



## COUNCIL MINUTES

December 2, 2019

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on December 2, 2019 at 5:45 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

Mayor's Welcome.

Mayor Giles asked everyone to stand and observe a moment of silence.

Pledge of Allegiance was led by Quinn Vandunsen Scout Pack #653.

Awards, Recognitions and Announcements.

Mayor Giles announced Mesa has been named the first Autism Certified City in the United States by the International Board of Credentialing and Continuing Education Standards. He stated the City of Mesa would like to congratulate Mark Garcia, Visit Mesa Chief Executive Officer (CEO) who led the effort in the Mesa community.

Mr. Garcia commented the autism certification was personal for him and explained his son who is now six years old, was diagnosed with autism at 14 months old. He thanked the City Council and staff for their continued support in this endeavor.

Mayor Giles thanked Mr. Garcia for bringing this opportunity to Mesa and reported the Police Department, Fire Department, libraries and other departments have been going through the autism training to know how to interact with children and adults on the autism spectrum.

In response to a question from Vice Mayor Freeman, Mr. Garcia stated the City of Mesa is the first in the Country to achieve the autism certification.

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.

Mayor Giles made note that Item 7-c on the consent agenda relates to amending the smoking ordinance to include vaping. He mentioned it is the intention that the effective date of the ordinance be delayed six months to allow for a community education process.

City Attorney Jim Smith reported the effective date of the ordinance will be June 9, 2020, thereby making it six months as intended and as discussed in the Study Session. He stated the motion tonight for the consent agenda will be with that modification.

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

Upon tabulation of votes, it showed:

AYES – Giles-Freeman-Duff-Heredia-Luna-Thompson-Whittaker  
NAYS – None

Carried unanimously.

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

Minutes from the October 10, 2019 Study Session and November 18, 2019 Regular Council meeting.

3. Take action on the following contracts:

- \*3-a. Purchase of Microsoft Licensing to Upgrade Mesa Police Department Servers as requested by the Information Technology Department. **(Citywide)**

The department is replacing their core computing systems as part of an effort to migrate storage and computing resources from the main Police campus to the data center. These additional cores require the purchase of additional Windows Server licenses in order to maintain compliance with the Microsoft license agreement. This purchase will put the department's new virtualization environment onto current, fully supported operating-system versions, with support life-cycles appropriate for the new server hardware.

The Information Technology Department (ITD), Mesa Police Department, and Purchasing recommend authorizing the purchase using the State of Arizona contract with CDW-G, at \$53,386.73, based on estimated requirements.

- \*3-b. Three-Year Term Contract with Two Years of Renewal Options for ID Badging Supplies for the Police Department. **(Citywide)**

The Badging Office is responsible for printing identification badges for all City employees, temporary employees, volunteers and contractors. City policy requires that anyone functioning on behalf of the City of Mesa must have an official photo ID displayed while on City property.

An evaluation committee recommends awarding the contract to the highest-scored proposal from Rockwest Technology Group, Inc., dba Multicard, at \$61,600 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

- \*3-c. Purchase of 50 Twelve-Lead Heart Monitors/Defibrillators (Replacements) for the Mesa Fire and Medical Department. **(Citywide)**

The Zoll cardiac monitors that are currently on the Fire and Medical Department's trucks have reached the scheduled life cycle replacement and will be traded-in for new monitors.

The Mesa Fire and Medical Department and Purchasing recommend authorizing the purchase using the City of Tucson cooperative contract with Zoll Medical Corporation, at \$2,000,000. This purchase is funded by the Capital General Fund.

- \*3-d. Ratification of the Emergency Purchase for Repair Service to a Platform Bucket for the Mesa Fire and Medical Department (Sole Source). **(Citywide)**

This emergency purchase provided for the repair of the platform bucket on a fire truck and recertification of the aerial device after the factory repairs were completed. This truck is responsible for ladder and extrication functions on the west side of Mesa including Tempe, Chandler, and Gilbert. The damage to the bucket resulted from pulling out of the fire station and coming into contact with the building, upon exiting the bay.

The Mesa Fire and Medical Department and Purchasing recommend ratifying the purchase from the sole source vendor, Hughes Fire Equipment, Inc., at \$55,703.59. This purchase is funded by the Capital General Fund.

- \*3-e. Dollar-Limit Increase to the Term Contract for Special Events Management Services for the Public Information and Communications Office. **(Citywide)**

The dollar-limit increase is to add event management services for the 2020 Falcon Field Open House scheduled for March 28, 2020. Entertainment Solutions of Arizona will assist the City and Falcon Field Airport in planning, coordination, and execution of the event.

The Public Information and Communications Office and Purchasing recommend increasing the dollar-limit with Entertainment Solutions of Arizona, Inc., by \$32,000, from \$132,250 to \$164,250, for Year 5 of the term contract.

- \*3-f. One-Year Renewal to the Term Contract for Moving Services for Citywide Departments as requested by the Business Services Department. **(Citywide)**

This contract provides moving services including moving of office furniture, modular furniture, supplies and equipment, computer equipment, vertical and lateral files, cabinets, boxes, files, books, pictures, and laboratory equipment, within a building, or

from one building to another, or different locations within the City including pickup, delivery, placement, and removal of moving debris.

The Business Services Department and Purchasing recommend authorizing the renewal with Beltmann Relocation Group, at \$40,000 annually, based on estimated usage.

- \*3-g. Purchase of One Light-Duty Pickup Truck (Replacement) for the Business Services 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 ongoing vehicle replacement program.

The Business Services Department and Purchasing recommend authorizing the purchase from the existing contract with PFVT Motors, LLC, dba Peoria Ford, at \$39,042.06. This purchase is funded by the Vehicle Replacement Fund.

- \*3-h. One-Year Renewal with a One-Year Renewal Option to the Term Contract for Citywide Telephone System Maintenance for the Information Technology Department. **(Citywide)**

This contract provides annual hardware and software maintenance for the Citywide telephone system, including hardware repair and replacements, minor software updates, and upgrades related to bug fixes and overall technical support.

The Information Technology Department and Purchasing recommend authorizing the renewal with Atos IT Solutions and Services, Inc., at \$200,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

- \*3-i. Dollar-Limit Increase to the Term Contract for Landscape Maintenance Services for Parks, Retention Basins and Sports Fields (Zone 1) for the Parks, Recreation and Community Facilities Department. **(Citywide)**

This contract provides landscape maintenance services for sports fields, parkways, medians, parks, retention basins or grounds adjacent to City facilities. Tasks performed include cleaning, irrigation, sprinkler system maintenance, trimming, mowing, weed control, fertilization, etc. The increase is needed to add landscaping maintenance services for additional acreage at Basins 114, 115, and 116 in Zone 1; the Elliot Road Technology Corridor, the area between Power Road and Meridian Road.

The Parks, Recreation and Community Facilities Department and Purchasing recommend increasing the dollar-limit with Mariposa Landscape Arizona, Inc., by \$28,367.47, for Zone 1, from \$1,435,319.57 to \$1,463,687.04 annually, based on estimated usage.

- \*3-j. Six-Month Renewal to the Term Contract for Locks, Door Hardware, and Other Parts as requested by the Parks, Recreation and Community Facilities Department. **(Citywide)**

This contract provides locks, door hardware, and other parts to be used when performing repairs or replacements in City facilities.

The Parks, Recreation and Community Facilities Department and Purchasing recommend authorizing the renewal using the State of Arizona cooperative contract with Intermountain Lock and Security, at \$50,000, based on estimated usage.

- \*3-k. One-Year Renewal with a One-Year Renewal Option to the Term Contract for Engineered Wood Fiber for the Parks, Recreation and Community Facilities Department. **(Citywide)**

This contract provides the engineered virgin wood fiber that is used to refurbish the safety surface under and around playground equipment at various playgrounds throughout the City.

The Parks, Recreation and Community Facilities Department and Purchasing recommend authorizing the renewal with Reidhead Forest Management, at \$43,134 annually, with an annual increase allowance of up to 5%, or the adjusted Producer Price Index.

- \*3-l. Dollar-Limit Increase to the Term Contract for Sprinkler and Irrigation Supplies for the Materials and Supply Warehouse (for the Parks, Recreation and Community Facilities Department). **(Citywide)**

This contract provides sprinkler and irrigation supplies that are required for the repair, modification, and installation of irrigation systems located in landscaped areas owned or maintained by the City. The increase is to cover the cost of supplies needed to update outdated irrigation systems at City facilities.

The Business Services and Parks, Recreation and Community Facilities Departments, and Purchasing recommend increasing the dollar-limit with Sprinkler World of Arizona, Inc. (a Mesa business); and Ewing Irrigation Products Inc.; by \$20,000, from \$425,000 to \$445,000, for Year 5 of the term contract.

- \*3-m. Purchase of a Compact Wheel Loader (Addition) for the Transportation Department as requested by the Fleet Services Department. **(Citywide)**

This new compact wheel loader will be utilized to support the citywide debris clean-up program created as a result of a Council initiative. The loader will allow a two-person crew to pick up debris in a safe and efficient manner and deposit material into the back of a rear-load refuse truck.

The Fleet Services and Transportation Departments and Purchasing recommend authorizing the purchase using the Omnia Partners (formerly National IPA/City of Tucson) cooperative contract with Empire Southwest, LLC (a Mesa business), at \$75,742.66. This purchase is funded by the Local Streets Fund.

- \*3-n. One-Year Renewal with a One-Year Renewal Option to the Term Contract for Wood Poles for the Materials and Supply Warehouse (for the Energy Resources Department). **(Citywide)**

The Energy Resources Department uses wood poles to support overhead electric power lines and associated equipment, such as transformers and capacitor banks.

The Business Services and Energy Resources Departments and Purchasing recommend authorizing the renewal with McFarland Cascade Holdings, Inc.; and Border States Electric; at \$58,100 annually, with an annual increase allowance of up to 5%, or the adjusted Producer Price Index.

- \*3-o. Dollar-Limit Increase to the Term Contract (Years 2 and 3) for Transportation Landscape Maintenance and Refurbishment Services as requested by the Transportation Department. **(Citywide)**

This contract is used for both routine landscape maintenance as well as for the lifecycle landscape refurbishment program. The FY19/20 budget included a one-time adjustment of \$250,000 for routine maintenance, as well as \$500,000 for Citywide landscape refurbishment under the Capital Improvement Lifecycle program that was not able to be accounted for at the time of the initial award. The additional spending capacity for Years 2 and 3 is needed to accommodate both programs.

The Transportation Department and Purchasing recommend increasing the dollar-limit with BrightView Landscape Services, Inc., a subsidiary of BrightView Landscapes, LLC, by \$280,000, from \$2,882,136 to \$3,162,136 annually, based on estimated usage.

- \*3-p. Three-Year Term Contract with Two Years of Renewal Options for Pavement Marking Materials and Traffic Paint for the Transportation Department. **(Citywide)**

Pavement marking materials and traffic paint are used throughout the City as lane lines, crosswalks, stop bars, legends and symbol markings. Traffic Operations maintains these markings throughout the City on roadways, bike lanes, intersections, and parking lots.

The Transportation Department and Purchasing recommend awarding the contract to the lowest, responsive, and responsible bidders: Ennis-Flint, Inc.; and International Coatings Co. Inc.; at \$433,700 annually, with an annual increase allowance of up to 5%, or the adjusted Producer Price Index. This purchase is funded by the Local Streets Fund.

- \*3-q. Three-Year Term Contract with Two Years of Renewal Options for Crack Seal Services, Materials and Rental Equipment for the Transportation Department. **(Citywide)**

The contractor will provide full-surface crack sealing services on five classifications of streets consisting of arterial, collector and residential streets; signalized intersections; and parking lots.

The Transportation Department and Purchasing recommend awarding the contract to the lowest, responsive, and responsible bidders: Regional Pavement Maintenance of Arizona, Inc.; Morgan Pavement Maintenance; Crafcro, Inc.; Superior Supply, Inc.; and Maxwell Products, Inc.; at \$385,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index. This purchase is funded by the Highway User Revenue Fund.

4. Take action on the following resolutions relating to Shared Active Transportation Vehicles:

- \*4-a. Establishing Terms and Conditions for the operations of Shared Active Transportation Vehicles in the City of Mesa. – Resolution No. 11431

- \*4-b. Modifying Fees and Charges to the Transportation Department relating to Shared Active Transportation Vehicles. **(Citywide)** – Resolution No. 11432

5. Take action on the following resolution:

- \*5-a. Adopting Quality Development Design Guidelines for residential, commercial, and industrial developments. **(Citywide)** – Resolution No. 11433

Staff Recommendation: Approval

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

6. Take action on the following resolutions and introduction of the following ordinance, and setting December 9, 2019 as the public hearing on the ordinance:

- \*6-a. A resolution declaring the document filed with the City Clerk entitled “2019 - Chapters 5, 6 and 7 of the Zoning Ordinance” and identified for codification as Chapters 5, 6, and 7 of Title 11, the Zoning Ordinance of the Mesa City Code, to be a public record and providing for the availability of the document for public use and inspection. **(Citywide)** – Resolution No.11434
- \*6-b. An ordinance repealing in its entirety the existing Chapter 5: Residential Districts, Chapter 6: Commercial and Mixed Use Districts, and Chapter 7: Employment Districts, of Title 11 of the Mesa City Code, and adopting by reference the public record known as “2019 - Chapters 5, 6 and 7 of the Zoning Ordinance”, and identified for codification as Chapters 5 - 7 of Title 11, the Zoning Ordinance of the Mesa City Code. **(Citywide)**

7. Introduction of the following ordinances and setting December 9, 2019 as the date of the public hearing on these ordinances:

- \*7-a. Amending Chapters 3, 4, 8, 22, 30, 31, 33, 69, 86, and 87 of Title 11, the Zoning Ordinance of the Mesa City Code by adding design standards; landscaping requirements for open space; adding definitions; making minor technical changes with regard to section references in the Chapters; and adding requirements removed from Chapters 5, 6, and 7, such as corral fencing and landscape yard requirements. **(Citywide)**

Staff Recommendation: Approval

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

- \*7-b. ZON19-00514 **(District 1)** Within the 2500 block of North Harris Drive (east side). Located west of Gilbert Road and north of McKellips Road (9.3± acres). Rezone from AG to RS-15-PAD; and Site Plan Review. This request will allow for the development of a single-residence subdivision. Rob Stephan, Excolo Development, applicant; PBL, LLC and ALO Investments, LLC, owner.

Staff Recommendation: Approval with conditions

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

- \*7-c. Amending Title 6, Chapter 11, Sections 1 through 8, 10 through 14, and 21 through 23 of the Mesa City Code relating to smoking regulations and healthier smoke free environments by adding vaping. The amendment adds the prohibition of vaping and the use of vaping products in public facilities, public places, and certain places of employment. **(Citywide)**
- \*7-d. Repealing and replacing Chapter 7 of Title 9 of the Mesa City Code, pertaining to Community Antenna Television Systems to comply with recent changes to state law. The changes correlate to the state's uniform licensing requirements and regulation of video services; establish standards in the areas of indemnification, right-of-way management, undergrounding of facilities; and codify the City's existing 5% franchise fee. **(Citywide)**
- \*7-e. Amending Title 1, Chapter 33, Section 1 of the Mesa City Code relating to election dates for candidates for the offices of Mayor and Councilmember. The amendment modifies the primary election dates to be in line with recent changes to state law. **(Citywide)**

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

- \*8-a. Amending Section 10-4-5 of the Mesa City Code to establish a speed limit of 35 mph on Channing from Baseline Road to a point 350 feet north of Baseline Road, as recommended by the Transportation Advisory Board. **(District 6)** – Ordinance No. 5536
- \*8-b. Amending the Mesa City Code, Title 8, Chapter 3, Article III Sections 28 through 32, and Article IV Section 35, pertaining to recycling. The changes include renaming Article III to "Recycling Program", adding a definition of prohibited recycle barrel waste, and replacing Sections 29, 30, and 35 to update the list of acceptable recyclable materials and to amend the consequences for noncompliance with recycling program requirements. **(Citywide)** – Ordinance No. 5537
- \*8-c. Amending the Mesa City Code, Title 4, Chapter 4, Section 1; Title 9, Chapter 6, Sections 1, 4, and 5; and Title 9, Chapter 8, Section 3, pertaining to the Mesa Lighting and Electrical Code, Subdivision Regulations, and Off-site Improvement Regulations related to Adaptive Street Lighting. The amendments include removing IES standards regarding public streetlighting, adding adaptive lighting definition and ability, eliminating references to a pilot study, removing reference to waiving streetlight requirements and adding the proper reference, and minor text clean-up. **(Citywide)** – Ordinance No. 5538
- \*8-d. Amending the Mesa City Code, Title 1, Chapter 19, Section 3, and adding Sections 4 and 5, regarding service of process, settlement authority, and policies for the demands, claims, and lawsuits involving the City. The changes include City Attorney policies for the Public Property and Liability Trust Fund, and audit provisions for the Trust Fund. **(Citywide)** – Ordinance No. 5539
- \*8-e. Amending the Mesa City Code, Title 1, Chapter 17, Section 1 to include minor text amendments and to add the authority to correct scrivener's errors by authorizing the City Clerk to correct errors in Council-adopted resolutions, ordinances and exhibits resulting from a minor mistake or inadvertence that does not alter the sense, meaning or effect of the document. **(Citywide)** – Ordinance No. 5540

**Items not on the Consent Agenda**



9. Items from citizens present:

There were no items from citizens present.

10. Adjournment.

Without objection, the Regular Council Meeting adjourned at 6:02 p.m.

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JOHN GILES, MAYOR

ATTEST:

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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 2<sup>nd</sup> day of December 2019. I further certify that the meeting was duly called and held and that a quorum was present.

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DEE ANN MICKELSEN, CITY CLERK

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