

COUNCIL MINUTES

July 8, 2019

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on July 8, 2019 at 5:59 p.m.

COUNCIL PRESENT

John Giles
Mark Freeman
Jennifer Duff *
Francisco Heredia
David Luna
Kevin Thompson
Jeremy Whittaker

COUNCIL ABSENT

None

OFFICERS PRESENT

Christopher Brady
Dee Ann Mickelsen
Jim Smith

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

Mayor's Welcome.

Invocation by Anita Rangaswami of the Hindu Faith.

Pledge of Allegiance was led by Mayor Giles.

Awards, Recognitions and Announcements.

There were no awards, recognitions or announcements.

1. Take action on all consent agenda items.

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

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

Upon tabulation of votes, it showed:

AYES – Giles-Duff-Freeman-Heredia-Luna-Thompson-Whittaker

NAYS – None

ABSENCE – None

Carried unanimously.

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

Minutes from the April 25, May 20, July 1, 2019 Council meetings.

3. Take action on the following liquor license applications:

*3-a. Bashas' #2

A grocery store is requesting a new Series 9 Liquor Store license for Bashas' Inc., 339 East Brown Road - Michael Joseph Basha, agent. This is a location transfer. The existing license held by Bashas' Inc., will be modified by the State to inactive status. The transfer license will be the active liquor license at this location. **(District 1)**

4. Take action on the following contracts:

*4-a. Purchase of One Light-Duty Pickup Truck (Replacement) for the Police Department as requested by the Fleet Services Department. **(Citywide)**

The vehicle that is being replaced has met established criteria and will be either traded, auctioned, sold, or deployed to special uses as part of the vehicle replacement program.

The Police Department and Purchasing recommend authorizing the purchase from the existing contract with PFVT Motors, LLC, dba Peoria Ford, at \$37,581.23. This purchase is grant funded by Arizona Department of Homeland Security.

*4-b. Three-Year Term Contract with Two Years of Renewal Options for Original Equipment Manufacturer (OEM) and Aftermarket Refuse Body and Sweeper Body Parts for the Fleet Services Department. **(Citywide)**

This contract will provide OEM and aftermarket refuse body and sweeper body parts to support the City's fleet of equipment.

The Fleet Services Department and Purchasing recommend awarding the contract to the lowest, responsive, and responsible bidders: Wastebuilt Environmental; Western Refuse & Recycling Eq. Inc.; Laclede Equipment, Inc.; Balar Holding Corp., dba Balar Equipment; Amrep Manufacturing, LLC; AZ Wastewater Industries, Inc.; and BTE Body Company, formerly dba Dadee Manufacturing, LLC; at \$900,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

*4-c. Purchase of Replacement Stage Curtains for the Mesa Arts Center, Ikeda Theater, as requested by the Arts and Culture Department. **(Citywide)**

The existing state curtains for the Ikeda Theater are in poor condition and are due for cycle replacement.

The Arts and Culture Department and Purchasing recommend awarding the contract to the lowest, responsive, and responsible bidder, Rose Brand Wipers, Inc., dba Rose Brand, at \$52,324.80. This purchase is funded by the Mesa Arts Center Restoration Fund.

- *4-d. Dollar-Limit Increase to Year 4 and One-Year Renewal for Year 5 to the Term Contract for Audio-Visual Services for the Mesa Convention Center as requested by the Parks, Recreation and Community Facilities Department. **(Citywide)**

This contract provides audio-visual services to Mesa Convention Center clients. The City collects the money from exhibitors and event coordinators and then issues a payment to settle with the concessionaire.

The Parks, Recreation and Community Facilities Department and Purchasing recommend increasing the dollar-limit by \$55,000, from \$160,000 to \$215,000, for Year 4; and authorizing the renewal for Year 5, with JLG Enterprises, Inc., dba Premier Audio Visual (a Mesa business), at \$215,000 annually, based on estimated usage.

- *4-e. One-Year Renewal with a One-Year Renewal Option to the Term Contract for Perennial Ryegrass Seed for the Parks, Recreation and Community Facilities Department. **(Citywide)**

This contract provides for the annual purchase of grass seed for over-seeding over the winter months at Fitch Park, Gene Autry Park, Eastmark Great Park, Red Mountain Park, Hohokam Park, the Mesa Cemetery, and Riverview Park. These sites are highly visible and heavily used for recreation in the winter months.

The Parks, Recreation and Community Facilities Department and Purchasing recommend authorizing the renewal with Wilbur Ellis Company, at \$38,556 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

- *4-f. Three-Year Term Contract with Two Years of Renewal Options for Emergency Medical Supplies and Pharmaceuticals for the Mesa Fire and Medical Department. **(Citywide)**

The vendor will provide the City with eight dispensing systems and related software for emergency medical supplies and pharmaceuticals. The dispensing machines will allow sworn Fire personnel to restock apparatus with pharmaceuticals at select fire stations, rather than driving and replenishing at the hospital. The machines will reduce apparatus being out of service and will create security measures for the controlled substances and medications.

The Mesa Fire and Medical Department and Purchasing recommend awarding the contract to the highest-scored proposal from Bound Tree Medical, LLC, at \$535,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

- *4-g. One-Year Renewal to the Term Contract for DNA Crime Lab Supplies for the Police Department (Sole Source). **(Citywide)**

This contract provides supplies for the Forensic Services Division to process evidence and conduct forensic DNA testing for criminal investigations. The supplies include reagents and consumables to determine the quantity of DNA present, to make copies of the DNA, and to detect the DNA on genetic instruments.

The Police Department and Purchasing recommend authorizing the renewal with Life Technologies Corporation, at \$175,000 annually, based on estimated usage.

- *4-h. One-Year Term Contract for Randox Drug Screening and Testing Supplies for the Police Department (Sole Source). **(Citywide)**

The Randox Evidence Investigator Biochip Analyzer allows multiple tests to be carried out from a single patient sample, reducing the time and labor spent on individual tests by the Forensic Services Division. This instrument utilizes biochips with multiple antibody/antigen reaction sites and other associated reagents that are exclusively manufactured by, and available only through, Randox Laboratories.

The Police Department and Purchasing recommend awarding the contract to the sole source vendor, Randox Toxicology, at \$140,000, based on estimated usage.

- *4-i. One-Year Term Contract for Electronic Personal History Software for the Police Department. **(Citywide)**

Electronic Statement of Personal History (eSOPH) is a web-based software system designed and developed to assist with pre-employment background investigations to streamline the applicant hiring process. Agencies using eSOPH report processing times between 8 and 14 days; the current process takes an average of 58 days. eSOPH also allows processing of multiple files simultaneously and information sharing with other agencies.

The Police Department and Purchasing recommend authorizing the purchase using the City of Scottsdale cooperative contract with Miller Mendel, Inc., at \$50,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

- *4-j. One-Year Renewal to the Term Contract for Uniform Badges for the Police Department. **(Citywide)**

This contract provides a qualified manufacturer for custom uniform badges to include shirt badges, flat badges mounted in black leather wallets, and cap pieces for the Police Department. Orders are placed on an as-needed basis.

The Police Department and Purchasing recommend authorizing the renewal with Sun Badge Company, at \$50,000 annually, based on estimated usage.

- *4-k. Purchase of Modular Furniture and Installation for the Police Department. **(Citywide)**

This purchase will provide modular furniture, workstations, and chairs for the Police Department's Special Operations Unit.

The Police Department and Purchasing recommend authorizing the purchase using the State of Arizona cooperative contract with Arizona Furnishings, at \$68,890.47.

- *4-l. One-Year Renewal with a One-Year Renewal Option to the Term Contract for Replacement Portable and Mobile Two-Way Radios and Related Accessories and Equipment for the Police Department as requested by the Information Technology Department - Communications Division. **(Citywide)**

In 2016, the Police Department replaced 1,793 radios that reached end of useful life, with new radios that allow GPS tracking and Wi-Fi reprogramming with a lease-to-purchase contract paid over three years. The Police Department is requesting an annual

contract amount of \$720,000 for Years 4 and 5, for the purchase of additional two-way radios and related accessories and equipment for new hires and expanded programs requiring the need for radio communication.

The Police Department and Purchasing recommend authorizing the renewal with Motorola Solutions, Inc., at \$720,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index. This purchase is funded by the Capital - General Fund.

- *4-m. One-Year Renewal with a One-Year Renewal Option to the Term Contract for Electric Utility Distribution Transformers for the Materials and Supply Warehouse (for the Energy Resources Department). **(Citywide)**

This contract provides electric utility distribution transformers that are required for new/revised customer service installations and equipment replacement installations. Energy Resources must have an adequate supply of distribution transformers in warehouse stock to handle both new construction and emergency replacement needs.

The Business Services, and Energy Resources Departments, and Purchasing recommend authorizing the renewal with Central Maloney, Inc.; and Border States Electric; at \$1,583,235 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

- *4-n. Purchase of a Data Storage System (Replacement) for Security Cameras for the Water Resources Department as requested by the Information Technology Department. **(Citywide)**

To improve security at the City's water and wastewater plants, pump sites, and wells over the next year, Water Resources plans to double the current number of security surveillance cameras in use at these sites. The current storage system housing this data is no longer supportable and does not have enough storage capacity to accommodate the planned expansion, therefore, a replacement data storage solution is required.

Water Resources, Information Technology, and Purchasing recommend authorizing the purchase using the Mohave cooperative contract and the lowest-quoted vendor, iT1 Source, at \$34,556.03.

- *4-o. Three-Year Term Contract with Two Years of Renewal Options for Corrosion Monitoring and Testing Services for the Water Resources Department. **(Citywide)**

This contract will provide annual testing, inspection, maintenance, and minor repair services for corrosion monitoring and cathodic protection systems within the City's water, reclaimed water, and wastewater systems.

An evaluation committee recommends awarding the contract to the highest-scored and qualified proposals from Accurate Corrosion Control, Inc.; and Peak Corrosion Control, Inc., at \$250,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

- *4-p. Fire Station 221 Construction Project - Construction Manager at Risk (CMAR) Selection and Pre-Construction Services Contract. **(District 6)**

In November 2018, the City of Mesa voters approved a Public Safety Bond Initiative that included the construction of Fire Station 221 in the Eastmark Community of southeast Mesa. The current population growth in that area has made the addition of Fire Station 221 necessary to address emergency response needs, and to maintain a safe and secure Eastmark Community. Fire Station 221 will be constructed on the northeast corner of Ellsworth and Ray Roads.

Staff recommends selecting CORE Construction Inc., as the CMAR for this project and awarding a pre-construction services contract in the amount of \$48,400. This project is funded by 2018 authorized Public Safety bonds.

- *4-q. Southern and Stapley Gas Line and Water Line Replacements Project - Construction Manager at Risk (CMAR) Selection and Pre-Construction Services Contract. **(District 4)**

This project will replace existing gas and water infrastructure that is nearing the end of its lifecycle, on Southern Avenue, between Horne and Gilbert Road, and on Stapley Drive, between Southern Avenue and 8th Avenue. Salt River Project will be relocating their existing 12kv overhead power lines underground along Stapley Drive and Southern Avenue as part of the Municipal Aesthetics Program.

Staff recommends selecting Haydon Building Corp., as the CMAR for this project, and awarding a pre-construction services contract in the amount of \$73,708. This project is funded by 2014 authorized Water Bonds and 2010 authorized Gas Bonds.

5. Take action on the following resolutions:

- *5-a. Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with the City of Tempe for a qualified police officer to perform Aviation Administrator duties for the Mesa Police Department on a temporary basis. Mesa will pay \$61,489.50 to Tempe for the initial term ending April 30, 2020, with three, one-year renewal options at a negotiated rate of pay each year. **(Citywide)** – Resolution No. 11373
- *5-b. Approving and authorizing the City Manager to enter into an Airport Improvement Program Grant Agreement with the Federal Aviation Administration (FAA) for the construction of two acute angle taxiway exits for Runway 4L/22R at Falcon Field Airport. The total estimated cost for this project is \$1,370,000, with the FAA paying 91.06% (\$1,247,522). Funding for the remaining 8.94% (\$122,478) is the responsibility of the City. The City will seek to obtain a matching grant from the Arizona Department of Transportation in the estimated amount of \$61,239, and, if obtained, the City will pay the remaining estimated amount of \$61,239 with funds from the Falcon Field Airport Enterprise Fund. **(District 5)** – Resolution No. 11374
- *5-c. Approving the Falcon Field Airport-Airport Master Plan and authorizing the City Manager to execute documents that are included as part of the Master Plan. **(District 5)** – Resolution No. 11375
- *5-d. See: **Items not on the Consent Agenda.**

6. Introduction of the following ordinance and setting August 19, 2019 as the date of the public hearing on this ordinance:

- *6-a. ZON18-00891 (**District 3**) 535 West Baseline Road. Located west of Country Club Drive on the south side of Baseline Road (1.4± acres). Rezone from NC to LI. This request will allow for the development of an industrial use. Matthew Rettig, applicant; PDE Investments, LLC, owner.

Staff Recommendation: Approval with conditions

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

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

- *7-a. Amending Mesa City Code, Title 11, Mesa Zoning Ordinance, Chapters 56, 58, 59, and 60 of Article 6: Form-Based Code by adopting "Form-Based Code Amendments" a public record of the City of Mesa and amending the definition of By-Passed Parcel in Chapter 87 of Article 8: General Terms. (**Citywide**) – Ordinance No. 5514

Staff Recommendation: Approval

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

- *7-b. Amending the Mesa City Code by repealing the existing Title 4, Chapter 6, Section 2 entitled "Potable Water Use Restrictions" and adopting as part of Title 8 a new Chapter 10, Sections 1 through 11, entitled "Municipal Water System" related to water use and the City's water utility system. (**Citywide**) – Ordinance No. 5515

- *7-c. ZON19-00193 (**District 4**) Within the 400 block of North Matlock Street (east side). Located north of University Drive and west of Stapley Drive (0.38 ± acres). Rezone from RM-4 to RS-6. This request will allow for the development of single residences. Andrea Forman, Forman Architects, applicant; Jesus Ludwig/Reina Salustia Roman, owners. – Ordinance No. 5516

Staff Recommendation: Approval with conditions

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

- *7-d. ZON19-00201 (**District 6**) Within the 9800 through 10000 blocks of East Hampton Avenue (south side) and within the 1400 through 1500 blocks of South Crismon Road (west side). Located at the northwest corner of the US-60 Superstition Freeway and Crismon Road (15 ± acres). Rezoning from PEP-PAD to PEP-PAD; and Site Plan Review. This request will allow for the development of a group commercial center with office and commercial uses. Gilmore Planning & Landscape Architecture, applicant; Virtua Mesa Crismon Owner, LLC; and SWC Crismon & Hampton, LLC, owners. – Ordinance No. 5517

Staff Recommendation: Approval with conditions

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

- *7-e. ZON18-00067 (**District 6**) Within the 9500 through 9800 blocks of East Hampton Avenue (south side). Located north of the US-60 Superstition Freeway and west of Crismon Road (33± acres). Rezoning from NC-BIZ, NC-PAD and PEP-PAD-CUP to RM-

2-PAD; and Site Plan Review. This request will allow for a single-residence subdivision. Reese Anderson, Pew & Lake, LLC, applicant; Crismon BFC, LLC, owner. – Ordinance No. 5518

Staff Recommendation: Approval with conditions

P&Z Board Recommendation: Denial (Vote: 3-3)

A "yes" vote is for approval of the zoning case as recommended by City Staff.

8. Take action on the following subdivision plats:

- *8-a. "SEC First & Macdonald Phase 2" (**District 4**) Within the 0 through 100 blocks of West 1st Avenue (south side) and within the 100 block of South Macdonald (east side). Located south of Main Street and west of Center Street, on the southeast corner of 1st Avenue and Macdonald (1.6± acres). Charles Huellmantel, Huellmantel & Affiliates, developer; City of Mesa, owner; Jerry L. Dodd Jr., Survey Innovation Group, Inc., surveyor.
- *8-b. "Nuevas Vistas, A Condominium Plat" (**District 4**) Within the 600 through 700 blocks of West Pepper Place (both sides) and the 0 block of North Date (west side north of Pepper Place). Located north of Main Street and west of Country Club Drive (3.5± acres). Nuevas Vistas on Main, LLC, owner; David S. Klein, Superior Surveying Services, Inc., surveyor.

Items not on the Consent Agenda.

5. Take action on the following resolution:

- *5-d. Approving the sale of land, and authorizing the City Manager to enter into a Purchase and Option Agreement, Development Agreement, and Ground and Parking Garage Lease with Union Mesa Holdings, LLC, for a phased office campus development (UNION) of approximately 28.2 acres of property located north and northeast of the intersection of Cubs Way and Riverview Drive. (**District 1**) – Resolution No. 11376

Economic Development Department Director Bill Jabjiniak provided a summary of the Union Mesa Holdings development. He stated that the development is one of the largest in the City at 1.35 million square feet of Class A office space located north and west of the intersection of Rio Salado Parkway and Dobson Road. He noted the project will have four different phases, the first starting in the northeast corner, which will include 225,000 square feet of business space.

Mr. Jabjiniak commented that staff has worked closely with the Cubs in developing a parking plan, which is important for the continued success of the Cubs facility during construction. He also advised there will be continuous involvement with the developer during each phase of the project.

City Manager Christopher Brady added that the project has been in the works for the past eight to nine years when the masterplan was implemented, which included the Cubs Stadium; the training facilities; the newly renovated park; and future development of mixed-use office space.

Mr. Brady provided a historical overview of the Cubs Stadium facilities that also includes an area for soccer fields. He added that a couple of years ago, Council decided to actively market this

property for development after the Park Bond was approved by the voters. He stated that staff is bringing the highest and best use of this office commercial space while preserving the recreational areas.

Tammy Martin, a Mesa resident, stated that she moved to Mesa in March 2019, and has recently learned of this project. She expressed she is a business-minded and logical person, but that this project doesn't make sense. She is interested in why the City would take 28.2 acres and develop a huge project with an eight-year minimum of construction around the park, which will disrupt parking and park usage. She added that she visits the park twice a day, and the park is already crowded.

Responding to a question from Mayor Giles, Mr. Brady stated he believes the northside parking will be disrupted during construction, however, the southside parking should be available, along with surface parking spaces. He reported that once the office buildings are constructed, there will be a 430-space parking garage available for park patrons.

Jacqueline Quinn, a Mesa resident, stated there are no parking spaces to the south of Rio Salado. She reported there are parking spaces in front of the Sheraton Hotel, which will not be disrupted, but the majority of the parking is on the north road, where children run and play. She stated that it's very distressing to see that families with young children will not be able to utilize the park due to the different phases of construction over the next 10 to 15 years. She responded that for the entire 10 years of construction the ducks will be displaced, and there will be issues with the environmental dust problems caused by construction that will affect park attendees.

Mr. Brady clarified that when he was speaking about parking to the south, he was referring to Cubs Way, which runs immediately south of the park. He added that the project has been part of the masterplan for over 10 years. He affirmed that the City does not plan to alter anything in the park, and there will not be any disruption in the park by the contractor. He noted that the first phase of construction will be in the far northeast corner of the 28 acres, far away from the park and the developer will want to build the project as quickly as possible.

Tim McClellan, a Mesa resident, commented that he is concerned about the current empty office space in the surrounding area that is not being used.

Vice Mayor Freeman commented that Waypoint at Riverview is currently fully occupied, and is all Class A office space. He stated that he can't speak for the building on Southern and Alma School, but he believes the occupancy is almost full at 85%.

Mayor Giles commented that the economy is doing well and there is a demand for office space. He pointed out that Rio Salado Parkway is the most exclusive address in the Valley right now, and if you look at Tempe Town Lake, there is not a lot of empty office space there. He stated the City is quite fortunate to see that success make its way into West Mesa.

It was moved by Councilmember Thompson, seconded by Councilmember Heredia, that Resolution No. 11376 be adopted.

Upon tabulation of votes, it showed:

AYES – Giles-Duff-Freeman-Heredia-Luna-Thompson-Whittaker

NAYS – None

ABSENCE – None

Mayor Giles declared the motion carried unanimously and Resolution No. 11376 adopted.

Mayor Giles thanked the public for their attendance and comments. He stated that the City values the Riverview Park community and stated that there will be no disruption to the construction process.

9. Conduct a public hearing on the following annexation case:

- *9-a. Public hearing prior to the release of the petition for signatures for annexation case ANX18-00031, located south of Williams Field Road and west of Signal Butte Road (162.4± acres). **(District 6)**

Mayor Giles announced that this was the time and place for a public hearing regarding the release of the petition for signatures for annexation case ANX18-00031, located south of Williams Field Road and west of Signal Butte Road (162.4± acres).

There being no citizens wishing to speak on this issue, Mayor Giles declared the public hearing closed.

10. Items from citizens present.

There were no items from citizens present.

11. Adjournment.

Without objection, the Regular Council Meeting adjourned at 6:32 p.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 Regular Council Meeting of the City Council of Mesa, Arizona, held on the 8th day of July 2019. I further certify that the meeting was duly called and held and that a quorum was present.

DEE ANN MICKELSEN, CITY CLERK

Abg/la