



# COUNCIL MINUTES

September 14, 2020

The City Council of the City of Mesa met in a Regular Council Meeting via a virtual format streamed into the lower level meeting room of the Council Chambers, 57 East 1st Street, on September 14, 2020 at 5:47 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

(\*Council participated in the meeting through the use of video conference equipment.)

Mayor's Welcome.

Mayor Giles conducted a roll call.

Invocation by Pastor Tony Frazee with Gateway Bible Church.

Mayor Giles led the Pledge of Allegiance.

Awards, Recognitions and Announcements.

Mayor Giles proclaimed September 15 through October 15, 2020 National Hispanic Heritage Month in the City of Mesa.

Councilmembers Luna and Heredia read the National Hispanic Heritage proclamation and presented the proclamation to Deanna Villanueva-Saucedo, Chairperson of the Mesa Association of Hispanic Citizens.

Ms. Villanueva-Saucedo stated it is an honor to receive the Hispanic Heritage proclamation. She thanked Council for their support and recognition of the critical role that Latinos play in keeping Mesa a vibrant community. She mentioned Mesa is a stronger community because of its diversity. She acknowledged the challenging times the community is experiencing, adding there has been a disproportionate impact on communities of color who have suffered from higher rates of COVID and economic turmoil. She invited everyone to celebrate as the community joins hands to create a better normal and improved quality of life for all residents.

Mayor Giles stated the City of Mesa is proud to recognize the rich culture, traditions, and history of the Hispanic community.

Mayor Giles announced September 2020 is National Suicide Prevention and Awareness Month. He reported due to the pandemic many individuals have feelings of isolation and loneliness which increases thoughts of suicide. He indicated the Suicide Prevention Lifeline phone number is 1-800-273-8255 where counselors are available to assist individuals in a crisis. He encouraged adding their number to your cell phone to have handy in case a situation arises. He introduced Michele Grimaldi, Mesa Public Schools (MPS) Community Partnerships Coordinator.

Ms. Grimaldi described the privilege it has been to work alongside numerous agencies in providing prevention strategies for Mesa residents. She provided the website [Resilientarizona.org](http://Resilientarizona.org) or calling 211 to connect to crisis services that are filtered by need for people suffering from anxiety, depression, or thoughts of suicide.

Mayor Giles thanked City of Mesa employees Police Officer Amanda Stamps and Deputy City Manager Natalie Lewis for working with MPS and other community partners on suicide prevention.

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 Thompson, 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 August 24, 2020 and August 31, 2020 Study Sessions, and the August 31, 2020 Regular Council meeting.

Councilmember Duff requested clarification be made on Agenda Item 3 of the August 24, 2020 Study Session minutes to include that the Promise Program dollars were matched using Human Service dollars rather than CARES dollars.

\*3. Take action on the following liquor license applications:

\*3-a. QuikTrip #1422

A convenience store with a gas station is requesting a new Series 10 Beer and Wine Store License for QuikTrip Corporation, 1956 East Southern Avenue - Perry Charles Huellmantel, Agent. There is no existing liquor license at this location. **(District 4)**

\*3-b. Got Sushi

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Got Sushi Restaurant LLC, 6744 East McDowell Road, Suite 102 - Jeong Ae Shin, agent. There is no existing license at this location. **(District 5)**

\*3-c. Gus's World Famous Fried Chicken

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Crossing Lines-Mesa LLC, 212 West Main Street - Andrea Dahlman Lewkowitz, agent. There is no existing license at this location. **(District 4)**

\*3-d. East Mesa Eagles #4508

A social club is requesting a new Series 14 Club License for East Mesa Aerie #4508, Fraternal Order of Eagles, 1712 West Broadway Road, Suite 108 - Sally Elizabeth Garrison, agent. There is no existing license at this location. **(District 3)**

\*3-e. Desert Eagle Brewing Company

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Desert Eagle Brewing Company LLC, 150 West Main Street - William Joseph Campbell, agent. The existing Series 3 Microbrewery License at this location will remain active and stack with the new Series 12 Restaurant License. **(District 4)**

\*4. Take action on the following contracts:

\*4-a. One-Year Renewal with a One-Year Renewal Option to the Term Contract for Shade Screen Canopy Repair and Replacement Services for the Parks, Recreation and Community Facilities Department. **(Citywide)**

This contract provides repair and/or replacement services for shade screen canopies, wind screens, batter's eyes, and their structures. Services include repair and replacement of existing fabric covers, existing structural parts, screen fabrication, and installation of new fabric covers.

The Parks, Recreation and Community Facilities Department and Purchasing recommend authorizing the renewal with Shade 'N Net of Arizona, Inc., at \$120,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

\*4-b. One-Year Renewal with a One-Year Renewal Option to the Term Contract for Commercial Grade Fitness Equipment for the Mesa Fire and Medical, Parks, Recreation and Community Facilities, and Other Departments. **(Citywide)**

This contract provides commercial-grade fitness equipment such as treadmills, elliptical/cross trainer, stationary and recumbent bikes, leg extension machines, Olympic

straight bars and other cardio and strength fitness equipment. Departments purchase fitness equipment as needed to replace equipment that has reached end of life and new equipment if needed.

Purchasing recommends authorizing the renewal with Fitness 4 Home Superstore, Inc., dba, Commercial Fitness Superstore, at \$95,000 annually, with an annual increase allowance of up to 5%, or the adjusted Producer Price Index.

- \*4-c. Four-Year Term Contract with Renewal Options for Childhood and Adult Vaccines for the Mesa Fire and Medical Department. **(Citywide)**

The Mesa Fire and Medical Department (MFMD) Immunization Program purchases vaccines from several different vendors. The Minnesota Multistate Contracting Alliance for Pharmacy (MMCAP) cooperative agreement provides vaccines and other pharmaceuticals including, Influenza, Tuberculin skin tests, Pertussis (Tdap), Measles, Mumps, Rubella (MMR), Varicella, Hepatitis B and Hepatitis A.

The Mesa Fire and Medical Department and Purchasing recommend authorizing the purchase using the Minnesota MMCAP cooperative contract with multiple vendors: GlaxoSmithKline, LLC; McKesson Corporation, dba, Sky Packaging; Merck Sharp & Dohme Corp.; and Sanofi Pasteur, Inc., at \$110,000 annually, based on estimated usage. This purchase is \$100,000 funded by the Salt River Pima - Maricopa Indian Community Grant and \$10,000 from the AZDHS Grant.

- \*4-d. Three-Year Term Contract with Two Years of Renewal Options for Extrication Personal Protective Equipment for the Mesa Fire and Medical Department (MFMD) (Sole Source). **(Citywide)**

This contract will provide Ladder crews with extrication turnouts to eliminate exposure to carcinogens while reducing cardiac stress and fatigue. Based on testing and performance, MFMD has specified the Fire-Dex brand equipment.

The Mesa Fire and Medical Department and Purchasing recommend awarding the contract to the sole source vendor, Municipal Emergency Services, at \$60,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index. The initial purchase of 72 Extrication Turnouts (Additions) is partially funded by 100 Club of Arizona Enhancement Stipend Award (\$47,132).

- \*4-e. One-Year Term Contract with a One Year of Renewal Option for Twelve-Lead Heart Monitors/Defibrillators (Additions) for the Mesa Fire and Medical Department (MFMD). **(Citywide)**

MFMD purchased replacement 50 Zoll X Series cardiac monitors for existing response vehicles in January of 2020 using the City of Tucson cooperative contract. This term contract will be used to up-fit future fire response vehicles and units including future needs associated with the emergency transport program. This will allow the department the flexibility to up-fit all future response units with the same monitors that all crew members are trained to use.

The Mesa Fire and Medical Department and Purchasing recommend authorizing the purchase using the City of Tucson cooperative contract with Zoll Medical Corporation at

\$600,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index. This purchase is funded by the Capital General Fund and the Ambulance Transport Fund.

- \*4-f. 11-Month Term Contract for Heavy-Duty Vehicle/Equipment Body Parts and Repair Services for the Fleet Services Department. **(Citywide)**

This contract will provide heavy-duty vehicle/equipment parts and body repairs primarily for the City's solid waste trucks.

The Fleet Services Department and Purchasing recommend authorizing the purchase using the City of Tempe cooperative contract with Rush Truck Centers of Arizona, dba, Rush Truck Center, Phoenix, at \$200,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

- \*4-g. Three-Year Term Contract with Two Years of Renewal Options for Masonry Wall Cleaning, Painting and Repair Services for the Transportation Department. **(Citywide)**

This contract will provide cleaning, painting, and repair services for maintaining numerous masonry walls within the City's rights-of-way.

The Transportation Department and Purchasing recommend awarding the contract to the lowest, responsive, and responsible bidder, A & H Painting, Inc. (Primary) and Ghaster Painting and Coatings (Secondary), at \$148,750 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index. This purchase is funded by the Local Streets Fund.

- \*4-h. Four-Year Term Contract with Renewal Options for Biochemical Oxygen Demand Analyzers for the Water Resources Department. **(Citywide)**

Water Resources - Compliance Laboratory utilizes a Biochemical Oxygen Demand (BOD) system to analyze microbial, inorganic, and organic samples from the City of Mesa's three wastewater reclamation plants, including the pre-treatment and storm water programs.

An evaluation committee recommends awarding the contract to the highest scored proposal from Seal Analytical, Inc., Year 1, at \$40,000, Years 2, 3, and 4, at \$10,000 annually; with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index. This purchase is funded by the Enterprise Fund - Operations and Maintenance and Capital and Greenfield Joint Venture Funds.

- \*4-i. 33-Month Term Contract with Two Years of Renewal Options for Hach Equipment, Repairs, and Support Services for the Water Resources Department. **(Citywide)**

This contract will provide OEM calibration, maintenance, repair and equipment, reagents, chemicals, lab supplies, instruments, software, and replacement parts.

The Water Resources Department and Purchasing recommend authorizing the purchase using the City of Tempe cooperative contract with Hach Company, at \$450,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index. This purchase is funded by Water Resources Operations and Maintenance budget, the

Greenfield Joint Venture Fund, Water and Wastewater Capital Improvement Program Funds, and the Utility Replacement Extension and Renewal Fund.

\*4-j. **See: Items not on the consent agenda**

5. Take action on the following resolutions:

\*5-a. Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with the Salt River Pima Maricopa Indian Community for the receipt and distribution of \$765,000 in Proposition 202 Funds. **(Citywide)**

Under this Agreement, \$300,000 is awarded to the following City of Mesa programs: Fire and Medical Department, Immunization Program (\$100,000); Parks, Recreation and Community Facilities Department, Positive Play (\$29,500); City Manager's Office, Social Media Community Engagement – City Activities (\$25,000), Mesa K-Ready, Kindergarten Readiness Program (\$42,500); Arts and Cultural Department, Mesa Arts Center, Arts in Service (\$53,000), and i.d.e.a. Museum, Barriers to Access (\$50,000).

The balance of the funds will be distributed to other local community agencies, including American Red Cross of Greater Phoenix, Salvation Army-Phoenix Family Services, Paz De Cristo, Feeding Matters, St. Mary's Food Bank, and United Food Bank as pass-through grants. – Resolution No. 11554

\*5-b. Approving and authorizing the City Manager to enter into an Award Agreement with the State of Arizona, Office of Attorney General to accept \$45,600 in grant funds from the FY 2021 Victims' Rights Program to be used for salaries and benefits of two Victim Notification Clerks at the Police Department's Mesa Family Advocacy Center. **(Citywide)** – Resolution No. 11555

\*5-c. Approving and authorizing the City Manager to accept, expend, and distribute CY 2020 CARES Act grant funds from the U.S. Department of Housing and Urban Development, in the amount of \$529,649 to be used for Housing Services programs. **(Citywide)** – Resolution No. 11556

6. Introduction of the following ordinance and setting September 21, 2020 as the date of the public hearing on this ordinance:

\*6-a. **ZON20-00253 (District 6)** Within the 4400 to 4700 blocks of South Power Road (east side) and within the 6800 to 7000 blocks of East Warner Road (south side). Located at the southeast corner of Power Road and Warner Road (overall 59± acres). (1) Rezone 30± acres of the property from Agricultural (AG) to General Commercial with a Planned Area Development overlay (GC-PAD); Site Plan Review; and a Council Use Permit to allow Outdoor Seating in the GC district and Airfield Overlay Area 2 (AOA 2) (Area A); and (2) Rezone 29± acres of the property from AG to Light Industrial (LI-PAD) (Area B & C); and Site Plan Review and a Council Use Permit to allow Large Commercial Development and Large-Scale Commercial Recreation in the LI district and AOA 2 on 9± acres (Area B) of the property. This request will allow for the development of a group commercial entertainment, and industrial development. Sean Lake, Pew and Lake, PLC, applicant; Power 17, LLC and Power 40, LLC, owner.

Staff Recommendation: Approval with conditions

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

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

\*7-a. ANX20-00206 (**District 6**) Annexing property located south of Ray Road and east of Mountain Road (6.0± acres). Initiated by the property owner, SRF Holding, LLC. – Ordinance No. 5584

\*7-b. ZON20-00207 (**District 6**) Within the 11200 block of East Ray Road (south side) and within the 5200 block of South Mountain Road (east side). Located west of Meridian Road on the south side of Ray Road (3.9± acres). Rezone from RS-43 to NC. This request will establish commercial zoning for future development. Rod Jarbo, applicant; SRF Holding, LLC, owner. – Ordinance No. 5585

Staff Recommendation: Approval with conditions

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

\*7-c. ZON20-00475 (**District 6**) Within the 10500 to 10800 blocks of East Southern Avenue (south side). Located west of Signal Butte Road on the south side of Southern Avenue (3.6± acres). Rezone from Multiple Residence 4 (RM-4) with a Planned Area Development Overlay (PAD) to Limited Commercial (LC)-PAD. This request will correct an error in the ordinance map approved with zoning case ZON19-00872 and allow for a mixed-use development. Reese Anderson, Pew & Lake, PLC, applicant; Signal Butte BFC, LLC, owner. – Ordinance No. 5586

Staff Recommendation: Approval with conditions

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

8. Take action on the following subdivision plats:

\*8-a. “Deroche Estates” (**District 5**) Within the 2400 block of North Val Vista Drive (east side). Located south of McDowell Road on the east side of Val Vista Drive (5 ± acres). NuSash Investments, LLC, developer; Anthony N. Zaugg, Allen Consulting Engineers, Inc., surveyor.

\*8-b. “EASTMARK DEVELOPMENT UNIT DU-7 PARCEL 53” (**District 6**) Within the 9800 to 10000 blocks of East Point Twenty-Two Boulevard (south side) and within the 4700 block of South Eastmark Parkway (west side). Located north of Ray Road and east of Ellsworth Road (13.4± acres). TNHC Arizona Marketing, LLC, developer; Douglas B. Toney, Bowman Consulting, surveyor.

\*8-c. “MERCADO FIESTA” (**District 3**) Within the 1300 to 1500 blocks of West Southern Avenue (south side) and within the 1200 block of South Longmore (east side). Located west of Alma School Road on the south side of Southern Avenue (6.9± acres). BPC Larkspur Mercado, LLC, developer; Anthony Slater, Survey Innovation Group, Inc., surveyor.

- \*8-d. "MERCADO FIESTA CONDOMINIUM" (**District 3**) Within the 1300 to 1500 blocks of West Southern Avenue (south side) and within the 1200 block of South Longmore (east side). Located west of Alma School Road on the south side of Southern Avenue (6.9± acres). BPC Larkspur Mercado, LLC, developer; Anthony Slater, Survey Innovation Group, Inc., surveyor.

**Items not on the Consent Agenda.**

- 4-j. The Studios @ Mesa City Center - First Guaranteed Maximum Price (GMP No. 1). (**District 4**)

In February 2018, City Council approved an Intergovernmental Agreement (IGA) with Arizona State University (ASU) for a new academic building in downtown Mesa (ASU Creative Futures Laboratory). This agreement also included provisions for ASU to assist with the programming of the vacant City-owned building located at 59 East 1st Street (Mesa's first public library). In November 2018, the City and ASU subsequently entered into a Lease Agreement for the new academic building. The Lease Agreement commits the City to the renovation of 6,000 to 12,000 square-foot of the existing 26,500 sf building, which will be called The Studios @ Mesa City Center. GMP No. 1 includes general site demolition, complete interior demolition within the existing structure, and associated tasks.

Staff recommends awarding the contract for this project to the selected Construction Manager at Risk, Okland Construction, in the amount of \$213,095.00 (GMP 1) and authorizing a change order allowance in the amount of \$21,309.50, for a total amount of \$234,404.50. This project is funded by the Economic Investment Fund and Economic Development General Fund - Capital.

It was moved by Vice Mayor Freeman, seconded by Councilmember Luna, that the contract award to Okland Construction for The Studios @ Mesa City Center be approved.

Upon tabulation of votes, it showed:

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

Mayor Giles declared the motion carried by majority vote.

**9. Items from citizens present.**

There were no items from citizens present.

**10. Adjournment.**

Without objection, the Regular Council meeting adjourned at 6:06 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 14<sup>th</sup> day of September 2020. 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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