



City of Mesa

*Council Chambers
57 E. First Street*

City Council

Meeting Agenda - Final

Monday, June 3, 2019

5:45 PM

CITIZEN PARTICIPATION

All citizens are permitted and encouraged to speak on agenda items including and preceding "Items from citizens present." If you are interested in speaking on such 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 Mark Freeman - District 1

Councilmember Jeremy Whittaker - District 2

Councilmember Francisco Heredia - District 3

Councilmember Jennifer Duff - District 4

Councilmember David Luna - District 5

Councilmember Kevin Thompson - District 6

Mayor's Welcome**Roll Call**

(City Council members participate in person or by telephone conference call.)

Invocation by Pastor Randy Wolf with Hillsong Phoenix.

Pledge of Allegiance**Awards, Recognitions and Announcements****1 Take action on all consent agenda items.****Items on the Consent Agenda**

***2** [19-0646](#) Approval of minutes of previous meetings as written.

3 Take action on the following recommendations made by the Judicial Advisory Board:

***3-a** [19-0644](#) Reappointment of City Magistrate, John Tatz, to a two-year term beginning July 1, 2019 and ending June 30, 2021.

***3-b** [19-0643](#) Reappointment of City Magistrate, Craig Fujii, to a four-year term beginning July 1, 2019 and ending June 30, 2023.

4 Take action on the following liquor license applications:

***4-a** [19-0624](#) Foster Hope Foundation

This is a one-day event to be held on Saturday, June 22, 2019 from 2:00 P.M. to 9:00 P.M. at Riverview Park, 2100 West Rio Salado Parkway. **(District 1)**

***4-b** [19-0638](#) St. Timothy Catholic Church

This is a one-day event to be held on Friday, November 8, 2019 from 7:00 P.M. to 10:00 P.M. at St. Timothy Catholic Church, 1730 West Guadalupe Road. **(District 3)**

***4-c** **[19-0637](#)** Square One Inc.

This is a one-day event to be held on Thursday, June 13, 2019 from 5:00 P.M. to 9:00 P.M. at Desert Wind Harley Davidson, 922 South Country Club Drive.
(District 4)

***4-d** **[19-0636](#)** Sertoma Club of Mesa

This is a one-day event to be held on Thursday, July 4, 2019 from 4:00 P.M. to 11:00 P.M. at the Mesa Convention Center Complex, 263 North Center Street.
(District 4)

***4-e** **[19-0625](#)** Downtown Mesa Association

This is a one-day event to be held on Friday, December 6, 2019 from 5:30 P.M. to 10:00 P.M. for the Downtown Mesa Association, on Main Street, from Center Street to Robson, and on Macdonald, from Main Street to 1st Avenue.
(District 4)

***4-f** **[19-0626](#)** Ultimate Imaginations

This is a one-day event to be held on Friday, September 6, 2019 from 5:30 P.M. to 10:00 P.M. for Ultimate Imaginations, on Main Street, from Center Street to Robson, and on Macdonald, from 1st Street to 1st Avenue. **(District 4)**

***4-g** **[19-0627](#)** Ultimate Imaginations

This is a one-day event to be held on Friday, October 4, 2019 from 5:30 P.M. to 10:00 P.M. for Ultimate Imaginations, on Main Street, from Center Street to Robson, and on Macdonald, from 1st Street to 1st Avenue. **(District 4)**

***4-h** **[19-0628](#)** Ultimate Imaginations

This is a one-day event to be held on Friday, November 1, 2019 from 5:30 P.M. to 10:00 P.M. for Ultimate Imaginations, on Main Street, from Center Street to Robson, and on Macdonald, from 1st Street to 1st Avenue. **(District 4)**

***4-i** **[19-0629](#)** Ultimate Imaginations

This is a one-day event to be held on Friday, January 3, 2020 from 5:30 P.M. to 10:00 P.M. for Ultimate Imaginations, on Main Street, from Center Street to Robson, and on Macdonald, from 1st Street to 1st Avenue. **(District 4)**

***4-j** **[19-0630](#)** Ultimate Imaginations

This is a one-day event to be held on Friday, February 7, 2020 from 5:30 P.M. to 10:00 P.M. for Ultimate Imaginations, on Main Street, from Center Street to Robson, and on Macdonald, from 1st Street to 1st Avenue. **(District 4)**

***4-k** **[19-0631](#)** Ultimate Imaginations

This is a one-day event to be held on Friday, March 6, 2020 from 5:30 P.M. to 10:00 P.M. for Ultimate Imaginations, on Main Street, from Center Street to Robson, and on Macdonald, from 1st Street to 1st Avenue. **(District 4)**

***4-l** **[19-0633](#)** Ultimate Imaginations

This is a one-day event to be held on Friday, April 3, 2020 from 5:30 P.M. to 10:00 P.M. for Ultimate Imaginations, on Main Street, from Center Street to Robson, and on Macdonald, from 1st Street to 1st Avenue. **(District 4)**

***4-m** **[19-0634](#)** Ultimate Imaginations

This is a one-day event to be held on Friday, May 1, 2020 from 5:30 P.M. to 10:00 P.M. for Ultimate Imaginations, on Main Street, from Center Street to Robson, and on Macdonald, from 1st Street to 1st Avenue. **(District 4)**

***4-n** **[19-0635](#)** Ultimate Imaginations

This is a one-day event to be held on Friday, June 5, 2020 from 5:30 P.M. to 10:00 P.M. for Ultimate Imaginations, on Main Street, from Center Street to Robson, and on Macdonald, from 1st Street to 1st Avenue. **(District 4)**

***4-o** **[19-0640](#)** Main St Bar & Grill

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Team Hayes LLC, 127 West Main Street - Jennifer Dyann Hayes, agent. The previous license held by Queen's Pizzeria LLC will revert to the State. **(District 4)**

5 Take action on the following contracts:

- *5-a** [19-0571](#) Ratification of the Emergency Purchase of Circuit Breakers and Related Materials and Repairs for the Fraser Substation as requested by the Energy Resources Department (**Districts 1 and 4**)

Due to the failure of 20-year old 69kV circuit breakers at the Fraser Substation on April 15, 2019, services, equipment and materials were necessary to replace the circuit breakers and associated equipment to return the Fraser Substation to full capacity. The Fraser Substation is critical to ensuring the prevention of systemwide outages of electric service to 16,800 Mesa electric utility customers.

The Energy Resources Department and Purchasing recommend ratifying the emergency purchase of services, equipment, materials, and supplies from various vendors and service providers, at \$292,224, based on estimated requirements. This purchase is funded by 2014 Electric Bond funds.

- *5-b** [19-0618](#) Three-Year Term Contract with Two Years of Renewal Options for Employee Recognition and Service Awards for Citywide Departments as requested by the Human Resources Department (**Citywide**)

This contract will provide employee recognition and service awards for benefited employees based on the anniversary of the employee hire date in five-year increments. The program will be an Internet-based system with a variety of gifts.

An evaluation committee recommends awarding the contract to the highest-scored and lowest-cost proposal from MTM Recognition Corp., at \$75,500 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

- *5-c** [19-0615](#) One-Year Renewal to the Term Contract for Waste Pumping and Hydro-Jetting Services for the Parks, Recreation and Community Facilities Department (**Citywide**)

This contract will provide services including removal, cleaning, and disposal of liquid and solid waste from traps, sand and oil interceptors, flow-through tanks, cesspools, septic tanks, and lift stations.

The Parks, Recreation and Community Facilities Department and Purchasing recommend authorizing the renewal with Western Utility Contractors, LLC, dba Overley's, at \$35,000 annually, based on estimated usage.

***5-d 19-0607 Seven-Month Term Contract with a One-Year Renewal Option for Bird Repellent Services for the Parks, Recreation and Community Facilities Department (Citywide)**

This contract will provide bird repellent services to City buildings. The City's previous contractor went out of business.

The Parks, Recreation and Community Facilities Department and Purchasing recommend authorizing the purchase using the Maricopa County cooperative contract with SouthWest Avian Solutions, LLC; and National Environmental Solutions, LLC; at \$50,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

***5-e 19-0608 Three-Year Term Contract with Two Years of Renewal Options for Emergency Environmental Remediation and Restoration Services for the Parks, Recreation and Community Facilities Department (Citywide)**

This contract will provide multiple pre-qualified contractors for on-call microbial remediation and disaster restoration services at pre-established pricing rates. Should an emergency situation arise, PRCF would have contractors available to mitigate further damage to City facilities.

An evaluation committee recommends awarding the contract to the qualified proposals from Comprehensive Risk Services, LLC; East Valley Disaster Services, Inc.; First Choice Restoration, Inc.; Restoration HQ, LLC; Sagebrush Restoration, LLC; Spray Systems of Arizona, dba Spray Systems Environmental; and Stratton Restoration, LLC, dba Stratton Builders (a Mesa business); at \$100,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

***5-f 19-0614 One-Year Term Contract with Four Years of Renewal Options for Front Load Refuse and Roll-Off Containers for the Environmental Management and Sustainability Department (Citywide)**

This contract will provide front load refuse and roll-off containers to service residential and commercial customers requesting refuse services to keep up with the demand.

The Environmental Management and Sustainability Department and Purchasing recommend awarding the contract to the lowest, responsive, and responsible bidder, Galfab LLC, at \$85,000 annually, with an annual increase allowance of up to 5%, or the adjusted Producer Price Index.

- *5-g** **19-0616** Three-Year Term Contract with Two Years of Renewal Options for Refuse Container Lids for the Environmental Management and Sustainability Department **(Citywide)**

This contract will provide 100% recyclable black lids used for commercial metal bin refuse containers throughout the City.

The Environmental Management and Sustainability Department and Purchasing recommend awarding the contract to the lowest, responsive, and responsible bidder, Impact, at \$27,000 annually, with an annual increase allowance of up to 5%, or the adjusted Producer Price Index.

- *5-h** **19-0612** Purchase of 440 Fingerprint Scanners (Additions) for the Police Department (Sole Source) **(Citywide)**

The Police Department currently has approximately 40 Brazos eCitations devices that use older 3G cellular technology that Verizon will be retiring in December 2019. This purchase is for a department-wide eCitation solution that works with the new records management system, as well as with existing Patrol smart phones, and will increase the number of officers who use eCitation. This is the only equipment that is designed to work with Versaterm's Records Management System and is Criminal Justice Information Services certified.

The Police Department and Purchasing recommend awarding the contract to the sole source vendor, Fulcrum Biometrics, at \$63,561.48, based on estimated requirements. This purchase is funded by Life Cycle Project Funds (Police Records Management System Replacement).

- *5-i** **19-0632** Three-Year Term Contract with Two Years of Renewal Options for Trailer Parts, Automotive Lighting, Mirrors, and Safety Supplies for the Fleet Services Department **(Citywide)**

This contract will provide trailer parts, automotive and truck lighting parts, mirrors and safety supplies required for the various vehicles and equipment owned by the City.

The Fleet Services Department and Purchasing recommend awarding the contract to the lowest, responsive, and responsible bidders, FleetPride, Inc. (a Mesa business); Parts West Heavy Duty LLC, dba Light House of Arizona; Polygon Investment Group, Inc., dba Spectrac Suspension Center; RWC International LTD, dba RWC Group; The WW Williams Company LLC, dba Auto Safety House; at \$150,000 annually, with an annual increase allowance of up to 5%, or the adjusted Producer Price Index.

5-j [19-0617](#) Three-Year Term Contract with Two Years of Renewal Options for Street Sweeper Brooms for the Fleet Services Department **(Citywide)*

This contract will provide replacement main broom assemblies for the City's street sweeping vehicles including Schwarze, Global and Nescon.

The Fleet Services Department and Purchasing recommend awarding the contract to the lowest, responsive, and responsible bidder, United Rotary Brush, at \$60,000 annually, with an annual increase allowance of up to 5%, or the adjusted Producer Price Index.

5-k [19-0613](#) Purchase of Two, Vehicle Wheel Alignment Machines and Four-Post Vehicle Lift Combinations (Additions) for the Fleet Services Department **(Citywide)*

This purchase will allow Fleet Services to complete vehicle wheel alignments in-house, as well as, offering the functionality to perform a variety of other vehicle repairs and preventative maintenance services.

The Fleet Services Department and Purchasing recommend authorizing the purchase using the Houston-Galveston Area Council (H-GAC) and State of Arizona cooperative contracts, with Mohawk Resources, Ltd., at \$125,921.84, based on estimated requirements.

5-l [19-0639](#) Mesa Drive Improvements Project - Phase 2 (8th Avenue to Main Street) Construction Manager at Risk (CMAR), Guaranteed Maximum Price (GMP) **(District 4)*

Improvements to this portion of Mesa Drive include reconstructed pavement, widened sidewalks, ADA compliant ramps and driveways, bike lanes, enhanced landscaping, new bus stop amenities, LED streetlights, and other associated improvements. This project will also include safety and capacity improvements to the Mesa Drive and Broadway Road intersection, such as raised medians and an additional right turn lane. Additionally, water, sewer, and gas lines will be added or upgraded within the project limits, and power lines south of Broadway Road, and those crossing Mesa Drive north of Broadway Road, will be undergrounded.

Staff recommends awarding the contract for this CMAR project to Haydon Building Corp. in the amount of \$23,425,018.63, and authorizing a change order allowance in the amount of \$1,171,251 (5%), for a total GMP award of \$24,596,269.63. This project is funded by 2013 authorized Streets bonds, 2010 authorized Gas bonds, 2014 authorized Electric, Water, and Wastewater bonds and Wastewater Reserve Extension and Replacement funds.

6 Take action on the following resolutions:

- *6-a** [19-0604](#) Approving and authorizing the City Manager to enter into a Development Agreement for City Share Reimbursement with PPGN-CORE, LLLP, for the reimbursement of \$40,641 for sewer mainline improvements that are being required by the City in conjunction with a proposed development known as Cadence Parkway Phase 2 Infrastructure Improvements, located at 9765 East Cadence Parkway. **(District 6)**
- *6-b** [19-0610](#) Extinguishing a portion of a public utility easement and a 1-foot controlled vehicular access easement located at 2639 North Power Road to allow for the construction of a 196-unit multi-family development; requested by the property owner. **(District 5)**
- *6-c** [19-0611](#) Extinguishing a drainage easement located at 2751 South Signal Butte Road to allow for the development of a McDonald's restaurant, and new easement will be dedicated in the future. This request was made by the property owner. **(District 6)**
- *6-d** [19-0645](#) Approving and authorizing the City Manager to enter into a Development Agreement with RagingWire Data Centers, relating to approximately 10.25 acres of property located near the northwest corner of Elliot and Signal Butte Roads for the purpose of "opting-in" to the Elliot Road Technology Corridor zoning overlay. **(District 6)**

7 Introduction of the following ordinance and setting June 17, 2019 as the date of the public hearing on this ordinance:

- *7-a** [19-0601](#) ZON19-00126 **(District 2)** Within the 4500 block of East Banner Gateway Drive (south side) and within the 1700 and 1800 blocks of Old Greenfield Road (east side). Located north of Baseline Road and east of Greenfield Road (4± acres). Rezoning from AG to RM-4-PAD; Site Plan Review; and a Special Use Permit to allow for a nursing home in the RM-4 district. This request will allow for the development of an assisted living facility with a nursing home. Ralph Pew, Pew & Lake, PLC, applicant; Langley Banner Gateway, LLC, owner.

At the Planning and Zoning Board meeting, this request included the consideration and approval of a Site Plan Review and Special Use Permit for a nursing home in the RM-4 district. The Site Plan Review and Special Use Permit were approved by the Planning and Zoning Board subject to Council approval of the rezoning.

Staff Recommendation: Approval with conditions

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

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

- *8-a** [18-1335](#) ZON18-00066 (**District 3**) The 1000 through 1100 blocks of South Alma School Road (west side) and the 1200 through 1300 blocks of West Southern Avenue (north side). Located at the northwest corner of Alma School Road and Southern Avenue (16± acres). Rezoning from LC to RM-5 PAD for 10.5± acres. Rezoning from LC to LC-PAD for 5.5± acres; and Site Plan Review for 16± acres. This request will allow for the development of multi-residential and commercial uses. Adam Baugh, Withey Morris, PLC, applicant; WM Grace Development Co., ETAL, owner.

Staff Recommendation: Approval with conditions

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

For continuance to the July 1, 2019 City Council meeting.

9 Discuss, receive public comment, and take action on the following annexation and zoning ordinances relating to property within the 400 to 600 blocks of North Ellsworth Road (west side) and north of University Drive:

- *9-a** [19-0539](#) ANX19-00066 (**District 5**) Annexing property located north of University Drive and west of Ellsworth Road and adopting comparable zoning (13.07± acres). Initiated by Sean Lake, Pew & Lake, PLC.
- *9-b** [19-0517](#) ZON19-00067 (**District 5**) Within the 400 to 600 blocks of North Ellsworth Road (west side) and within the 9000 to 9200 blocks of East Decatur Road (south side). Located north of University Drive, on the west side of Ellsworth Road (13.07± acres). Rezoning from RS-9 and RS-43 to RM-3-PAD; and Site Plan Review. This request will allow for development of a multi-residential use. Sean Lake, Pew & Lake, PLC, applicant; Ellsworth-University, LLC, owner.

Staff Recommendation: Approval with conditions

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

10 Take action on the following subdivision plats:

- *10-a** [19-0622](#) “Cadence at Gateway Phase 2” (**District 6**) Within the 9500 through 9600 blocks of the East Toledo Avenue alignment (south side), within the 9800 through 9900 blocks of the East Cadence Parkway alignment (both sides), within the 5500 through 5900 blocks of the South Crismon Road alignment (west side), and within the 9800 blocks of the East Williams Field Road alignment (north side). Located south and east of Ellsworth and Ray Roads within the Cadence Community (118.3 ± acres). PPGN-CORE, LLLP, developer; Raymond S. Munoz III, EPS Group, surveyor.

- *10-b** **19-0623** "Cadence at Gateway Phase 3" (**District 6**) Within the 9800 through 10200 blocks of the East Williams Field Road alignment (north side), and within the 5500 through 5900 blocks of the South Crismon Road alignment (east side). Located south and east of Ellsworth and Ray Roads within the Cadence Community. (85.2 ± acres). PPGN-Crismon, LLLP, developer; Raymond S. Munoz III, EPS Group, surveyor.

Items not on the Consent Agenda

- 11 Items from citizens present. (Maximum of three speakers for three minutes per speaker).**
- 12 Adjournment.¹**

¹ Prior to adjournment, at this Council meeting, the City Council may vote to go into executive session for legal advice on any item listed on this agenda pursuant to A.R.S. §38-431.03(A)(3); this notice is given pursuant to A.R.S. §38-431.02 to the members of the City Council and the public.