mesa·az
OFFICE OF THE CITY CLERK

COUNCIL MINUTES

July 1, 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 1, 2019 at 6:12 p.m.

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

Vice Mayor Freeman excused Mayor Giles and Councilmember Thompson from the entire meeting.

Mayor's Welcome.

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

Pledge of Allegiance was led by Councilmember Luna.

Awards, Recognitions and Announcements.

Vice Mayor Freeman welcomed members of the Mandela Washington Fellowship for Young African Leaders which is a United States (US) Department of State International Exchange Program that the City of Mesa has partnered with through Arizona State University (ASU) college of Public Service and Community program. He stated the exchange program hosts 25 fellows from 19 different African countries. He introduced Hector Zelaya, Director of the Bob Ramsey Executive Education Program.

Mr. Zelaya stated the program started in 2014 with 500 fellows who were brought from African countries to learn about public management, civic leadership and business and entrepreneurship to learn and make changes. He mentioned the fellows come to the US to learn from various Universities and the numbers of fellows continue to grow each year.

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 Heredia, that the consent agenda items be approved.

Upon tabulation of votes, it showed:

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

Vice Mayor Freeman declared the motion carried unanimously by those present.

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

Minutes from the April 18, June 3, June 17, 2019 Council meeting and June 3, 2019 Special Council meeting.

3. Take action on the following contracts:

*3-a. Purchase of Two Lighting Consoles (Replacement/Upgrade) for the Mesa Arts Center as requested by the Arts and Culture Department. **(Citywide)**

This purchase will upgrade the lighting consoles in the Ikeda Theater. Replacement parts are no longer being manufactured for the current consoles, and the City is no longer able to have these units serviced or repaired. The upgrade will allow for the same programming syntax and language to be used, which will eliminate any training time needed for lighting operators and contractors. Additionally, the existing theatrical dimmers and lobby lighting system are also the same brand and selecting these consoles will ensure compatibility with the existing infrastructure for the foreseeable future.

The Arts and Culture Department and Purchasing recommend awarding the contract to the lowest, responsive, and responsible bidder, Barbizon Light of the Rockies, dba Barbizon Light of Arizona, at $39,532.17. This purchase is funded by Mesa Arts Center Restoration Fund.

*3-b. One-Year Renewal to the Term Contract for Janitorial and Sanitation Supplies for the Materials and Supply Warehouse (for Citywide Departments). **(Citywide)**

City departments require a broad supply of janitorial and sanitation products to support daily maintenance operations. Supplies include sanitizing and disinfecting cleaners, waste receptacles, paper products including paper towels, cups and napkins, brooms, brushes and handles, and latex gloves.

The Business Services Department and Purchasing recommend authorizing the renewal using the National IPA/City of Tucson cooperative contract with Waxie Sanitary Supply (a Mesa business), at $100,000, based on estimated usage.

*3-c. One-Year Renewal to the Term Contract for Fabrication and Installation of Park Signs for the Parks, Recreation and Community Facilities Department. **(Citywide)**

Parks, Recreation and Community Facilities uses park identification signs, basin identification signs, rules signs, and other signs throughout the City's park system to inform and assist patrons in the proper use of park properties.

The Parks, Recreation and Community Facilities Department and Purchasing recommend authorizing the renewal with Sierra Signs & Service, Inc. (a Mesa business), at $467,000 annually, based on estimated quantities.

*3-d. Three-Year Term Contract with Two Years of Renewal Options for Custodial Services for Parks and Sports Field Facilities for the Parks, Recreation and Community Facilities Department. **(Citywide)**

This contract will provide patrons safe, clean, and sanitary restroom facilities that are free from trash and debris at the City's 32 parks and sports field facilities.

An evaluation committee recommends awarding the contract to the highest-scored proposal from Carnation Building Service, Inc., at $254,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

*3-e. One-Year Term Contract with Two Years of Renewal Options for Bomb Suit and Helmet Ensembles for the Police Department. **(Citywide)**

The Police Department's Bomb Team has the responsibility of responding to improvised explosive devices, suspicious packages, found explosives and ammunitions, and to assist the patrol division and SWAT with operations within the City. The specified, Med-Eng EOD 10 Bomb Suit and Med-Eng EOD Helmet, is the only suit used by the FBI Hazardous Devices School, and it is the suit purchased and used by all U.S. Bomb Teams including the FBI and ATF Bomb Technicians. This suit is compatible and is interoperable between Bomb Teams.

The Police Department and Purchasing recommend awarding the contract to the lowest, responsive, and responsible bidder, Atlantic Tactical, Inc., at $76,000 for year 1, and $38,000 annually for years 2 and 3, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index. The initial purchase of $37,018.41 is funded by Department of Homeland Security.

*3-f. One-Year Renewal with a One-Year Renewal Option to the Term Contract for EZ-IO Needles for the Mesa Fire and Medical Department (Sole Source). **(Citywide)**

This contract provides intraosseous (IO) needles for Mesa Fire and Medical paramedics. IO needles establish an effective means to deliver fluids and medications to patients in critical condition. The IO line is as efficient as an intravenous route but can be inserted more quickly and can be used on patients with a compromised circulatory system, where an IV cannot be used.

The Mesa Fire and Medical Department and Purchasing recommend authorizing the renewal with the sole source vendor, Arrow International, Inc., at $120,000 annually, based on estimated usage.

*3-g. Purchase of a Mini Cargo Van (Replacement) for the Mesa Fire and Medical 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 Mesa Fire and Medical Department and Purchasing recommend authorizing the purchase from the existing contract with PFVT Motors, LLC, dba Peoria Ford, at $31,712.97. This purchase is funded by the Capital General Fund.

*3-h. Three-Year Term Contract with Two Years of Renewal Options for Miscellaneous Rescue Equipment for the Mesa Fire and Medical Department. **(Citywide)**

This contract will provide battery powered extrication tools that are required for hazardous response. The tools will replace outdated hydraulic extrication tools on existing apparatus and equip new apparatus.

The Mesa Fire and Medical Department and Purchasing recommend awarding the contract to the lowest, responsive, and responsible bidders: Extrication Concepts; L.N. Curtis & Sons; and Municipal Emergency Services; at $450,000 annually, with an annual increase allowance of up to 5%, or based on the Consumer Price Index.

*3-i. Six-Month Term Contract for Tires for the Materials and Supply Warehouse (for the Fleet Services and Fire and Medical Departments). **(Citywide)**

This contract provides Goodyear and Bridgestone tires for the City's fleet of vehicles and equipment.

The Business Services Department and Purchasing recommend authorizing the contract using NASPO/State of Arizona cooperative contracts with Purcell Tire Company; and Redburn Tire Company (Mesa locations); at $600,000 for the six-month term based on estimated requirements.

*3-j. Purchase of Three Replacement CNG-Powered Heavy-Duty Front-Loading and One Replacement CNG-Powered Automated Side Loading Refuse Trucks for the Environmental Management and Sustainability Department. **(Citywide)**

This purchase will provide four replacement refuse trucks for solid waste collection. Fleet and Solid Waste continue to replace diesel trucks with CNG trucks. The trucks that are being replaced have met established criteria and will be either traded, auctioned, sold, or deployed to special uses as part of the vehicle replacement program.

The Fleet Services and Environmental Management and Sustainability Departments and Purchasing recommend authorizing the purchase from the existing contracts with Rush Truck Centers of Arizona, dba Rush Truck Center Phoenix, at $1,510,814.03. This purchase is funded by the Capital Enterprise Fund and the Solid Waste Development Fee.

*3-k. One-Year Renewal with a One-Year Renewal Option to the Term Contract for Spray Marking Paint for the Materials and Supply Warehouse (for various City Departments). **(Citywide)**

This contract provides various types of spray marking paint for the City of Mesa and the City of Chandler. Various City departments use the spray marking paint to support their daily operations.

The Business Services Department and Purchasing recommend authorizing the renewal with Border States Electric, at $57,300 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

*3-l. Three-Year Renewal of the Term Contract for Odor Control Service for the Water Resources Department (Sole Source). **(Citywide)**

The vendor provides hydrogen peroxide and operates and monitors the City's Brooks Sulfide Control Station, which is located on the Center Mesa Interceptor (CMI). The site has provided reliable odor control on the CMI for the Cubs Spring Training Facility and Riverview Park area, since its installation.

The Water Resources Department and Purchasing recommend authorizing the renewal with the sole source vendor, U.S. Peroxide, LLC, at $145,000 annually, based on estimated usage.

*3-m. Dollar-Limit Increase to the Term Contract for Cationic Emulsion Polymer for the Water Resources Department. **(Citywide)**

This contract provides cationic emulsion polymer used for thickening and dewatering wastewater sludge at the Northwest and Greenfield Water Reclamation Plants. The increase requested is due to an increase to tariffs, high demand of natural resources needed to manufacture polymer, driver shortages, and increased fuel costs.

The Water Resources Department and Purchasing recommend increasing the dollar-limit with Polydyne, Inc., for Year 5, from $467,000 to $650,000 annually, based on estimated usage.

*3-n. Storm Water Pump Station Rehabilitations Project. **(District 4)**

This project includes removal of the existing pump stations and construction of two new pump stations at Heritage Park and Sherwood Park.

Staff recommends awarding the contract for this project to the lowest, responsible bidder, Garney Companies, Inc., in the amount of $2,015,457, and authorizing a change order allowance in the amount of $201,546 (10%), for a total amount of $2,217,003. This project is funded by the FY19/20 Transportation Department Environmental Compliance Fund.

*3-o. 1st Avenue Right-of-Way Improvements Project - Phase 1 – Construction Manager at Risk (CMAR) Selection and Pre-Construction Services Contract. **(District 4)**

This project will include narrowing 1st Avenue from Mesa Drive to LeSueur including new asphalt pavement, sidewalk improvements, a raised median, sewer line installation, a new storm drain, electrical undergrounding, and rehabilitated street lighting. Landscape and tree enhancements, as well as gas and water relocations, will be completed by an adjacent developer. Improvements from Hibbert to Mesa Drive will not narrow 1st Avenue; however, it will retain existing curb locations, with new asphalt pavement, ADA sidewalk improvements, a new curb return at the northwest corner of Pomeroy, landscaping, water, gas, sewer line installations, electrical service undergrounding to República Empanada, electrical undergrounding along Pomeroy, improved storm drains, and relocations of the City’s flood irrigation facilities.

Staff recommends selecting Haydon Building Corp. as the CMAR for this project and awarding a pre-construction services contract in the amount of $132,728. This project is funded by 2013 authorized Street bonds and 2014 authorized Gas, Electric, and Water bonds.

4. Take action on the following resolutions:

*4-a. Authorizing the City Manager to enter into an Intergovernmental Agreement for a five-year term with the Phoenix-Mesa Gateway Airport Authority. Under this Agreement, Mesa will provide one police officer 24 hours a day, 7 days a week, to the Airport, and the Airport will reimburse the City for personnel, travel and training, and vehicle expenses associated with the services provided. **(District 6)** – Resolution No. 11368

*4-b. Approving and authorizing the City Manager or his designee to enter into an Intergovernmental Agreement with Queen Creek Unified School District #95 for reimbursement of the salary and benefits of a Mesa Police Officer to perform School Resource Officer duties. **(Citywide)** – Resolution No. 11369

*4-c. Extinguishing a public utility easement located at 4312 East University Drive to allow for the development of a new retail center and storage unit business; requested by the property owner. **(District 2)** – Resolution No. 11370

5. Take action on the following resolution and introduction of the following ordinance, and setting July 8, 2018 as the date of the public hearing on the ordinance:

*5-a. A resolution declaring the document filed with the City Clerk entitled “Form-Based Code Amendments”, containing proposed amendments to Mesa City Code, Title 11, Mesa Zoning Ordinance, Chapters 56, 58, 59, and 60, to be a public record and providing for the availability of the document for public use and inspection. **(Citywide)** – Resolution No. 11371

*5-b. An ordinance 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)**

6. Introduction of the following ordinances and setting July 8, 2019 as the date of the public hearing on these ordinances:

*6-a. 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)**

*6-b. **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.

Staff Recommendation: Approval with conditions

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

*6-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.

Staff Recommendation: Approval with conditions

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

*6-d. **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.

Staff Recommendation: Approval with conditions

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

*6-e. **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 August 19, 2019 City Council meeting.

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

*7-a. **ZON19-00064 (District 2)** Within the 6000 and 6100 blocks of East Baseline Road (north side). Located west of Power Road, on the north side of Baseline Road (6.8 ± acres). Rezoning from RS-43, LC-AF and GC-AF to RM-2-PAD-AF; and Site Plan Review. This request will allow for the development of a multi-residential use. Ralph Pew, Pew and Lake, PLC, applicant; Anthony Miachika, Pacific Rim Group, owner. – Ordinance No 5513

Staff Recommendation: Approval with conditions

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

8. Take action on the following subdivision plat:

*8-a. "Charolotte Desert Heights" **(District 5)** Within the 2900 block of North Kashmir Circle (west side). Located east of Recker Road and north of McDowell Road (0.3 ± acres).

David D. & Charolotte Rae Jones, developer; Lloyd E. Pew, Pew Surveying LLC, surveyor.

Items not on the Consent Agenda

*4-d. Approving and authorizing the City Manager to enter into a Development Agreement and Government Property Lease Excise Tax (GPLET) Lease Agreement with Stone Applications, LLC, and related agreements, amendments and other documents, for the development of approximately 187 acres of property generally located at the northwest corner of Elliot and Sossaman Roads. The Agreements facilitate the phased development of a large data center (Google) that will generate economic benefits to the City of Mesa. **(District 6)** – Resolution No. 11372

It was moved by Councilmember Luna, seconded by Councilmember Heredia, to approve and authorize the City Manager to enter into a Development Agreement and Government Property Lease Excise Tax (GPLET) Lease Agreement with Stone Applications, LLC, and related agreements, amendments and other documents, for the development of approximately 187 acres of property generally located at the northwest corner of Elliot and Sossaman Roads and Resolution No. 11372 be adopted.

Upon tabulation of votes, it showed:

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

Vice Mayor Freeman declared the motion carried unanimously by those present and voting.

9. Items from citizens present:

There were no items from citizens present.

10. Adjournment.

Without objection, the Regular Council Meeting adjourned at 6:26 p.m.

JOHN GILES, MAYOR

ATTEST:

CITY OF MESA CORPORATE SEAL MARICOPA COUNTY, AZ

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 1st 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

jg