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OFFICE OF THE CITY CLERK

COUNCIL MINUTES

May 20, 2019

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on May 20, 2019 at 5:50 p.m.

COUNCIL PRESENT	COUNCIL ABSENT	OFFICERS PRESENT
John Giles		Christopher Brady
Mark Freeman		Dee Ann Mickelsen
Jennifer Duff		Jim Smith
Francisco Heredia		
David Luna		
Kevin Thompson		
Jeremy Whittaker		

Mayor's Welcome.

Invocation by Reverend Dr. Brooke Isingoma with St. Matthew United Methodist Church.

Pledge of Allegiance was led by Mayor Giles.

Awards, Recognitions and Announcements.

Mayor Giles presented a proclamation for Benedictine University Mesa, Men's Volleyball Championship Day. He stated the team competed at the National Championships in Des Moines, Iowa the week of April 15, 2019 and finished undefeated. He noted this was Benedictine University's first national title and the first volleyball team in Arizona to win a national championship. He proclaimed that May 20, 2019 as Benedictine University Mesa Men's Volleyball Championship Day in Mesa, Arizona.

Mayor Giles introduced Kevin Broekling, Executive Vice President, Ray Lewis, Head Coach of Benedictine University Men's Volleyball team.

Ray Lewis, Head Coach of Benedictine University Men's Volleyball team commented that winning the National Championship was an outstanding experience. He mentioned the University has only been in Mesa for five years and started an athletics program four years ago.

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 Councilmember Luna, seconded by Councilmember Thompson, 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 from previous meetings as written.

Minutes from the April 11 and May 6, 2019 Council meetings.

3. Take action on the following liquor license applications:

*3-a. Square One Inc.

This is a one-day event to be held on Thursday, May 30, 2019 from 5:00 P.M. to 9:00 P.M. at Desert Wind Harley Davidson, 922 South Country Club Drive. **(District 4)**

*3-b. Carrabba's Italian Grill #5301

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Italian Restaurant Group LLC, 1740 South Clearview Avenue - Andrea Dahlman Lewkowitz, agent. The previous license, held by Carrabba's Italian Grill LLC, will revert to the State. **(District 6)**

*3-c. Hava Java

A restaurant that serves breakfast and lunch is requesting a new Series 12 Restaurant License for Hava Java Las Sendas LLC, 2849 North Power Road, Suite 103 - Justin Other Shafer, agent. There is no existing license at this location. **(District 5)**

*3-d. Spice Spirit

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Italian Restaurant Group LLC, 1955 West Main Street - Johnny Zhongni Wan, agent. The previous license, held by Empire One Enterprise LLC, will revert to the State. **(District 3)**

4. Take action on the following contracts:

*4-a. Extension and Dollar-Limit Increase to the Term Contract for the Safety Shoe Program for the Human Resources Department. **(Citywide)**

This contract provides a list of qualified vendors for safety shoes for City employees who perform jobs where safety shoes are required. There are approximately 900 employees in over 80 job titles that require proper personal protective equipment for foot protection

to avoid on-the-job injury and/or illness. The four-month extension and dollar-limit increase are needed as the City is working on a new solicitation and contract award.

The Human Resources Department and Purchasing recommend extending the contract through September 20, 2019 and increasing the dollar-limit with American Safety Shoe Co. Inc.; Boot Barn (a Mesa business); Bound Tree Medical LLC; International Corporate Apparel (ICA); Jay Joel Rivin (J.R.'s Shoes and Boots); LeHigh Outfitters; Michael Colistro (Red Wing Shoes) (a Mesa business); Matlick Enterprises (United Fire Equipment); and Universal Police Supply; by $50,000, from $150,000 to $200,000 for Year 5 of the term contract.

*4-b. Purchase of a Customer Queue Management System (Addition) as requested by the Development Services Department (Sole Source). **(Citywide)**

This is an expansion of the existing Q-MATIC system, used by the Mesa Municipal Court and the main Business Office, to provide an electronic means of queuing and/or prioritizing customers who visit Development Services. The system records service information, evaluates service times, and records services provided, which will help to increase efficiencies and overall service delivery.

The Development Services and Information Technology Departments and Purchasing recommend awarding a contract to the sole source vendor, CXM Solutions, at $55,664.04.

*4-c. Purchase of Falcon District Branding Signage as requested by the Economic Development Department. **(Citywide)**

In 2014, the City Council established the Falcon District Strategic Visioning Commission to develop a strategic economic development plan guiding the City's future development efforts in and around Falcon Field Airport and surrounding non-residential areas in northeast Mesa. Recommendations from The Visioning Commission included branding efforts to promote the area and create a sense of place and arrival for the Falcon District. The branding efforts included a signage plan that is in year three of implementation and includes banners, signal box wraps, and monument signs. This contract is for fabrication and installation of a third monument sign on Recker Road, south of the Loop 202 Red Mountain Freeway; production and installation of six additional traffic signal box wraps; and production of 50 new replacement banners for the District.

The Economic Development Department and Purchasing recommend authorizing the purchase using the City of Peoria cooperative contract with YESCO Phoenix, at $59,477.95. This purchase is funded by the Local Streets Fund.

*4-d. Three-Year Term Contract with Two Years of Renewal Options for Catering and Concession Services for the Mesa Convention Center as requested by the Parks, Recreation and Community Facilities Department (Single Response). **(Citywide)**

This contract will provide a qualified, reputable vendor to provide food and alcoholic and non-alcoholic beverage catering and concessions at the Mesa Convention Center. The contract requires the vendor to respect the other successful partnerships established between the City of Mesa and Delta Hotels by Marriott Phoenix Mesa and participate in other partnerships with various event coordinators, promoters, tenants, and users.

An evaluation committee recommends awarding the contract to the single, responsive and responsible proposal from Personal Touch Catering, at $420,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

*4-e. One-Year Renewal with a One-Year Renewal Option to the Term Contract for Polyurethane Roof Foam and Coating for Citywide Facilities and Projects as requested by the Parks, Recreation and Community Facilities Department. **(Citywide)**

This contract provides a non-exclusive, pre-qualified list of four contractors to perform polyurethane foam and coating on various City facilities/projects on an as-needed basis. The pre-qualified contractors are eligible to competitively quote for City projects.

The Parks, Recreation and Community Facilities Department and Purchasing recommend authorizing the renewal with Sprayfoam Southwest, Inc., dba Roofing Southwest; Foam Experts Roofing, Inc. (a Mesa business); Progressive Services, Inc., dba Progressive Roofing; and Tecta America Arizona. Projects quoted under this agreement will not exceed $500,000 annually.

*4-f. Three-Year Term Contract with Two Years of Renewal Options for Playground and Parks Equipment for the Parks, Recreation and Community Facilities Department (PRCF). **(Citywide)**

PRCF maintains 63 park sites that provide playground pieces, trash receptacles, bleachers, tables, players' benches, basketball hoops, grills, etc. This contract will provide this equipment including installation and repairs to keep the City's parks sites safe and functional.

The Parks, Recreation and Community Facilities Department and Purchasing recommend awarding the contract to the lowest, responsive, and responsible bidders: Dave Bang Associates, Inc.; PlaySpace Designs, Inc.; Miracle Recreation Equipment Company; Playcore Wisconsin, Inc., dba GameTime; and Arizona Recreation Design, Inc.; at $150,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

*4-g. Purchase of a Compressor (Addition) for the Police Department (Sole Source). **(Citywide)**

The Police Department purchased the current compressor system less than a year ago. A full backup system is required for the Forensic Services Division to remain operational when performing maintenance and repairs.

The Police Department and Purchasing recommend awarding the contract to the sole source vendor, Atlas Copco, at $77,138.72, based on estimated requirements.

*4-h. One-Year Renewal with a One-Year Renewal Option to the Term Contract for Glock Handguns for the Police Department. **(Citywide)**

In 2012, the Police Department selected the Glock handgun as the standard duty-issued pistol. These handguns are issued to academy classes and lateral officers. The annual contract amount provides capacity for additional weapons and replenishment inventory, as needed.

The Police Department and Purchasing recommend authorizing the renewal with Proforce Marketing, Inc., dba Proforce Law Enforcement, at $80,000 annually, with an annual increase allowance of up to 5%, or the adjusted Producer Price Index.

*4-i. Purchase of Nine Light-Duty Pickup Trucks (Seven Replacements and Two Additions) for Various City Departments as requested by the Fleet Services Department. **(Citywide)**

Six of the vehicles that are being replaced have met established criteria and will be either traded, auctioned, sold, or deployed to special uses as part of the City's ongoing vehicle replacement program. One vehicle is being replaced for Gas Utility to replace a vehicle that was damaged beyond repair. One addition is to support the Water Resources Department's daily operations. The other addition is for the Parks, Recreation and Community Facilities Department, Park Rangers staff.

The Fleet Services, Water Resources, Energy Resources, and Parks, Recreation and Community Facilities Departments and Purchasing recommend authorizing the purchase from the existing contract with Larry H Miller Ford Mesa (formerly Berge Ford) (a Mesa business) at $320,581.97. This purchase is funded by the Vehicle Replacement Fund, Capital - Enterprise Fund, Capital - General Fund, and the Utility Replacement Extension and Renewal Fund.

*4-j. One-Year Term Contract with a One-Year Renewal Option for Refrigerated Liquid Carbon Dioxide for the Signal Butte Water Treatment Plant (SBWTP) as requested by the Water Resources Department. **(Citywide)**

This purchase of refrigerated liquid carbon dioxide is required for the treatment process at the SBWTP.

The Water Resources Department and Purchasing recommend authorizing the purchase using the City of Tempe cooperative contract with Praxair, Inc., at $100,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

*4-k. One-Year Renewal with a One-Year Renewal Option to the Term Contract for Sludge Screen Machine Rental for the Water Resources Department. **(Citywide)**

This contract provides the long-term rental of a sludge strain press unit at the Greenfield Water Reclamation Plant (GWRP). Phase III of the GWRP expansion project is still on-going and the permanent sludge press will not be installed and operational for at least six months. Water Resources will need to continue renting until such time the new machinery is operational.

The Water Resources Department and Purchasing recommend authorizing the renewal with Huber Technology, Inc., at $134,956.80, for a one-year term. This purchase is 58% funded by the Towns of Gilbert and Queen Creek and 42% funded by the Enterprise Fund - Greenfield WRP Joint Venture.

*4-l. Three-Year Term Contract with Two Years of Renewal Options for IDEXX Water Testing Reagents and Supplies for the Water Resources Department (Single Response). **(Citywide)**

This contract will provide products and reagents to determine the presence or absence of total Coliform Bacteria and E. Coli in water samples. The City is required, under its drinking water permit, to collect and analyze water samples for total coliforms and E. coli or be subject to fines and penalties.

An evaluation committee recommends awarding the contract to the single and responsive proposal from IDEXX Distributors, Inc., at $55,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

*4-m. Three-Year Term Contract with Two Years of Renewal Options for Endress+Hauser Analytical Equipment and Supplies for the Water Resources Department (Single Response). **(Citywide)**

The City currently owns and operates Endress+Hauser industrial automation equipment at the City's water and wastewater plants. This equipment is proprietary technology.

An evaluation committee recommends awarding the contract to the single and responsive proposal from Endress+Hauser, Inc., at $100,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

*4-n. One-Year Renewal with a One-Year Renewal Option to the Term Contract for Bronze Water Service Valves, Fittings, Fire Hydrants, and Repair Parts for the Materials and Supply Warehouse (for the Water Resources Department). **(Citywide)**

This contract provides a variety of valves, fittings, fire hydrants and repair parts stocked in the Materials and Supply Warehouse for use by Water Resources, used for the maintenance of the City’s water distribution system and fire hydrants. Materials and Supply places orders on an as-needed basis.

The Business Services Department and Purchasing recommend authorizing the renewal with Ferguson Enterprises Inc. dba Ferguson Waterworks; Core & Main LP (formerly HD Supply Waterworks, Ltd); Dana Kepner Co.; and Fullerform Systems Inc.; at $700,000 annually, with an annual increase allowance of up to 5% or the adjusted Producer Price Index.

*4-o. One-Year Term Contract with Two Years of Renewal Options for Two Master Job Order Contracts for Small Project Landscape Construction Services. **(Citywide)**

Job Order Master Contracts for small project landscape construction services includes renovations, repairs, demolition, and facility upgrades for small City landscaping improvement projects.

Staff recommends the selections of AAA Landscape, and Genesis Landscape Solutions (a Mesa business) for small project landscape construction services. These contracts will allow for the issuance of multiple individual job orders with an approved limit of $100,000 per job order and a total contract value not to exceed $500,000 for each year of the contract, per contractor.

*4-p. One-Year Term Contract with Two Years of Renewal Options for Two Master Job Order Contracts for General Building Construction Services. **(Citywide)**

Job Order Master Contracts for general building construction services includes renovations and repairs, additions, demolition, and facility upgrades for City buildings and facilities.

Staff recommends the selections of CORE Construction Inc. (a Mesa business), and SDB Contracting for general building construction services. These contracts allow for the issuance of multiple individual job orders with a not-to-exceed limit of $1,500,000 per job order and a total contract value not-to-exceed $5,000,000 for each year of the contract, per contractor.

*4-q. Purchase of Coated Steel Pipe for Pipe Installation Projects for the Energy Resources Department. **(Citywide)**

This contract will provide coated steel pipe for the Southern and Stapley Utility Improvements Project, and the Skyline Road High Pressure Regulator Station for Energy Resources - Gas Utility.

The Energy Resources Department and Purchasing recommend awarding the contract to the lowest, responsive, and responsible bidder, Consolidated Pipe & Supply, at $165,700, based on estimated requirements. This purchase is funded by authorized 2014 Gas Bonds.

*4-r. Ratification of the Emergency Purchase of Five Chassis for Medical Response and Transport Units for the Mesa Fire and Medical Department. **(Citywide)**

This emergency purchase is to secure five chassis for future use in Medical Response and Transport units for Mesa Fire and Medical Department. The needed purchase is due to an impending industry chassis shortage that, without an early 2019 model purchase would, result in a one-year delay in chassis delivery.

The Mesa Fire and Medical Department and Purchasing recommend ratifying the purchase with Professional Sales & Service, L.C., at $247,869. This purchase is funded by the Capital - General Fund.

5. Take action on the following resolutions:

*5-a. Authorizing and supporting the submittal of a grant application by A.T. Still University's Arizona School of Dentistry & Oral Health to the Tohono O'odham Nation in the amount of $5,400 and authorizing the City Manager to accept and administer subsequent awarded funds as a pass-through grant. – Resolution No. 11338.

*5-b. Authorizing and supporting the submittal of a grant application by Arizona Museum of Natural History Foundation to the Tohono O'odham Nation in the amount of $5,000 and authorizing the City Manager to accept and administer subsequent awarded funds as a pass-through grant. – Resolution No. 11339.

*5-c. Authorizing and supporting the submittal of a grant application by Gene Lewis Boxing Club to the Tohono O'odham Nation in the amount of $7,500 and authorizing the City Manager to accept and administer subsequent awarded funds as a pass-through grant. – Resolution No. 11340.

*5-d. Authorizing and supporting the submittal of a grant application by Junior Achievement of Arizona to the Tohono O'odham Nation in the amount of $5,000 and authorizing the City Manager to accept and administer subsequent awarded funds as a pass-through grant. – Resolution No. 11341.

*5-e. Authorizing and supporting the submittal of a grant application by Paz de Cristo to the Tohono O'odham Nation in the amount of $20,000 and authorizing the City Manager to accept and administer subsequent awarded funds as a pass-through grant. – Resolution No. 11342.

*5-f. Authorizing and supporting the submittal of a grant application by Save the Family Foundation of Arizona to the Tohono O'odham Nation in the amount of $10,000 and authorizing the City Manager to accept and administer subsequent awarded funds as a pass-through grant. – Resolution No. 11343.

*5-g. Authorizing and supporting the submittal of a grant application by the Mesa Arts Center to the Tohono O'odham Nation in the amount of $20,000 and authorizing the City Manager to accept and administer subsequent awarded funds. The funds will be used for the Mesa Contemporary Arts Museum's Summer 2020 Exhibition, *Inalienable*. **(Citywide)** – Resolution No. 11344.

*5-h. Authorizing and supporting the submittal of a grant application by the Mesa Fire and Medical Department to the Tohono O'odham Nation in the amount of $98,250 and authorizing the City Manager to accept and administer subsequent awarded funds. The funds will be used to replace the Department's outdated thermal imaging camera equipment with improved equipment. **(Citywide)** – Resolution No. 11345.

*5-i. Extinguishing a public utilities easement located at 3323 North Chestnut to accommodate the construction of an attached garage; requested by the property owner. **(District 1)** – Resolution No. 11346.

*5-j. **ZON19-00063 (District 6)** Within the 10200 and 10300 blocks of East Pecos Road (south side). Located on the south side of Pecos Road, east of the Crismon Road alignment (19± acres). Site Plan Review. This request will allow for the development of an industrial facility. Sean Lake, Pew and Lake, PLC representing Old Dominion, ODFL Mesa, applicant; Williams Gateway Land Inv. LP/GFLP/ET AL, owner. – Resolution No. 11347.

Staff Recommendation: Approval with conditions

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

*5-k. **See: Items not on the Consent Agenda**

6. Introduction of the following ordinances and setting June 3, 2019 as the date of the public hearing on these ordinances:

*6-a. **ANX19-00066 (District 5)** Annexing property located north of University Drive and west of Ellsworth Road and adopting comparable zoning (13.07± acres). Initiated by Sean Lake, Pew & Lake, PLC.

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

Staff Recommendation: Approval with conditions

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

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

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

Staff Recommendation: Approval with conditions

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

For continuance to the June 3, 2019 City Council meeting.

*7-b. Amending Sections 10-4-3 through 10-4-6 of the Mesa City Code to modify the boundaries of the current 35 mph speed limit on Main Street from Mesa Drive to Gilbert Road; to rescind the current 40 mph speed limit on Main Street from a point, 53 feet west of South Allen Street, to a point 211 feet east of Gilbert Road; and to correctly reflect existing boundaries of the current 45 and 30 mph speed limits on Main Street between Centennial Way/Sirrine and Gilbert Road, as recommended by the Transportation Advisory Board. **(District 4)** – Ordinance No. 5507.

Staff Recommendation: Approval with conditions

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

8. Discuss, receive public comment, and take action on the following annexation and zoning ordinances relating to the property located at the northeast corner of Power and Ray Roads:

*8-a. **ANX18-00502 (District 6)** Annexing property located north of Ray Road, east of Power Road (69.3± acres). Initiated by VIVO Partners, LLC. – Ordinance No. 5508.

*8-b **ZON18-00775 (District 6)** Within the 4900 to 5200 blocks of South Power Road (east side). Located south of 202 San Tan Freeway on the east side of Power Road and north of Ray Road (58± acres). Rezone from AG to LC-AF-PAD; Council Use Permit to allow multi-residential, commercial entertainment, hotel, and college and commercial trade school uses in the AOA 1 and AOA 2 overflight areas in the LC District; and Site Plan Review. This request will allow for a mixed-use development. VIVO Partners, LLC, applicant; Arizona State Land Group, owner. – Ordinance No. 5509.

Staff Recommendation: Approval with conditions

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

9. Take action on the following subdivision plats:

*9-a. "Eastmark DU 3/4 North Phase 2 and 3" **(District 6)** Within the 9800 through 9900 blocks of East Point Twenty-Two Boulevard (north side), within the 9400 through 9700 blocks of East Warner Road (south side), within the 4200 through 4600 blocks of South Eastmark Parkway (west side), and within the 4400 through 4700 blocks of South Inspirian Parkway (east side). Located north and east of Ellsworth and Ray Roads within the Eastmark Community; 487 PCD single residence lots (154± acres). DMB Mesa Proving Grounds, LLC, developer. Brian J. Diehl, Wood Patel, surveyor.

*9-b. "Mesa Germann Business Park" **(District 6)** Within the 7200 through 7300 blocks of South Ellsworth Road (west side) and within the 9100 block of East Pecos Road (south side). Located south and west of Ellsworth and Pecos Roads; 5 LI lots (4.6± acres). Sunbelt Land Holdings, LP, developer; James A. Brucci, Hunter Engineering, surveyor.

*9-c. "Map of Dedication for Crismon Road Extension" **(District 6)** Within the 3200 through 3400 blocks of South Crismon Road. Located north and east of Ellsworth and Elliot Roads (2.5 ± acres). Sunbelt Holdings, LP, developer; James A. Brucci, Hunter Engineering, surveyor.

*9-d. "Map of Dedication for Elevate" **(District 6)** Within the 8900 block of East Germann Road (north side). Located west of Ellsworth Road, on the north side of Germann Road (4 acres). ETP Funding, LLC, developer; James A. Brucci, Hunter Engineering, surveyor.

*9-e. "Aspire at Sun Valley Townhomes" **(District 5)** Within the 7500 block of East Billings Street (south side) and within the 100 to 200 block of North Sossaman Road (west side). Located on the west side of Sossaman Road, north of Main Street. 49 RM-2-PAD attached townhome lots (3.3 ± acres). Aspire Sun Valley, LLC, developer; Michael A. Banta, Westwood Professional Services, Inc., surveyor.

*9-f. "Eastmark Development Units 3/4 Infrastructure for Commercial Parcels" **(District 6)** Within the 9200 through 9700 blocks of the East Warner Road alignment, within the 4200 through 4700 blocks of the South Inspirian Parkway alignment and within the 4000 through 4100 blocks of South Eastmark Parkway. Located north and east of Ellsworth and Ray Roads within the Eastmark Community (21.16± acres). DMB Mesa Proving Grounds, LLC, developer; Tony P. Elley, Sunrise Engineering, surveyor.

*9-g. "Eastmark DU 3/4 Parcel 1" **(District 6)** Within the 9500 through 9800 blocks of East Point Twenty-Two Boulevard (north side), and within the 4600 through 4800 blocks of South Inspirian Parkway (west side). Located north and east of Ellsworth and Ray Roads within the Eastmark Community. 217 PCD single residence lots (62.25± acres). DMB Mesa Proving Grounds, LLC, developer; Brian J. Diehl, Wood Patel, surveyor.

10. Take action on the tentative adoption of the following proposed FY 2019/2020 budget.

10-a **See: Items not on the Consent Agenda**

Items not on the Consent Agenda

5. Take action on the following resolution:

5-k. Approving and authorizing the City Manager to enter into a Purchase and Sale Agreement and Escrow Instructions for the sale of approximately 132 acres of real property located at the northwest corner of Recker and Thomas Roads, and accepting the bid of $21,100,000, made by Desert Vista 101, LLC. **(District 5)** – Resolution No. 11348.

Verl Farnworth, a Mesa resident, said Recker and Thomas was purchased with park bonds. He commented that this land has been a city park since it was purchased 21 years ago, and even though it lacks amenities of other parks it is still highly appreciated by residents. He wanted to correct the record by stating it was not Nammo Talley Inc. who suggested the 600-foot barrier, it was the City of Mesa and he would like to see the engineering figures that deem that barrier to be an acceptable setback. He expressed concern about the new property owner installing and maintaining monitoring wells on the property, and residents having access to walking and hiking paths. He questioned if there would be a new Homeowners Association (HOA) to carry liability of injury, who will provide maintenance for the joint use areas, and what will be the hours of access to the area. He mentioned the City ought to maintain ownership of the 30-plus acres of land and that the presentations given still lack transparency and accuracy.

Mark Gaspers, Manager for State and Local Government Operations at The Boeing Company, started by thanking the Development Services Department for their outreach with Boeing. He stated Boeing is still working through the process to understand the impact this land use will have on their operations. He wanted to clarify with Council that flight operations primarily run west and north in the area and other times it will be over the property. He noted Boeing expects to meet with City of Mesa to go over noise and impact of operations.

In response to a question by Councilmember Whittaker, Mayor Giles stated there will be 12 to 18 months to work through any issues brought to the City's attention with stakeholders.

Development Services Department Director Christine Zielonka commented there will be a significant amount of public outreach over the next 12 to 18 months regarding the rezoning and site planning process.

Economic Development Project Manager, Angelica Guevara confirmed there is a letter on file indicating that Nammo Talley requested a 600-foot buffer along the northern property line. She stated all of the documents related to this project are posted on the City's website.

In response to a question from Councilmember Thompson, Mr. Brady stated Mr. Blandford did commit to making trails available, and if the City is going to fund those trails, they would have public access. He reported on a possible District Park, but staff does not believe the neighborhood would support ball fields, soccer fields and the lights that come with those fields. He suggested Mr. Blandford could try to incorporate these into the plan or the City can provide these types of amenities at a different location.

Councilmember Luna commented that this will be an open process throughout the 12 to 18 months of discussion and planning and the City does want to receive the public's input about how the property should be developed. He mentioned Mr.Blandford will be meeting with the Red Mountain Ranch HOA to go over possibilities for the park.

Mayor Giles encouraged Red Mountain Ranch residents to review the videotape from the Thursday, May 16, 2019 Study session. He stated the City is at the beginning of this development process and there are a lot of unanswered questions.

Ms. Guevara stated the land auction website will be updated tomorrow and the presentation from last Thursday's meeting will also be placed there for residents to review.

In response to a question from Councilmember Whittaker, Ms. Guevara responded by stating today's action is to accept the bid of $21,100,000 and to authorize the City Manager to execute the purchase and sale agreement and escrow instructions. She commented that this action starts the 12-month feasibility period that Mr. Blandford has to develop a plan, file an application for a minor General Plan amendment, file an application for rezoning, and start processing subdivision plans. She mentioned Mr. Blandford will also need to work with residents of Red Mountain Ranch to determine what amenities they are seeking for their area. She pointed out if the 12-month feasibility period expires, the escrow amount will be non-refundable which means Mr. Blandford must have a development plan in place to present before that time allotment runs out.

In response to a question from Councilmember Whittaker, Ms. Guevara explained that the City will not turn over the land until the entitlements have been approved.

Mayor Giles explained that accepting the bid does not mean the City is transferring the property and that it can only be transferred if the zoning and entitlements are approved.

It was moved by Councilmember Freeman, seconded by Councilmember Luna, to approve and authorize the City Manager to enter into a Purchase and Sale Agreement and Escrow Instructions for the sale of property located at the northwest corner of Thomas and Recker Roads and Resolution No. 11348 be adopted.

Upon tabulation of votes, it showed:

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

Mayor Giles declared the motion carried unanimously by those present and Resolution No. 11348 adopted.

Carried unanimously.

10. Take action on the tentative adoption of the following proposed FY 2019/2020 budget.

10-a. Take action on the tentative adoption of the proposed FY 2019/2020 budget.

It was moved by Councilmember Freeman, seconded by Councilmember Luna, that the proposed FY 2019/2020 budget be adopted.

Upon tabulation of votes, it showed:

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

Mayor Giles declared the motion carried by majority vote and the proposed FY 2019/2020 budget adopted.

11. Take action on the following resolution:

11-a. Adopting a pension funding policy and accepting the employer's share of assets and liabilities under the Public Safety Personnel Retirement System as required by A.R.S. § 38-863.01. **(Citywide)** – Resolution No. 11349.

Councilmember Whittaker expressed concern related to the unfunded liability of $600,000,000 over a 20 or 25-year period. He stated he had requested from staff the different costs associated with paying it off in one of those time periods and was informed the data did not exist.

Mayor Giles commented he will be voting in favor of this policy and that the State Legislature passed a new law this year that requires cities and towns with Public Safety Personnel Retirement System (PSPRS) plans to annually adopt a policy addressing the unfunded liability issue. He stated the City is not adopting a new policy today, the City is simply complying with a new State law.

It was moved by Councilmember Luna, seconded by Councilmember Heredia, that the pension funding policy, the employer's share of assets and liabilities under the Public Safety Personnel Retirement System and Resolution No. 11349 be adopted.

Upon tabulation of votes, it showed:

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

Mayor Giles declared the motion carried unanimously by majority vote and Resolution No. 11349 adopted.

12. Conduct a public hearing and take action on the following resolution relating to the annual assessments for the Mesa Town Center Improvement District No. 228:

12-a. Conduct a public hearing

Mayor Giles announced that this is the time and place for a public hearing regarding the annual assessments for the Mesa Town Center Improvement District No. 228

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

12-b. A resolution approving the 2019 District Assessments for Mesa Town Center Improvement District No. 228. The proposed final assessments do not include any rate increases. **(District 4)** – Resolution No. 11350.

It was moved by Vice Mayor Freeman, seconded by Councilmember Luna, that Resolution No. 11350 be adopted.

Upon tabulation of votes, it showed:

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

Carried Unanimously.

13. Conduct a public hearing and take action on the following resolution relating to the proposed Five-Year Capital Improvement Program for fiscal years ending in 2020-2024.

13-a. Conduct a public hearing.

Mayor Giles announced that this is the time and place for a public hearing regarding the resolution relating to the proposed Five-Year Capital Improvement Program for fiscal years ending in 2020-2024.

Councilmember Whittaker expressed concern related to the Capital Improvement Program (CIP) over the next five years. He stated City staff has identified $1.8 billion is needed and the City only has $343,000,000. He reported $405,000,000 has already been approved by voters' and added this shortfall of one billion dollars is an unacceptable number. He stated money should not be syphoned out of the Enterprise fund until money is put towards paying down some capital expenditures.

Mayor Giles commented that the CIP is a list of projects that have been identified by all City departments on projects that could be built over the next five years.

In response to a question from Councilmember Heredia, City Attorney Jim Smith stated it is practice to list all necessary items in order to have future discussions to narrow down the list of projects.

13-b. A resolution approving a Five-Year Capital Improvement Program for fiscal years ending 2020-2024. **(Citywide)** – Resolution No. 11351.

It was moved by Councilmember Luna, seconded by Councilmember Heredia, that Resolution No. 11351 be adopted.

Upon tabulation of votes, it showed:

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

Mayor Giles declared the motion carried unanimously by majority vote and Resolution No. 11351 be adopted.

14. Items from citizens present.

Mayor Giles announced that he received 20 blue cards and apologized that not everyone will get the chance to speak. He chose the four cards he believed to be the first ones received.

For the record, Mayor Giles acknowledged the following individuals who submitted blue cards but did not speak:

- Marcelo Valenzuela
- Elizabeth Cruz

- Pastor Albert Bolden, JR
- Yolanda Bolden
- Magdalena Schwartz
- Pastor Juan Brown
- Betty Jo McGee
- Armel E. Thomas
- Minister R. Alefis
- Reverend Ozetta Kirby
- Love United Church
- Mohamed El-Sharkawy
- Reverend Helen Hunter
- Bishop George McCree
- Kiana Maria Sears
- Roy M. Tatem

Frank Aubert, a Mesa resident indicated that he lives across the street from Leisure World. He stated that there seems to be a homeless problem and it is growing rapidly in the area, that there are grocery carts, trash, blankets, and people living in the canal on the south side of Southern Avenue. He mentioned within his community the mailboxes have been broken into and those are quite expensive to replace. He stated that wanted to bring attention to this issue in hopes of getting some attention to the problem.

In response to a question from Councilmember Whittaker, Mr. Aubert stated his crossroads are Leisure World Boulevard and Southern Avenue, which is between Higley and Power Roads.

Mr. Brady advised Mr. Aubert that the Police Chief and staff were present and that they would speak with him to try and get some resources out to the area to help with the homeless problem.

MaryAnn Mendoza, a Mesa resident, expressed concern regarding the safety of Mesa citizens as well as Mesa Police Officers who are here to protect us. She stated the world is becoming a scary place and the last thing she wants is for an officer to report to a call and question whether they will be punished for their actions. She mentioned the City of Mesa Police Department used to be one of the most respected forces and has slowly deteriorated. She ended by stating that people need to start paying attention to what is happening in the community and asking what we can do make the best decisions not only for the community but for law enforcement officers.

Otto Shill, Boardmember for Mesa Chamber of Commerce, expressed his support for Chief Batista and concerns with moderation and use of force. He stated they are very appreciative of the job officers do every day. He continued by saying the citizens and police officers need to feel safe and that the Chamber of Commerce is supportive of Chief Batista and policies that are moderate towards physical enforcement.

Pastor Jose Luis Amaya, a Mesa resident, explained that he has been a citizen of Mesa for 19 years and has seen a lot of growth and changes in the community. He stated that there was always good communication within departments and that Chief Batista is not the exception. He feels confident in the way the police and Chief Batista have been working and that they need to be supported by the community.

15. Adjournment.

Without objection, the Regular Council Meeting adjourned at 6:44 p.m.

CITY OF MESA CORPORATE SEAL MARICOPA COUNTY, AZ

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 20th day of May 2019. I further certify that the meeting was duly called and held and that a quorum was present.

DEE ANN MICKELSEN, CITY CLERK

jg