



COUNCIL MINUTES

September 9, 2019

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on September 9, 2019 at 5:46 p.m.

COUNCIL PRESENT

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

COUNCIL ABSENT

John Giles

OFFICERS PRESENT

Christopher Brady
Dee Ann Mickelsen
Jim Smith

Vice Mayor excused Mayor Giles from the entire meeting.

Vice Mayor's Welcome.

Invocation by Lead Pastor David Caudle with First Church of the Nazarene.

Pledge of Allegiance was led by Jessie Langford, Payton Jennings, Cian Custin, and Elliott Hord, Scout Troop 504.

Awards, Recognitions and Announcements.

Vice Mayor Freeman acknowledged September is Suicide Prevention and Awareness month and stated one in four people live with a mental health condition. He introduced Mesa Public Schools Superintendent Dr. Ember Conley.

Dr. Conley explained suicide is the leading cause of death in children ages 10 to 14. She thanked Council for recognizing the importance of bringing suicide awareness to the attention of the community. She stated not only does suicide affect children, but also the elderly and veterans.

Councilmember Thompson stated in support of Suicide Prevention Awareness month, the landmark lighting at the corner of Ellsworth Road and Elliot Road will be yellow.

Vice Mayor Freeman thanked Dr. Conley for her support.

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 Heredia, seconded by Councilmember Luna, that the consent agenda items be approved.

Upon tabulation of votes, it showed:

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

NAYS – None

ABSENT – Giles

Vice Mayor Freeman declared the motion carried by majority vote of those present.

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

Minutes from the August 26, 2019 Council meeting.

3. Take action on the following liquor license applications:

*3-a. Unit 1 Bravo AOMA

This is a one-day event to be held on Thursday, October 17, 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. Famous Dave's

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Famous Dave's Ribs Inc., 1011 North Dobson Road - Amy S. Nations, agent. The existing license held by Famous Charlie LLC will revert to the State. **(District 1)**

*3-c. Rancho De Tia Rosa

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Cypress Coast Foods LLC, 3129 East McKellips Road - Lauren Kay Merrett, agent. The existing license held by Rosa's LLC will revert to the State. **(District 1)**

*3-d. Rosati's Pizza

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for SRG Restaurants LLC, 1035 North Ellsworth Road, Suite 104 - Lauren Kay Merrett, agent. The existing license held by JP Bailey Productions LLC will revert to the State. **(District 5)**

4. Take action on the following contracts:

- *4-a. One-Year Renewal with a One-Year Renewal Option to the Term Contract for Pest Control Services for the Parks, Recreation and Community Facilities Department. **(Citywide)**

This contract provides routine and additional pest control services at City facilities. Interior and exterior services are needed to maintain and avoid common pests.

The Parks, Recreation and Community Facilities Department and Purchasing recommend authorizing the renewal with Bug Off Pest Control, LLC, at \$29,405 annually, with an annual increase allowance of up to 5%, or the adjusted Producer Price Index.

- *4-b. Three-Year Term Contract with Two Years of Renewal Options for a Generator Replacement Program for the Parks, Recreation and Community Facilities Department and the Information Technology Department. **(Citywide)**

This contract will furnish and install emergency generators and transfer switches over the next five years. Facilities Maintenance intends to replace generators in phases throughout the City, including eight Fire Stations, Main Library and Police Department Substation. Communications intends to replace all eight of their existing generators with new generators of the same manufacturer and model over three fiscal years.

Evaluation committees recommend awarding the contract to the highest-scored proposal for each group to Valleywide Generator Service, LLC (a Mesa business), at \$635,000 (2019-20), \$624,000 (2020-21), and \$605,000 (2021-22); based on estimated requirements, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

- *4-c. One-Year Renewal to the Term Contract for HVAC Services and Equipment for the Parks, Recreation and Community Facilities Department. **(Citywide)**

Facilities Maintenance uses three cooperative contracts for a more efficient method to procure HVAC equipment and services and to more effectively manage their heavy workload. This contract provides various types of HVAC equipment and services.

The Parks, Recreation and Community Facilities Department and Purchasing recommend authorizing the renewal using the Omnia Partners cooperative contract with Comfort Systems USA; and HACI Service LLC; at \$2,700,000 annually, based on estimated usage.

- *4-d. Three-Year Term Contract for Video Display/Scoreboard Components and Event Services for Hohokam Park and Fitch Practice Fields as requested by the Parks, Recreation and Community Facilities Department. (Sole Source) **(Citywide)**

This contract will provide Daktronics electronic replacement and repair components for video displays/scoreboards and event support for the Hohokam Stadium and Fitch Practice Fields. These configurable video displays/scoreboards enhance patron experience during baseball games and events.

The Parks, Recreation and Community Facilities Department and Purchasing recommend awarding the contract to the sole source vendor, Daktronics, Inc., Year 1 at \$31,000, Year 2 at \$33,000, and Year 3 at \$35,000, based on estimated requirements.

- *4-e. Dollar-Limit Increase for Year 2 and One-Year Renewal (Year 3) to the Term Contract for Medical Billing Services for the Mesa Fire and Medical Department. **(Citywide)**

MFMD started the Medic Unit pilot program using Daisy Mountain for its billing services for three years for the duration of the pilot program. The dollar-limit increase is needed because of higher than expected transport volumes. The cost is ultimately offset by increased revenue.

The Mesa Fire and Medical Department and Purchasing recommend increasing the dollar-limit with Daisy Mountain Fire District for Year 2 by \$45,720, from \$70,000 to \$115,720; and authorizing the renewal for Year 3 at \$137,700 annually, based on estimated requirements.

- *4-f. 34-Month Term Contract with Two Years of Renewal Options for Pavement Preservation Service (High Density Mineral Bond) for the Transportation Department. (Single Response) **(Citywide)**

This contract will provide for pavement preservation services including materials and application for the City of Mesa's Seal Coat Program. The material is a proprietary product and only produced by one vendor, however, other vendors may purchase and sell it.

The Transportation Department and Purchasing recommend awarding the contract to the single, responsive, and responsible bidder, Holbrook Asphalt, at \$765,000 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-g. Two-Year Renewal to the Term Contract for Water and Wastewater Laboratory Services for the Water Resources Department. **(Citywide)**

Water Resources utilizes various outside laboratories to test water and wastewater samples for compliance with current and changing federal, state and local regulations.

The Water Resources Department and Purchasing recommend authorizing the renewal contract using the City of Tempe cooperative contract with SGS North America, Inc. (formally Accutest Laboratories, Northern California, Inc.); Aquatic Consulting and Testing, Inc.; Eurofins Eaton Analytical, Inc.; Legend Technical Services of Arizona, Inc.; TestAmerica Laboratories, Inc.; and Xenco Laboratories (formally Trans West Analytical Services); at \$150,000 annually, based on estimated usage.

- *4-h. Three-Year Term Contract with Two Years of Renewal Options for Vehicle Wrap Services for the Water Resources Department. **(Citywide)**

This contract will provide a turnkey contract for design and installation of vehicle wraps for an estimated 51 vehicles in the Water Resources fleet. The vendor will provide design services, manufacture and install vinyl vehicle wraps. The design will incorporate the existing branding used by the City, as well as the development of wraps that will promote quality, reliability, value, and service messages to the community.

An evaluation committee recommends awarding the contract to the highest-scored proposal from A&M Graphics (a Mesa business), at \$37,500 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index. This purchase is funded by the SRPMIC Grant Fund.

- *4-i. Three-Year Term Contract with Two Years of Renewal Options for Welding Certification and Inspection Services for the Energy Resources Department. **(Citywide)**

This contract will provide test certification of welder qualifications and weld inspections of maintenance and repair work performed on steel sections of the natural gas system by the City's gas utility welders and gas contractors working on capital improvement projects. Without this contract, welding certification and inspection services for these projects would still be provided by the awarded gas contractor, but at a higher cost to the City.

The Energy Resources Department and Purchasing recommend awarding the contract to the lowest, responsive, and responsible bidder, Western Technologies, Inc., at \$250,000 annually, with an annual increase allowance of up to 5%, or the adjusted Producer Price Index.

- *4-j. 1st Avenue Right-of-Way Improvements Project - Phase 1 (Hibbert to LeSueur), Construction Manager at Risk (CMAR), First (of two) Guaranteed Maximum Price. (GMP) **(District 4)**

GMP No. 1 includes the scope of work to furnish, install, and construct sewer line on 1st Avenue, from Hibbert Street to LeSueur Street, and is needed to accommodate timing of a sewer line connection for an adjacent development. This is the first of two GMPs for Phase 1 of this project.

A second GMP for the remainder of the Phase 1 work on the project will follow in the fall 2019. The overall 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, American's with Disabilities Act (ADA) sidewalk improvements, a new curb return at the northwest corner of Pomeroy, landscaping, water, gas, sewer line installations, electrical undergrounding of mains and services in various areas, improved storm drains, and relocations of the City's flood irrigation facilities.

Staff recommends awarding the contract for this portion of the CMAR project to Haydon Building Corp in the amount of \$1,108,797, and authorizing a change order allowance in the amount of \$55,440 (5%), for a total GMP award of \$1,164,237. This project is funded by 2014 Water bonds.

- *4-k. Gilbert Road Light Rail Extension - Landscaping Improvements. **(District 4)**

The approved Design and Construction Agreement of the Gilbert Road Light Rail Extension includes a process for the City to add City-funded improvements to the project. These improvements typically include upgrades to City utilities and other facilities that are located adjacent to or within the new light rail facilities, but are not being directly impacted by the project, referred to as Concurrent Non-Project Activity (CNPA). This CNPA request is for landscaping an existing, approximately 9,800 square-foot City-owned lot at the northeast corner of the Mesa Drive Park-and-Ride site.

Staff recommends approving this landscaping improvement project, at \$45,949. These improvements are funded by Transportation General Obligation Bonds.

5. Take action on the following resolutions:

- *5-a. Extinguishing a 20-foot public utility easement located at 307 South Hawes Road to allow development of a 237-unit apartment complex; requested by the property owner. **(District 5)** – Resolution No. 11392
- *5-b. Extinguishing a portion of a 20-foot waterline and public utility easement located at 2055 South Power Road to allow for the development of a mixed-commercial and condominium development; requested by the property owner. **(District 6)** – Resolution No. 11393
- *5-c. Approving and authorizing the City Manager to accept Proposition 202 funds from the Gila River Indian Community and administer awarded funds as pass-through grants to designated awardees. **(Citywide)** – Resolution No. 11394
- *5-d. Approving and authorizing the City Manager to enter into an Intergovernmental Agreement (IGA) with the Mesa Fire and Medical Regional Dispatch System partners, Superstition Fire and Medical District, Rio Verde Fire District, Queen Creek Fire and Medical Department, and Gilbert Fire and Rescue Department, to provide more effective fire, medical, and other services. This IGA is an update to the existing agreement with Dispatch System partners that aligns services with current dispatch practices and defines cost recovery for both dispatch and technical services provided. **(Citywide)** – Resolution No. 11395
- *5-e. Approving and authorizing the City Manager to enter into a Development Agreement for City Share Reimbursement with PPGN-CORE, LLLP, for the reimbursement of \$221,041.45 for street and street lighting improvements that are being required by the City in conjunction with a proposed residential development known as Cadence at Gateway Phase 2 - Crismon Road Improvements, located at 5754 South Crismon Road. **(District 6)** – Resolution No. 11396

6. Introduction of the following ordinances and setting September 23, 2019 as the date of the public hearing on these ordinances:

- *6-a. ZON19-00304 **(District 6)** Within the 6000 through 6300 blocks of South Power Road. Located south of Williams Field Road between the northbound and southbound lanes of Power Road (11± acres). Rezone from RM-4-BIZ and LC-BIZ-CUP to RM-4-PAD; and Site Plan Review. This request will allow for a multiple residence development. Sean Lake, Pew and Lake, PLC, applicant; Power Road Gateway, LLC, owner.

Staff Recommendation: Approval with conditions

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

- *6-b. See: **Items not on the Consent Agenda.**
- *6-c. ZON19-00357 **(District 5)** Within the 8000 through 8100 blocks of East McKellips Road (south side). Located west of Hawes Road on the south side of McKellips Road (40± acres). Rezone from RS-35 to RS-15-PAD; and Site Plan Review. This request will allow

for the development of a single-residence subdivision. Alex Caraveo, Coe & Van Loo Consultants, applicant; Desert Vista 100, LLC, owner.

Staff Recommendation: Approval with conditions

P&Z Board Recommendation: Approval with conditions (Vote: 5-1)

- *6-d. ZON19-00403 (**District 5**) Within the 5600 block of East Longbow Parkway (south side). Located north of McDowell Road and west of Recker Road (3.2± acres). A Council Use Permit (CUP) to allow a hotel use in the Airport Overflight Area-2 (AOA-2); a Bonus Intensity Zone Overlay (BIZ) to allow modifications to the Light Industrial (LI) development standards; and Site Plan Review. Matthew Kosednar, Allen + Philp Partners, applicant; Longbow Hotel Associates I, 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. ZON18-00891 (**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)

For continuance to the September 23, 2019 City Council meeting.

8. Take action on the following subdivision plats:

- *8-a. "Map of Dedication for Avilla Enclave" (**District 6**) Within the 2800 and 2900 blocks of South Hawes Road (east side) and the 8400 block of East Guadalupe Road (south side). Located at the southeast corner of Guadalupe Road and Hawes Road (10± acres). Nextmetro Development, LLC, developer; Mitchell H. Ragsdale, Terrascope Consulting, surveyor.
- *8-b. "Olivewood Condominiums at Sunland Springs Village" (**District 6**) Within the 2100 to 2400 blocks of South Signal Butte Road (east side). Located south of Baseline Road on the east side of Signal Butte Road (9.8± acres). Olivewood Condominiums at Sunland Springs Village, LLC, developer; Robert J. Blake, Clouse Engineering, Inc., surveyor.

Items not on the Consent Agenda

6. Introduction of the following ordinances and setting September 23, 2019 as the date of the public hearing on these ordinances:

- *6-b ZON19-00322 (**District 3**) Within the 1600 through 1700 blocks of South Dobson Road (west side) and within the 2000 block of West Isabella Avenue (north side). Located west of Dobson Road south of US 60 (10± acres). Rezone from LC-PAD to RM-4-PAD; and Site Plan Review. This request will allow for the development of a multiple residence development. Brennan Ray, Burch & Cracchiolo, PA, applicant; TIC Dobson Ranch, LLC et al, owner.

Staff Recommendation: Approval with conditions

P&Z Board Recommendation: Approval with conditions (Vote: 5-1)

Tim Boyle, a Mesa resident, stated this project is the first impression many people have when they enter the City of Mesa. He added this apartment complex needs a city-defining design to welcome people to Mesa, which is why he is opposing the project.

Responding to a question from Councilmember Whittaker, Mr. Boyle stated he came to Council to speak in opposition to the project to amplify the importance of aesthetics in the City. He added this project stands out more because it is a gateway project which is visible entering the City. He said because the project has received bonuses in additional square footage, stories and parking, the developer should step up with a better design of the complex.

Responding to a question from Vice Mayor Freeman, Mr. Boyle explained his concern is the aesthetics of the building and making the project City defining.

City Attorney Jim Smith advised the ordinance is for introduction for public hearing on September 23, 2019.

Councilmember Heredia explained staff has been working with the developer to ensure a quality project and is in support of the project.

Planning Director Nana Appiah stated this project has been through the Design and Review Board and a lot of time has been spent with the applicant to guarantee a higher-quality project.

It was moved by Councilmember Luna, seconded by Councilmember Heredia, that the ordinance be introduced for public hearing.

Upon tabulation of votes, it showed:

AYES – Freeman-Duff-Heredia-Luna-Thompson

NAYS – Whittaker

ABSENT – Giles

Vice Mayor Freeman declared the motion carried by majority vote of those present.

9. Items from citizens present:

There were no items from citizens present.

10. Adjournment.

Without objection, the Regular Council Meeting adjourned at 6:08 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 9th day of September 2019. I further certify that the meeting was duly called and held and that a quorum was present.


DEE ANN MICKELSEN, CITY CLERK

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