



## City of Mesa

*Council Chambers  
57 E. First Street*

### City Council

## Meeting Agenda - Final

**Monday, August 26, 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 Reverend Derrick Elliott with Desert Heritage Church.**

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

**\*2**     [19-0937](#)     Approval of minutes of previous meetings as written.

**3 Take action on the following liquor license applications:**

**\*3-a**     [19-0911](#)     Blue Thunder Law Enforcement Motorcycle Club

This is a one-day event to be held on Saturday, October 5, 2019 from 3:00 P.M. to 10:00 P.M. at Desert Wind Harley Davidson, 922 South Country Club Drive.  
**(District 4)**

**\*3-b**     [19-0912](#)     Christ the King Roman Catholic Parish Mesa

This is a one-day event to be held on Saturday, October 19, 2019 from 5:00 P.M. to 10:00 P.M. at Christ the King Roman Catholic Parish, 1551 East Dana Avenue. **(District 4)**

**\*3-c**     [19-0913](#)     East Valley Children's Theatre

This is a one-day event to be held on Saturday, September 21, 2019 from 6:30 P.M. to 9:00 P.M. at East Valley Children's Theatre, 4501 East Main Street.  
**(District 2)**

**\*3-d**     [19-0914](#)     Square One Inc.

This is a one-day event to be held on Thursday, October 3, 2019 from 5:00 P.M. to 9:00 P.M. at Desert Wind Harley Davidson, 922 South Country Club Drive.  
**(District 4)**

**\*3-e**     **19-0915**     St. Timothy Catholic Church

This is a one-day event to be held on Friday, October 25, 2019 from 6:30 P.M. to 10:30 P.M. at St. Timothy Catholic Church, 1730 West Guadalupe Road.  
**(District 3)**

**\*3-f**     **19-0916**     Unit 1 Bravo AOMA

This is a one-day event to be held on Thursday, September 19, 2019 from 5:00 P.M. to 9:00 P.M. at Desert Wind Harley Davidson, 922 South Country Club Drive. **(District 4)**

**\*3-g**     **19-0917**     Extreme Pizza

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Maria & Sons LLC, 1121 South Higley Road, Suite 102 - Lauren Kay Merrett, agent. There is no existing license at this location.  
**(District 2)**

**\*3-h**     **19-0918**     Pita Jungle

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for King of Red Mountain LLC, 5609 East McKellips Road, Suite 110-111 - Matthew Duane Jenkins, agent. There is no existing license at this location. **(District 5)**

**\*3-i**     **19-0943**     Native Grill & Wings

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Venture Enterprise LLC, 1837 West Guadalupe Road, Suite 120 - Amy S. Nations, agent. The existing license held by PSEHJ LLC will revert to the State. **(District 3)**

**\*3-j**     **19-0942**     GoBooze

A liquor delivery store is requesting a new Series 10 Beer and Wine Store License for GB License LLC, 1715 North Rosemont, Suite 101 - Andrea Dahlman Lewkowitz, agent. There is no existing license at this location.  
**(District 5)**

**4 Take action on the following contracts:**

- \*4-a**     **19-0925**     Purchase to Configure Eight Study/Meeting Rooms (Additions) at the Main Library as requested by the Library Services Department **(District 4)**

This purchase will provide materials and installation of modular walls/doors and other components for eight study/meeting rooms at the Main Library. This is part of a larger project at the Main Library to reallocate how the staff and patron space is used.

The Library Services Department and Purchasing recommend authorizing the purchase using the State of Arizona cooperative contract with Goodmans Interior Structures, at \$74,897.20.

- \*4-b**     **19-0926**     Refurbish Two Steinway Grand Pianos for the Mesa Arts Center as requested by the Arts and Culture Department (Single Response) **(Citywide)**

Steinway pianos are a special and highly requested piano, and servicing these pianos requires special training and skills. This purchase will refurbish the Mesa Arts Center's two, Steinway grand pianos.

An evaluation committee recommends awarding the contract to the single and qualified respondent, Klavierhaus, Inc., at \$75,000. This purchase is funded by the Mesa Arts Center Restoration Fee.

- \*4-c**     **19-0920**     One-Year Renewal with a One-Year Renewal Option to the Term Contract for Chiller Maintenance and Repair Services for the Parks, Recreation and Community Facilities Department **(Citywide)**

The Facilities Maintenance Division manages the inspection, preventative maintenance, and repair of water chillers and associated equipment located at City-owned and operated facilities. This contract provides preventative maintenance including scheduled inspections and replacement of parts on a pre-planned schedule prior to the failure or wear out of the part or material.

The Parks, Recreation and Community Facilities Department and Purchasing recommend authorizing the renewal with the contract to the highest-scored proposal, W.D. Manor Mechanical Contractors, Inc., at \$150,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

- \*4-d**     **19-0927**     Seven-Month Renewal to the Term Contract for Submersible Pump-Motor Units Repairs and Replacements for the Water Resources and Parks, Recreation and Community Facilities Departments **(Citywide)**

This contract provides qualified vendors to perform repairs to submersible pumps and pump/motor units and to furnish new submersible pumps and pump motor units, as-needed. Water Resources has pumps at water and wastewater treatments plants and lift stations. Parks, Recreation and Community Facilities Department has numerous pumps located at several aquatic centers.

The Water Resources and Parks, Recreation and Community Facilities Departments and Purchasing recommend authorizing the renewal with Phoenix Pumps Inc.; Laron Incorporated; Keller Electrical Industries, Inc.; and James, Cooke & Hobson, Inc.; at \$830,000.

- \*4-e**     **19-0919**     Purchase of a Light-Duty Cab and Chassis Vehicle (Replacement) for the Transportation Department as requested by the Fleet Services Department **(Citywide)**

This vehicle will be utilized for the City's graffiti abatement program. The vehicle that is being replaced is part of the ongoing vehicle replacement program, it has met established criteria, and will be either traded, auctioned, sold, or deployed to special uses.

The Fleet Services and Transportation Departments and Purchasing recommend authorizing the purchase using the State of Arizona cooperative contract with PFVT Motors, LLC, dba Peoria Ford, at \$60,840.89. This purchase is funded by the Local Streets Fund.

- \*4-f**     **19-0924**     One-Year Renewal to the Term Contract for Helicopter Airframe Parts and Repairs for the Police Department Aviation Unit **(Citywide)**

This contract provides parts, tooling, technical assistance, and labor to overhaul and exchange airframe components, avionics and accessories for the Police Aviation Unit's three MD Helicopters. The Aviation Unit currently has two model 500E helicopters and one model 530F.

The Police Department and Purchasing recommend authorizing the renewal with Seaside Helicopters, Inc., at \$500,000 annually, based on estimated usage.

- \*4-g**     **19-0921**     One-Year Renewal with a One-Year Renewal Option to the Term Contract for Compressed Natural Gas (CNG) Station Maintenance for the Energy Resources Department **(Citywide)**

This contract provides for the maintenance, parts, and repair of the CNG station at the City's 6th Street Complex, and includes compressors, dispensers, storage, and all other associated equipment. Also, the contractor provides semi-annual training for City employees relating to maintenance requirements of the CNG station.

The Energy Resources Department and Purchasing recommend authorizing the renewal with Trillium Transportation Fuels, LLC, at \$96,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

- \*4-h**     **19-0922**     One-Year Renewal with a One-Year Renewal Option to the Term Contract for Electric Switchgear Testing, Maintenance and Repairs for the Water Resources Department **(Citywide)**

This contract provides services including inspection, testing, preventative maintenance, evaluation, repair estimates, and repair or replacement of electrical distribution system components located at the City's water and wastewater facilities.

The Water Resources Department and Purchasing recommend authorizing the renewal with Cannon & Wendt Electric Company, Inc.; and Hampton Tedder Technical Services, Inc.; at \$250,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

- \*4-i**     **19-0932**     One-Year Renewal to the Term Contract for Water and Wastewater Equipment Repairs and Maintenance for the Water Resources Department **(Citywide)**

Water Resources utilizes this contract as a supplement to four existing contracts for vertical turbine pump repairs, submersible pump/motor repairs, well and well pump repairs, and electric motor rewinds and repairs. This contract allows the City more flexibility to quote larger repairs with other vendors and to quote the purchase of new pumps and motors with more vendors.

The Water Resources Department and Purchasing recommend authorizing the renewal using the City of Chandler cooperative contract with DXP Enterprises, Inc.; Foster Electric Motor Service, Inc.; Hennesy Mechanical Sales, LLC; James, Cooke & Hobson, Inc.; Layne Christensen; Phoenix Pumps, Inc.; Southwest Waterworks Contractors, Inc.; and Weber Water Resources, LLC; at \$800,000 annually, based on estimated usage.

- \*4-j**      **19-0929**      One-Year Renewal with a One-Year Renewal Option to the Term Contract for Bulk Methanol for Wastewater Treatment for the Water Resources Department (Citywide)

This contract provides bulk methanol for the Northwest Water Reclamation Plant. The plant uses methanol as a carbon source (food) in the aeration basin system for the water treatment process.

The Water Resources Department and Purchasing recommend authorizing the renewal with Tarr Acquisition, LLC, dba Tarr, LLC, at \$220,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

- \*4-k**      **19-0928**      Five-Year Term Contract with Two Years of Renewal Options for Water and Wastewater Disinfection Equipment, Parts and Services for the Water Resources and Parks, Recreation and Community Facilities Departments (Citywide)

This contract will provide pre-qualified contractors for the purchase of disinfection-related equipment and parts for various water and wastewater disinfection systems located throughout the City of Mesa and for disinfection services of wells, pipelines, and water-storage facilities, as needed. The Parks, Recreation and Community Facilities Department will also utilize the resulting contracts to supply replacement parts for their chlorination systems used for swimming pools.

An evaluation committee recommends awarding the contract to the qualified and highest-scored respondents from each Section: Atlantic Ultraviolet; Chemical Feeding Technologies, Inc.; Detection Instruments Corp.; DC Frost Associates, Inc.; CFM-SF, Inc., dba Phoenix Instrumentation; Precision Integrated Systems; PSI Water Technologies, Inc.; Purafil, Inc.; TGO Technologies, Inc.; TW Associates, dba MISCO Water; and U.S. Underwater Services, LLC; at \$1,500,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

**\*4-l      19-0923      Three-Year Term Contract with Two Years of Renewal Options for Emergency Pump Rental Services for the Transportation Department **(Citywide)****

The Transportation Department maintains 39 storm water pump stations with 51 of the pumps that convey storm water, irrigation tail water, and water from storm events. This contract will provide emergency pump rental services to mitigate flooding in the event of an emergency and to support the City equipment down for repairs.

The Transportation Department and Purchasing recommend awarding the contract to the lowest, responsive, and responsible bidder, Capital Pump & Equipment, LLC, at \$100,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index. This purchase is funded by the Environmental Compliance Fee.

**\*4-m      19-0905      Mesa-Falcon Field Airport Runway Connecting Taxiways Project **(District 5)****

This project consists of constructing two new acute angle exit taxiways connecting Runway 4L/22R to parallel Taxiway 'E', as a part of runway safety and operations improvements included in the Falcon Field Airport Master Plan and Runway Safety Action Plan, and in the Federal Aviation Administration (FAA) Runway Incursion Mitigation Program. On July 8, 2019, Council accepted an Airport Improvement Program Grant Agreement from the FAA that provides 91.06% of the necessary construction funding for this project.

Staff recommends awarding the contract for this project to the lowest, responsible bidder, Combs Construction Company, Inc., in the amount of \$1,141,168.16, and authorizing a change order allowance in the amount of \$114,116.82 (10%), for a total amount of \$1,255,284.98. FAA will reimburse the City for 91.06% of the eligible project costs. Falcon Field is also applying to the Arizona Department of Transportation, Aeronautics Group (ADOT) for a matching grant to fund 4.47% and the Airport Enterprise Fund will fund the remaining 4.47%. If an ADOT grant is not received, Falcon Field will fund the entire local match of 8.94%, with funding available from the adopted Falcon Field Capital Program.



**\*4-n     [19-0930](#)     East Valley Adult Resources (EVAR) Tenant Improvements Project, Guaranteed Maximum Price (GMP) (**District 4**)**

EVAR provides programs and social services to adults 55 years of age and older to promote social interaction and independence. Programs include food and nutrition classes, outreach, and other health and wellness programs. EVAR has been operating and serving Mesa's senior community from this location since 1980.

This project includes building upgrades to areas that are at the end of their functional life and are in need of replacement including, the fire alarm system, the walk-in refrigerator and walk-in freezer, and interior flooring and finishes (including lighting and ceiling tiles).

Staff recommends awarding the contract for this project to the lowest, responsible bidder, G&G Specialty Contractors, in the amount of \$1,074,934.70 and authorizing a change order allowance in the amount of \$107,493.47 (10%), for a total GMP award of \$1,182,428.17. This project is funded by Community Development Block Grant (CDBG) funds.

**5     Take action on the following resolutions:**

**\*5-a     [19-0899](#)     Approving and authorizing the City Manager to enter into an Award Agreement with the State of Arizona Office of Attorney General to accept \$45,600 in grant funds from the FY 2020 Victims' Rights Program that will be used for salaries and employee benefits of two Victim Notification Clerks at the Police Department's Mesa Family Advocacy Center. (**Citywide**)**

**\*5-b     [19-0906](#)     Approving and authorizing the City Manager to enter into a Certification Acceptance Agreement with the State of Arizona (Arizona Department of Transportation) for the self-certification of Mesa to administer Federal Highway Administration-funded projects, such as pathways, traffic signals, intelligent transportation systems, and street improvements. (**Citywide**)**

**6     Discuss, receive public comment, and take action on the following ordinances:**

**\*6-a     [19-0852](#)     Amending Section 10-4-5 of the Mesa City Code to establish a speed limit of 35 mph on Meridian Road from the north City limits to Mesquite Street, as recommended by the Transportation Advisory Board. (**District 6**)**

**\*6-b     [19-0871](#)     Repealing the existing Personnel Rules applicable to City of Mesa employees and adopting new Personnel Rules. (**Citywide**)**

- \*6-c**     **19-0855**     Amending Title 8, Chapter 6, Sections 1 through 4, 9, and 13 of the Mesa City Code, pertaining to Public Nuisances, Property Maintenance and Neighborhood Preservation. The changes include who interprets the Nuisance Code; the definitions of: responsible parties, blight, pigeons, recreational vehicles, and right of way; who is responsible for: parcels with weeds, parcels with debris/trash, the display of residential addresses; and adds certain prohibitions as to the feeding of pigeons, temporary parking of recreational vehicles and watercraft on driveways, and the storage of recreational vehicles on residential parcels; and penalties for civil violations. **(Citywide)**

**7     Discuss, receive public comment, and take action on the following ordinances and resolution relating to the Avalon Crossing development:**

- \*7-a**     **19-0858**     ANX18-00031 **(District 6)** Ordinance. Annexing property located south of Williams Field Road and west of Signal Butte Road (162.4± acres). Initiated by Dennis Newcomb, Beus Gilbert, PLC.
- \*7-b**     **19-0837**     ZON19-00436 **(District 6)** Ordinance. The 5200 to 5300 blocks of South Ellsworth Road (east side), the 5300 through 6200 blocks of the South Crismon Road alignment (east and west sides), and the 10000 through 10200 blocks of the East Williams Field Road alignment (north and south sides). Located on the north side of the future State Route 24 freeway alignment from Ellsworth Road to approximately one-quarter mile east of the Crismon Road alignment (485± acres). Major Amendment to the Pacific Proving Grounds North Community Plan, also known as the Cadence Community Plan. This request will remove Development Unit 5 from the Cadence Community Plan (20± acres at the southeast corner of the Crismon and Williams Field Road alignments). Paul Gilbert, Beus Gilbert, PLLC, applicant; Pacific Proving, LLC, owner.

Staff Recommendation: Approval with conditions

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

- \*7-c**     **19-0838**     ZON18-00951 **(District 6)** Ordinance. The 6000 through 6400 blocks of the south Crismon Road alignment (east side), the 10000 to 10600 blocks of East Williams Field Road (south side) and the 6000 through 6400 blocks of South 222nd Street (west side). Located south of Williams Field Road and west of Signal Butte Road (182± acres). Rezone from AG and PC to PC. This request will establish the Avalon Crossing Community Plan. Paul Gilbert, Beus Gilbert PLLC, applicant; Pacific Proving, LLC, owner.

Staff Recommendation: Approval with conditions

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

- \*7-d**     [19-0938](#)     Resolution approving and authorizing the City Manager to enter into a Development Agreement with Pacific Proving, LLC, for the development of a mixed-use planned community district, known as Avalon Crossing, generally located south of Williams Field Road and west of Signal Butte Road.  
(District 6)

**8     Take action on the following subdivision plat:**

- \*8-a**     [19-0901](#)     “The Landing 202” (District 6) Within the 7900 through 8100 blocks of East Ray Road (north side). Located west of Hawes Road on the north side of Ray Road (46.6± acres). Ray 39A, LLLP; Ray 39C, LLLP; Marwest Enterprises, LLC; Kay L. Toolson; and Judy Toolson, developers; James A. Brucci, Hunter Engineering, surveyor.

**Items not on the Consent Agenda**

**9     Take action on the following resolution relating to property at the southeast corner of 1st Avenue and Macdonald:**

- 9-a**     [19-0904](#)     Approving and authorizing the City Manager to enter into a Second Amendment to the Amended and Restated Development Agreement, a Government Property Lease Excise Tax (GPLET) Lease Agreement, and related agreements and documents with MHA III, LLC for the development of approximately 1.6± acres of property generally located at the southeast corner of 1st Avenue and Macdonald. The Agreements facilitate the development of a 72-unit market-rate multi-family project that will generate economic benefits to the City of Mesa. (District 4)

**10    Discuss, receive public comment, and take action on the following ordinance and resolution relating to property located at the southwest corner Alma School Road and Southern Avenue:**

- 10-a**     [18-1335](#)     ZON18-00066 (District 3) Ordinance. 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)

- 10-b**     [19-0936](#)     Resolution approving and authorizing the City Manager to enter into a Development Agreement and a Government Property Lease Excise Tax (GPLET) Lease Agreement with W.M. Grace Development Co.; Grace Capital Investment Corporation; and Fiesta Village Luxury Apartments, LLC, and related agreements and amendments for the development of approximately 10.2 acres of property generally located at the northwest corner of Alma School Road and Southern Avenue. The Agreements facilitate the redevelopment of a portion of a vacant shopping center into a 220-unit market-rate multi-family project that will generate economic benefits to the City of Mesa. **(District 3)**

**11     Discuss, receive public comment, and take action on the following ordinances relating to the Lehi Cove development:**

- 11-a**     [19-0857](#)     ANX18-00229 **(District 1)** Annexing property located north of Thomas Road and west of Val Vista Drive (4.49± acres). Initiated by Blake McKee, Skybridge Company, LLC.
- 11-b**     [19-0839](#)     ZON18-00214 **(District 1)** The 3100 to 3300 blocks of East Thomas Road (north side). Located on the north side of Thomas Road and west of Val Vista Drive (7.5± acres). Rezoning from AG and RS-43 to RM-2-PAD; and Site Plan Review. This request will allow for the development of an attached single-residence subdivision. Blake McKee, Sky Bridge Companies, applicant; Arthur L. Freeman Family Trust, Kaser Citrus, Inc., John Babiarz, owners.

Staff Recommendation: Approval with conditions

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

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

**13     Adjournment.<sup>1</sup>**

<sup>1</sup> 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.