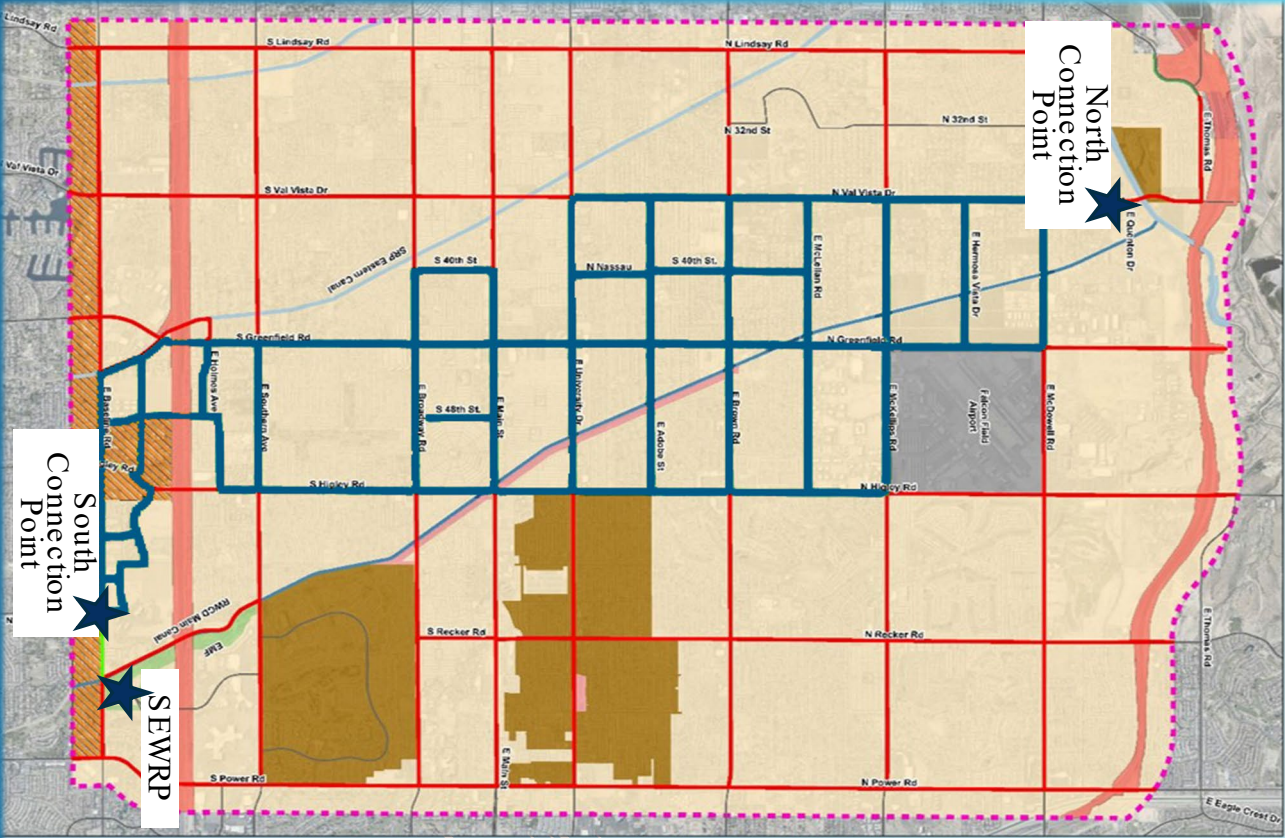
COMPLETION OF ALIGNMENT STUDY

Alternatives Evaluated

- Numerous potential ROW alignment options
- Consideration of adjacent canal systems and channels
- Hybrid options evaluated as well

Considerations Used to Evaluate Alternatives

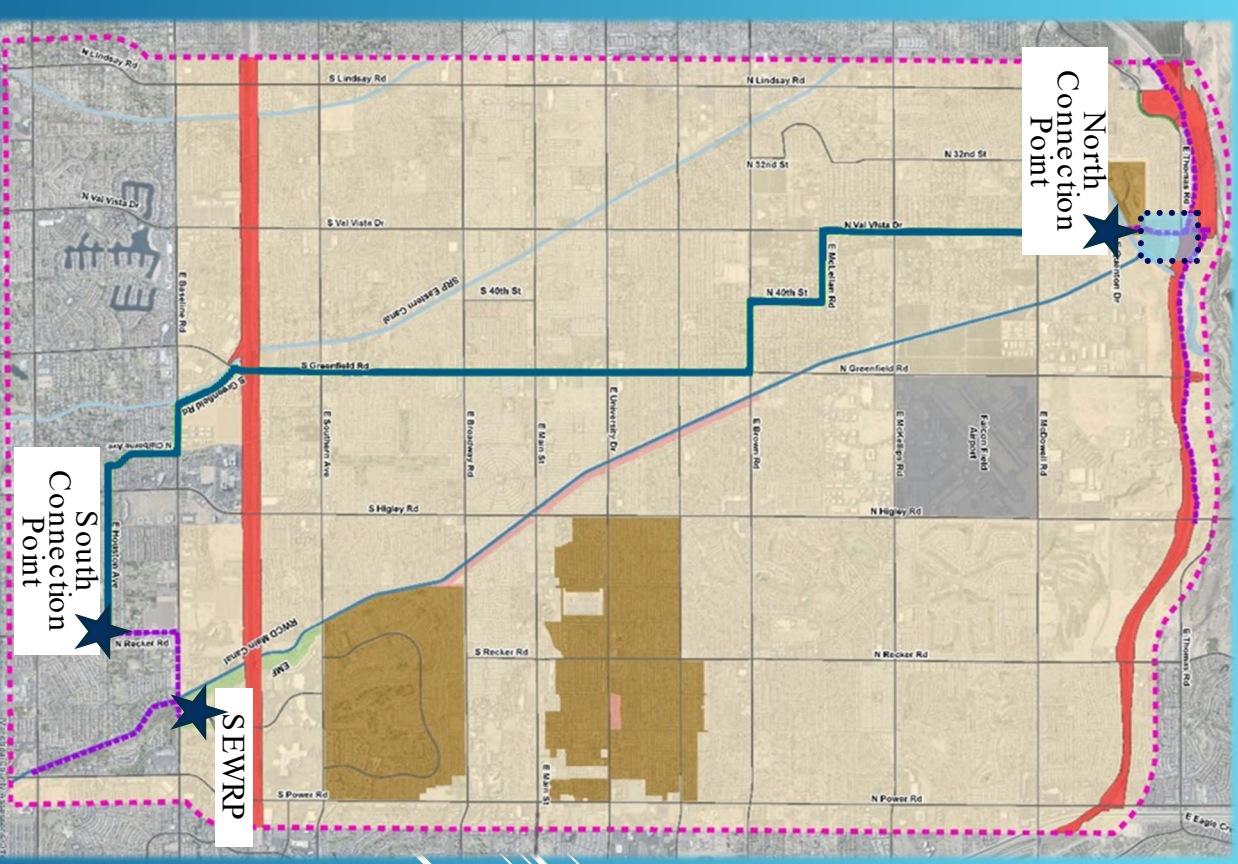
- Autonomy/Control of Water Delivery
- Operations
- Risk
- Cost Per Acre-Foot of Delivery
- Construction Impacts



Pipe length: 10.5 miles

Advantages

- Autonomy/Control of Water Delivery
- No canal crossings
- Limited permit coordination and schedule impacts
- No legal agreements/risk of future relocation
- No Right of Way Acquisition



- Negotiating contracts with selected consultants for design efforts
- Coordinating with the Town of Gilbert
- Finalizing model recommendations to the overall system
- Evaluating existing infrastructure conditions
- Considerations of delivery method for construction
- Evaluating options for a pump station near the intersection of Thomas and Val Vista



THANK YOU

QUESTIONS AND FEEDBACK

Consumer Fireworks and Illegal Fireworks in Mesa

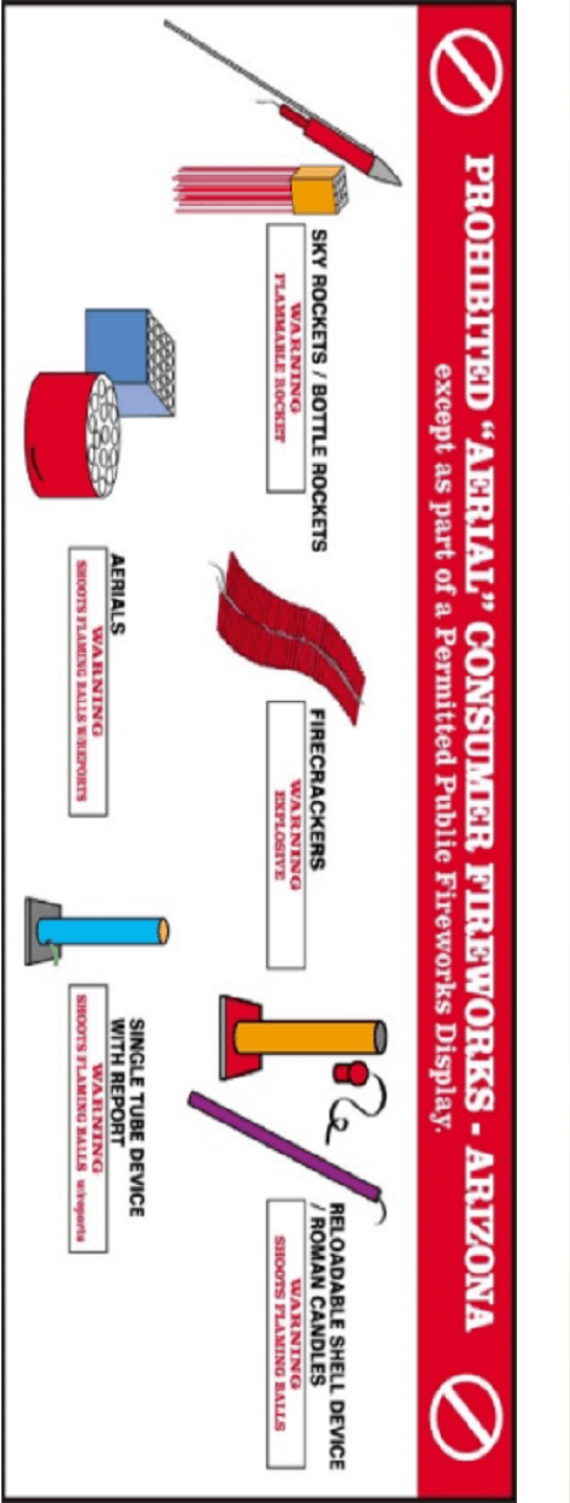
- ▶ The Arizona Legislature, by statute, has deemed fireworks a matter of statewide concern and further regulation by a governing body is limited
- ▶ The City of Mesa follows Arizona State Statute and subscribes to safe and sane consumer fireworks use only as per **Arizona State Statute 36-1601**. This state statute defines how restrictive or expansive local jurisdictions can be regarding fireworks ordinances.
- ▶ "Permissible consumer fireworks": (1.4G Consumer fireworks)
- ▶ "Consumer firework" means small firework devices that contain restricted amounts of pyrotechnic composition designed primarily to produce visible or audible effects by combustion.
- ▶ Examples include sparklers, cylindrical fountains, ground "spinners", toy smoke type devices.
- ▶ Does not include anything that is designed or intended to rise into the air and explode or to detonate in the air or to fly above the ground.

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- Per Arizona Statute 36-1601, items not included as permissible consumer grade fireworks include:
- Firecrackers, bottle rockets, skyrocketers, missile-type rockets, helicopters, aerial spinners, torpedoes, roman candles, mine devices, shell devices and aerial shell kits or reloadable tubes. These are not 1.3 G Professional Grade Fireworks. These are available for purchase by the general public where it is lawful to do so.
- 1.3G Professional Grade is what we all enjoy at The Celebration of Freedom.

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- Sales point kiosks of consumer fireworks must be permitted by application through Accela. Each sales point on Mesa street corners is inspected by a certified Mesa Fire Inspector. Upon successful inspection, a permit to operate is issued.



Not all fireworks are legal in Arizona

Permissible Sales/Use Dates of Legal Consumer Fireworks Per ARS 36-1601

CITY OF MESA FIREWORKS NOTICE

The use, discharge, or ignition of Arizona Permissible Consumer Fireworks is limited on private property, with the property owner's permission. Use, discharge, or ignition is prohibited in all public parks, public retention basins, and public facilities.

Arizona Revised Statutes Section 36-1601, et al. (SB 1348)

SALE of Consumer permissible fireworks is limited to:

April 25-May 6, May 20 - July 6

December 10 - January 3

USE of Consumer permissible fireworks is limited to:

May 4-6, June 24 - July 6

December 24 - January 3

Pursuant to **A.R.S. 36-1609**, a person shall not sell, or permit, or authorize the sale of Arizona permissible consumer fireworks to a person who is under 16 years of age.

The sale and use of novelties known as snappers (pop-its), party poppers, glow worms, snakes, toy smoke devices, and sparklers are permitted at all times.