



***Council Meeting Notice: To decrease COVID-19 exposure, the City Council Chambers is closed, but public participation and viewing will be available electronically.***

**Members of the City Council will appear electronically for this meeting, via a video conferencing platform, and the live meeting will be accessible via broadcast and telephonically.**

Because of the current public health emergency, the City Council Chambers is closed for Council Meetings. However, the live meeting may be watched on local cable **Mesa channel 11**, online at [Mesa11.com/live](https://www.mesa11.com/live), [www.youtube.com/user/cityofmesa11/live](https://www.youtube.com/user/cityofmesa11/live), or <https://www.facebook.com/CityofMesa>, or listened to by calling **888-788-0099** or **877-853-5247 (toll free)** using meeting ID **5301232921** and following the prompts.

Public participation will be available electronically. If you want to provide a written comment or speak telephonically at the meeting, please submit an online comment card by going to [Mesaaz.gov/bluecard](https://mesaaz.gov/bluecard) **at least 1 hour prior to the start of the meeting**. If you want to speak at the meeting, you will need to indicate on the comment card that you would like to speak during the meeting, and you will need to call **888-788-0099** or **877-853-5247 (toll free)** using meeting ID **5301232921** and following the prompts, prior to the start of the meeting. You will be able to listen to the meeting; and when the item you have indicated that you want to speak on is before Council, your line will be taken off mute and you will be given an opportunity to speak.

Applicants and their representatives who have items on the Council agenda and who want to be able to comment on their item or be able to answer questions should fill out this [Applicant online comment card](#) **at least 1 hour prior to the start of the meeting** and call **888-788-0099** or **877-853-5247 (toll free)** using meeting ID **5301232921** and following the prompts, prior to the start of the meeting. You will be able to listen to the meeting; and when the item you have indicated that you want to speak on is before Council, your line will be taken off mute and you will be given an opportunity to speak.

For help with the online comment card, or for any other technical difficulties, please call 480-644-2099.



# City of Mesa

*Council Chambers  
57 E. First Street*

## City Council Meeting Agenda - Final

**Monday, June 1, 2020**

**5:45 PM**

### **CITIZEN PARTICIPATION**

All citizens are permitted and encouraged to speak on agenda items including and preceding "Items from citizens present." Public participation is available electronically. If you want to provide a written comment or speak telephonically at the meeting, please submit an online comment card by going to [Mesaaz.gov/bluecard](https://mesaaz.gov/bluecard) **at least 1 hour prior to the start of the meeting.** If you want to speak at the meeting, you will need to indicate on the comment card that you would like to speak during the meeting, and you will need to call **888-788-0099 or 877-853-5247 (toll free) using meeting ID 5301232921 and following the prompts, prior to the start of the meeting.** You will be able to listen to the meeting; and when the item you have indicated that you want to speak on is before Council, your line will be taken off mute and you will be given an opportunity to speak.

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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, an online comment card will need to be completed by going to [Mesaaz.gov/bluecard](https://mesaaz.gov/bluecard) **at least 1 hour prior to the start of the meeting** and by following the instructions provided under "Citizen Participation" at the top of this page.

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

**\*2**      [20-0609](#)      Approval of minutes of previous meetings as written.

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

**\*3-a**      [20-0610](#)      Reappointing City Magistrate, Alicia Lawler, to a two-year term beginning July 1, 2020 and ending June 30, 2022.

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

**\*4-a**      [20-0600](#)      Purchase of Field Lighting for Skyline Park (Replacement) for the Parks, Recreation and Community Facilities (PRCF) Department **(Citywide)**

PRCF is looking to replace the field lights at Skyline Softball Field this summer. The existing lights no longer have readily available replacement parts and bulbs, and the poles cannot be confirmed to have structural integrity for use with a new lighting system.

The Parks, Recreation and Community Facilities Department and Purchasing recommend authorizing the purchase using the Sourcewell cooperative contract with Musco Sports Lighting LLC, at \$338,803.55, based on estimated requirements.

**\*4-b     20-0595     One-Year Renewal with a One-Year Renewal Option to the Term Contract for Police Motorcycle Maintenance and Repair Services for the Police Department (Citywide)**

This contract provides maintenance and repair of the Police Department motorcycle fleet which currently consists of 23 Kawasaki Concours 1400 motorcycles. Fleet Services now has an in-house motorcycle repair technician to handle a majority of the routine services.

The Police Department and Purchasing recommend authorizing the renewal with Arizona Kawasaki, Inc. dba Kelly's Kawasaki (a Mesa business), at \$70,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

**\*4-c     20-0599     Purchase of One Automated Extraction Instrument (Addition) for DNA Analysis for the Police Department (Citywide)**

The QIAAsymphony SP Instrument is an automated extraction system that has the capability of extracting up to 96 samples from up to four analysts at the same time. An additional instrument will increase the existing capacity and provide a redundancy if the current instrument needs to be taken off-line for service or upgrades. All DNA analysts have passed a competency test in the use of this instrument and detailed procedures have been developed for use in the laboratory. Using a different extraction instrument would require separate supplies and reagents.

The Police Department and Purchasing recommend awarding the contract to the sole source vendor, QIAGEN, Inc., at \$132,164.42, based on estimated requirements. This purchase is funded by the National Institute of Justice Capacity Enhancement and Backlog Reduction Grant.

**\*4-d     20-0596     Three-Year Term Contract with Two Years of Renewal Options for Police Service Dogs for the K9 Unit for the Mesa Police Department (Citywide)**

The Mesa Police Department K9 Unit uses Police Service Dogs for both patrol and detection (explosives, narcotics, etc.) purposes. The K9 Unit assists Police members in duties including, but not limited to, searching and apprehension of persons suspected of criminal behavior, lost persons, evidence, stolen property, or other articles.

An evaluation committee recommends awarding the contract to the highest-scored proposal from Adlerhorst International Inc., at \$71,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

- \*4-e     [20-0602](#)**     Purchase of One Airborne Video Downlink Solution (Replacement) for the Mesa Police Department **(Citywide)**
- Enhanced technology, such as a video downlink system, provides real-time, direct video between airborne and ground units, allowing safer and more effective coordinated efforts during routine and emergency events and situations by giving emergency managers greater real-time situational awareness.
- An evaluation committee recommends awarding the contract to the highest-scored proposal from Vislink Technologies, at \$156,000, based on estimated requirements. This award recommendation requests capacity for two helicopters should additional funding be identified. The initial purchase is funded by 2019 Homeland Security Grant (\$72,179) and 2017 Reallocated Funds - Homeland Security Grant (\$16,981.)
- \*4-f     [20-0597](#)**     Dollar-Limit Increase to the Term Contract for Polyethylene Natural Gas Pipe and Fittings for the Materials and Supply Warehouse (for the Energy Resources Department) **(Citywide)**
- Energy Resources - Gas Utility uses polyethylene natural gas pipe and fittings for newly installed intermediate natural gas mains and services and to replace aging infrastructure.
- The Business Services and Energy Resources Departments and Purchasing recommend increasing the dollar-limit with Border States; Georg Fischer Central Plastics LLC; and Western Water & Gas Products Ltd; by \$40,000, for Years 2 and 3, from \$832,000 to \$872,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.
- \*4-g     [20-0601](#)**     One-Year Renewal with a One-Year Renewal Option to the Term Contract for Utility Adjustment Services for the Transportation Department **(Citywide)**
- This contract provides minor concrete work and the adjustment of gas and water valves, survey monuments, sewer cleanouts, and manholes associated with utility cut repairs and/or failed utility frames and other related services.
- The Transportation Department and Purchasing recommend authorizing the renewal with Lincoln Constructors Inc., at \$515,120 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

- \*4-h**     **20-0594**     One-Year Renewal with a One-Year Renewal Option to the Term Contract for Class 400 Gas Meters for the Materials and Supply Warehouse (for the Energy Resources Department) **(Citywide)**

This contract provides gas meters used for new service installations and repairs. These meters are used for monitoring volume of customer gas usage and for billing of residential and commercial services.

The Business Services and Energy Resources Departments and Purchasing recommend authorizing the renewal with Border States Industries, Inc., at \$265,500 annually, with an annual increase allowance of up to 5%, or the adjusted Producer Price Index.

- \*4-i**     **20-0607**     Robson Electrical Substation East Bay Transformer - Switchgear Replacement CMAR Project - GMP No. 2 **(District 2)**

Council approved GMP No. 1 for this project in April 2019, which included furnishing, installing, and constructing the conduits, foundations, structural steel, and switches necessary to support the replacement of the transformer and associated switchgear.

GMP No. 2 is the final GMP for the project. The scope of work includes furnishing, installation, and construction of the high voltage electrical bus and electrical relaying necessary to commission the new substation transformer and switchgear, which were installed in GMP No.1. New electrical cable will also be installed from the switchgear to connect to the electrical distribution grid. And site modifications, including fencing and resurfacing, will also be completed.

Staff recommends awarding the contract for this portion of the CMAR project to ESS Corporation in the amount of \$1,279,817.55, and authorizing a change order allowance in the amount of \$127,981.75 (10%), for a total GMP award of \$1,407,799.30. Project funding by 2014 authorized Electric bonds.

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

- \*5-a**     **20-0619**     Authorizing the City Manager to suspend enforcement, temporarily modify, or approve alternatives to requirements or specifications in the Mesa City Code, related to outdoor seating and services for eating and drinking establishments and temporary signage for all businesses and organizations, to mitigate the health and economic effects of the COVID-19 pandemic during the Declaration of Emergency. This resolution is intended to assist businesses and other organizations that are operating in a limited capacity due to the pandemic, or otherwise effected by the pandemic. **(Citywide)**

- \*5-b**     [20-0564](#)     Designating the General Election date as November 3, 2020 and the purpose of the General Election including providing the deadline for filing arguments for and against ballot measures, deadline for voter registration, and providing the times that polls will be open. **(Citywide)**
- \*5-c**     [20-0495](#)     Approving and authorizing the submittal to the U.S. Department of Housing and Urban Development of the Second Substantial Amendment to the City of Mesa Annual Action Plan for Fiscal Year 2019/2020 and the Third Substantial Amendment to the Five-Year Consolidated Plan for Fiscal Years 2015/2016 through 2019/2020 for the receipt of Emergency Solutions Grant COVID-19 program (ESG-CV) and the reprogramming of Fiscal Year 2019/2020 Community Development Block Grant (CDBG) funds in response to the Coronavirus pandemic, and authorizing the City Manager to expend, disburse, and enter into agreements for disbursement of the ESG-CV and CDBG funds. **(Citywide)**
- \*5-d**     [20-0498](#)     Approving and authorizing the City Manager to disburse Fiscal Year 2020/2021 Human Services funds to non-profit organizations for activities approved by City Council and to enter into agreements for disbursement of the funds. **(Citywide)**
- \*5-e**     [20-0563](#)     Vacating a portion of road right-of-way along Old Lehi Road between North Gilbert Road and East McDowell Road located at 2126 East Lehi Road to allow the property owner ingress and egress from the west side of the property; requested by the property owner. **(District 1)**
- \*5-f**     [20-0583](#)     Extinguishing a public utilities and facilities easement located on the southwest corner of South Pomeroy and East Main Street to accommodate the construction of a building as part of the GRID Project; requested by the developer. **(District 4)**
- \*5-g**     [20-0244](#)     Authorizing the defeasance and redemption of a portion of the City's outstanding Taxable Utility Systems Revenue Bonds, Series 2010 (Build America Bonds - Direct Pay), and Utility Systems Revenue Refunding Bonds, Series 2014, not to exceed \$17,000,000. **(Citywide)**
- \*5-h**     [20-0248](#)     Levying the amount to be collected by a secondary property tax and the rate upon each one hundred dollars (\$100) of assessed valuation of property subject to taxation within the City of Mesa for the fiscal year ending June 30, 2021. **(Citywide)**

The FY 2020-21 secondary property tax rate of \$1.1171 represents a 6% reduction from the prior year's tax rate, while maintaining a tax levy of \$41.7 million.

**6 Introduction of the following ordinance and setting June 15, 2020 as the date of the public hearing on this ordinance:**

- \*6-a**     [20-0616](#)     Repealing and replacing Title 1, Chapter 7 of the Mesa City Code pertaining to City Magistrates to formalize the term of office for the Presiding City Magistrate and clarify the term of office for City Magistrates, and amending Title 2, Chapter 3 of the Mesa City Code pertaining to the Judicial Advisory Board to formalize the appointment and reappointment process for the Presiding City Magistrate, clarify the appointment and reappointment process for City Magistrates, and clarify the Presiding City Magistrate's authority to appoint Magistrates Pro Tem. **(Citywide)**

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

- \*7-a**     [20-0512](#)     Amending Chapter 58 of Title 11, the Zoning Ordinance, of the Mesa City Code to remove the limitation that certain land uses in the T5MS Transect Zone are not allowed on the ground floor and to allow certain Land Uses in the T5MS Transect Zone to occupy up to fifty percent of the ground floor if the development meets specific criteria. **(Citywide)**

Staff Recommendation: Approval

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

- \*7-b**     [20-0511](#)     Amending Sections 9-11-3 through 9-11-5 of the Mesa City Code pertaining to Floodplain Regulations and the National Flood Insurance Program, and adopting by reference Floodplain Management Regulations, a Flood Insurance Study, and Flood Insurance Rate Maps. The revisions are to comply with current state and federal floodplain regulations under the National Flood Insurance Program. **(Citywide)**

- \*7-c**     [20-0514](#)     ZON20-00030 **(District 6)** Within the 9500 block of East Southern Avenue (south side) and within the 1200 block of South 96th Street (west side). Located west of Crismon Road on the south side of Southern Avenue (1.6± acres). Rezoning from NC to RM-3 and Site Plan Review. This request will allow for a multi-residence development. Sean Lake, Pew and Lake PLC, applicant; Holualoa Superstition Canyon Land LLC, owner.

Staff Recommendation: Approval with conditions

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

- \*7-d**     [20-0584](#)     Modifying rates for residential water utility services. Establishing a 30% discount rate off the water service charge for qualified low-income senior residents. **(Citywide)**



**8 Discuss, receive public comment, and take action on the following zoning ordinance and take action on the following development agreement regarding property located on the west side of South Ellsworth Road, north of Ray Road:**

- \*8-a     [20-0513](#)**     ZON18-00483 (**District 6**) Within the 4800 to 5000 blocks of South Ellsworth Road (west side). Located on the west side of Ellsworth Road north of Ray Road (74± acres). Rezoning from AG, LI, and PEP-BIZ-PAD to LI-PAD, LC-PAD and RM-4-PAD. This request will allow for a mixed-use development. Jeffery Blilie, Beus, Gilbert, McGroder PLLC, applicant; Sun Belt Land Holdings LP, owner.

Staff Recommendation: Approval with conditions

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

- \*8-b     [20-0573](#)**     Approving and authorizing the City Manager to enter into a Development Agreement with Sunbelt Land Holdings, LP, relating to approximately 73.7 acres of property located at the northwest corner of Ellsworth Road and Point Twenty-Two Boulevard for the purpose of developing a mixed-use development. (**District 6**)

**Items not on the Consent Agenda**

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

**10 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.