



**CITY OF MESA
NOTICE OF MEETING & AGENDA - FINAL
CITY COUNCIL**

**Monday, November 1, 2021
5:45 PM**

**Mesa Council Chambers
57 E. First Street, Mesa, Arizona**

PARTICIPATING AND ATTENDING MEETINGS: The public is welcome and encouraged to speak at City Council regular meetings on an agenda item or on an issue that is not specifically on the agenda during "Items from Citizens Present." The public may attend and participate in person, electronically, and telephonically. Speakers will generally be given three minutes.

IN PERSON COMMENT: Submit a blue speaker/comment card to the City Clerk prior to the meeting. You have the choice to have your comments read aloud or to speak. If you choose to speak, your name will be called, and you will be asked to address Council at the lectern.

TELEPHONE COMMENT: Submit an online comment card *at least one hour* prior to the meeting by going to mesaaz.gov/bluecard. At the start of the meeting, **call 888-788-0099 or 877-853-5247 (toll free) using meeting ID 5301232921** and follow the prompts. You will be prompted to unmute your line when it is time for you to speak.

ELECTRONIC COMMENT: Submit an online comment card *at least one hour* prior to the start of the meeting by going to mesaaz.gov/bluecard. The comment will be read during the live meeting that can be watched on local cable Mesa Channel 11 or online at mesaaz.tv/live or <https://facebook.com/CityofMesa>.

For help with the online comment card or for any technical difficulties, please call (480) 644-2099.

CONSENT AGENDA: All items listed with an asterisk (*) are on the consent agenda which means they will be considered by the City Council as a group, without any separate discussion of these items, unless a Councilmember or citizen requests the item be removed from the consent agenda to be considered separately. Please submit a blue speaker/comment card to the City Clerk before the meeting to move an item off the consent agenda.

ACCESSIBILITY: The City of Mesa is committed to making its public meetings accessible to persons with disabilities. For special accommodations, please contact the City Manager's Office at (480) 644-3333 or AZRelay 7-1-1 at least 48 hours in advance of the meeting. Si necesita asistencia o traducción en español, favor de llamar al menos 48 horas antes de la reunión al 480-644-2767.

DECORUM: All persons attending the Council meeting are asked to observe the rules of politeness, propriety, decorum, and good conduct. Any person interfering with the meeting will be asked to leave or removed from the meeting and will not be allowed to return. To give everyone an opportunity to speak, comments are generally limited to three minutes unless otherwise determined by the Mayor. Comments must be relevant to the item being discussed, except during Items from Citizens Present. Councilmembers are generally not permitted to discuss or take legal action on any matters raised by the public that are not specifically on the agenda. If you are with a group, please designate a spokesperson. When it is your turn, please step up to the lectern, speak clearly into the microphone, and begin by stating your name and address for the record. If you have materials to hand out, please give them to the City Clerk for distribution to the Council and staff. Eleven copies of each document are needed to insure there are enough handouts. Political campaigning is prohibited by state law.

Pursuant to A.R.S. § 38-431.02, notice is hereby given that the City Council will hold a meeting open to the public at the date and time above. If indicated in the agenda, pursuant to A.R.S. § 38-431.03, the City Council may vote to go into executive session which will not be open to the public. Members of the City Council may appear at the meeting in person, telephonically, or electronically. Children are welcome at City Council meetings. Please remember meetings are video recorded; by allowing your child to attend, you consent to your child being recorded. A.R.S. § 1-602(A)(9)

**Mayor John Giles
Vice Mayor Jennifer Duff – District 4
Councilmember Mark Freeman – District 1
Councilmember Julie Spilsbury – District 2
Councilmember Francisco Heredia – District 3
Councilmember David Luna – District 5
Councilmember Kevin Thompson – District 6**

Mayor's Welcome

Roll Call

Invocation by Pastor Jose Luis Amaya with Iglesia de Cristo Elim Betel Church

Pledge of Allegiance

Awards, Recognitions and Announcements

1 Take action on all consent agenda items.

Items on the Consent Agenda

*2 [21-0999](#) Approval of minutes of previous meetings as written.

3 Take action on the following liquor license applications:

*3-a [21-1174](#) One Step Beyond, Inc.

This is a one-day event to be held on Saturday, November 13, 2021, from 7:00 P.M. to 10:00 P.M. at 456 West McLellan Road. **(District 1)**

*3-b [21-1120](#) B.R.I Taproom & Arcade

A brewpub with an arcade is requesting a new Series 7 Beer and Wine Bar License for B.R.I Beercade LLC, 213 West Main Street; Matthew David Trethewey, agent. There is no existing license at this location. **(District 4)**

*3-c [21-1121](#) Lone Spur Cafe

A restaurant that serves breakfast, lunch and dinner is requesting a new Series 12 Restaurant License for Lone Spur Café Mesa LLC, 1859 South Stapley Drive, Suite 107; Cory Dean Farley, agent. There is no existing license at this location. **(District 3)**

4 Take action on the following bingo applications:

*4-a [21-1122](#) Apache Wells Bingo LLC

Ardis Zaier, manager, 2247 North 56th Street. **(District 5)**

*4-b [21-1123](#) Encore at Eastmark Homeowner's Association

Colleen Lindstrom, supervisor, 5620 South Encore. **(District 6)**

5 Take action on the following contracts:

*5-a [21-1126](#) Four Year Renewal for the Use of a Cooperative Contract for 3M Radio Frequency Identification (RFID) Equipment and Maintenance for the Library Services Department (Sole Source) **(Citywide)**

This contract provides labor, parts and equipment modifications to maintain 3M RFID equipment at the Mesa library branches. With the lifecycle projects of replacing Library's automated material handler/sorters and security gate replacements being approved for this fiscal year and potentially next fiscal year, this renewal will allow Library to streamline large one-time purchases at a fair and competitive price.

The Library Services Department and Purchasing recommend authorizing the renewal using the Maricopa County cooperative contract with Bibliotheca LLC, at \$440,000 annually, based on estimated usage, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

*5-b [21-1127](#) Three-Year Term Contract with Two Years of Renewal Options for Chiller Maintenance and Repair Services for the Parks, Recreation and Community Facilities Department **(Citywide)**

This contract will provide the inspection, preventative maintenance, and repair of water chillers and associated equipment located at City-owned and operated facilities. It will also support services related to the replacement of parts on a pre-planned schedule, prior to the failure of key components related to cooling plants, closed loops, cooling towers, and fluid coolers, as scheduled. Inspection and preventative maintenance services will be scheduled on a quarterly and annual basis.

An evaluation committee recommends awarding the contract to the highest scored proposal from W.D. Manor Mechanical Contractors, Inc., at \$221,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

***5-c** **21-1129** Dollar-Limit Increase and One-Year Renewal to the Term Contract for Temperature Controlled Drug Locking Cabinets for the Mesa Fire and Medical Department **(Citywide)**

Mesa Fire and Medical Department (MFMD) has been using refrigerated locking drug cabinets on their apparatus for 19 years to hold pharmaceuticals for emergency responses. Many pharmaceuticals cannot tolerate the intense Arizona heat and require a temperature-controlled environment. MFMD is requesting a dollar-limit increase for Year 3, due to the nine additional ambulances purchased or being purchased this contract period that were unforeseen at the time of the original award, and an early ordering request from Budd Medical, due to COVID challenges on materials availability.

The Mesa Fire and Medical Department and Purchasing recommend increasing the dollar-limit by \$95,000, from \$130,700 to \$225,700 for Year 3; and authorizing the renewal with Budd Medical and Fire Equipment, LLC, at \$200,000 annually; with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index. This purchase is funded by General Fund operating budget and Capital General Fund.

***5-d** **21-1128** Three-Year Term Contract with Two Years of Renewal Options for Crack Seal Services, Materials, and Rental Equipment for the Transportation Department **(Citywide)**

This contract will provide full-service crack seal application services on five types of City street classifications (arterial, collector, residential streets, signalized intersections and parking lots), and also provide materials and rental equipment to aid in pavement preservation of the City's street inventory.

The Transportation Department and Purchasing recommend awarding the contract to the lowest, responsive, and responsible bidders: Choice Maintenance and Asphalt Services, LLC; Morgan Pavement Maintenance (a Mesa business); Crafcoc, Inc.; Superior Supply, Inc.; and Maxwell Products, Inc, at \$4,117,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index. This purchase is funded by Highway User Revenue and Local Streets Funds.

- *5-e** [21-1130](#) Five-Year Renewal for the Use of a Cooperative Contract for Maintenance, Repair, Operating Supplies for Citywide Use (**Citywide**)
- This contract supplies various City departments with Maintenance, Repair, and Operating (MRO) Supplies in a retail and wholesale (internet) environment. It supplements the City's current term contract for Industrial Supplies with Grainger. The provision of both cooperative and vendor options is advantageous to the City leveraging two nationally bid contracts for the best price and availability on these products.
- The Business Services Department and Purchasing recommend authorizing the renewal using the Maricopa County/Omnia Partners cooperative contract with Home Depot U.S.A., Inc. (six local Mesa locations), at \$400,000 annually, based on estimated usage, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.
- *5-f** [21-1124](#) South Canal Shared Use Path Project - Consolidated Canal to McKellips Road (**District 1**)
- This project will construct a new paved pathway along the east side of the South Canal between the existing pathway along the Consolidated Canal and McKellips Road. The pathway will include a rectangular rapid-flashing beacon (RRFB) at the crossing of Horne and a pedestrian crossing signal at McKellips Road. The project also includes lighting adjacent to the pathway for increased safety.
- Staff recommends awarding the contract for this project to the lowest responsible bidder, Combs Construction Company, in the amount of \$1,750,748.70, an authorizing a change order allowance in the amount of \$175,075 (10%), for a total amount of \$1,925,823.70. This project is funded by the ADOT (federal) grant under the TA-MAG program.
- *5-g** [21-1148](#) Authorizing the Mayor to sign an amendment to the employment contract with the City Auditor.
- *5-h** [21-1149](#) Authorizing the Mayor to sign an amendment to the employment contract with the City Clerk.
- *5-i** [21-1150](#) Authorizing the Mayor to sign an amendment to the employment contract with the City Attorney.
- *5-j** [21-1151](#) Authorizing the Mayor to sign an amendment to the employment contract with the City Manager.

6 Take action on the following resolutions:

- *6-a** [21-1092](#) Approving and authorizing the City Manager to enter into a Highway Safety Contract with the Arizona Governor's Office of Highway Safety to accept \$84,100 in grant funds. The funds will be used by the Police Department's Traffic Division for overtime, employee related expenses, materials and supplies for the Selective Traffic Enforcement Program in the City of Mesa. **(Citywide)**
- *6-b** [21-1093](#) Approving and authorizing the City Manager to enter into a Highway Safety Contract with the Arizona Governor's Office of Highway Safety to accept \$100,537 in grant funds. The funds will be used by the Police Department's Traffic Division for overtime, employee related expenses, materials and supplies for DUI/impaired driving enforcement in the City of Mesa. **(Citywide)**
- *6-c** [21-1094](#) Approving and authorizing the City Manager to enter into a Highway Safety Contract with the Arizona Governor's Office of Highway Safety to accept \$50,726 in grant funds. The funds will be used by the Police Department's Traffic Division for overtime, employee related expenses, materials and supplies for pedestrian and bicycle safety throughout the City of Mesa. **(Citywide)**
- *6-d** [21-1095](#) Approving and authorizing the City Manager to enter into a Subrecipient Agreement with the Arizona Department of Homeland Security to accept \$198,285 in grant funds for equipment and training to support and sustain the Police Department's Rapid Response Task Force. **(Citywide)**
- *6-e** [21-1096](#) Approving and authorizing the City Manager to enter into a Subrecipient Agreement with the Arizona Department of Homeland Security to accept \$136,000 in grant funds for equipment to support the Police Department's Hazardous Device Team. **(Citywide)**
- *6-f** [21-1097](#) Approving and authorizing the City Manager to enter into a Subrecipient Agreement with the Arizona Department of Homeland Security to accept \$39,650 in grant funds for equipment and training to support and sustain the Police Department's Terrorism Liaison Program. **(Citywide)**
- *6-g** [21-1119](#) Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with the Town of Queen Creek to accept \$125,000 in funding in exchange for forensic laboratory services provided by the Police Department's Forensic Services Division. **(Citywide)**

7 Introduction of the following ordinances and setting November 15, 2021 as the date of the public hearing on these ordinances:

***7-a** [21-0849](#) Repealing and replacing Ordinance 5314 relating to compensation, vehicle, and communication allowance and City benefits for the Mayor and City Council, effective January 2023, and acknowledging receipt of the report and recommendations of the Independent Commission on Compensation for Elected Officials (ICCEO).

***7-b** [21-1103](#) ZON20-00210 (**District 5**) Within the 6800 to 7000 blocks of East University Drive (south side). Located east of Power Road on the south side of University Drive (1.6± acres). Rezone from Limited Commercial (LC) to LC with a Bonus Intensity Zone Overlay (BIZ); and Site Plan Review. This request will allow for the development of a commercial center. John Reddell, Reddell Architects, applicant; ETR Enterprises LLC and United States Department of Interior Bureau of Land Management, owners.

Staff Recommendation: Approval with conditions

P&Z Board Recommendation: Approval with conditions (Vote: 4-1)

8 Take action on the following subdivision plat:

***8-a** [21-1117](#) “Los Nietos” (**District 1**) Within the 2400 block of North Old Gilbert Road (east side) and within the 2000 block of East Hermosa Vista Drive (north side). Located south of 202 Red Mountain Freeway and east of Gilbert Road (4.55 ± acres). Sotein Solares, LLC, developer; Daniel D. Armijo, AW Land Surveying, LLC, surveyor.

Items not on the Consent Agenda

9 Introduction of the following ordinance and setting November 15, 2021 as the date of the public hearing on this ordinance:

9-a [21-1064](#) Amending Title 5 of the Mesa City Code (Business Regulations) by adding a new Chapter 5, entitled "Business License", requiring all persons conducting business in Mesa to obtain a business license. (**Citywide**)

10 Conduct a public hearing on the following annexation case:

10-a [21-1104](#) Public hearing prior to the release of the petition for signatures for the proposed annexation case ANX21-00728, located north of Pecos Road and west of Signal Butte Road (71.3± acres). This request has been initiated by the applicant, Josh Tracy, Ryan Companies; for the owner, Tucker Properties, LTD. (**District 6**)

11 Items from citizens present. (Maximum of three speakers for three minutes per speaker).

12 Adjournment.¹

¹ Prior to adjournment, at this Council meeting, the City Council may vote to go into executive session for legal advice on any item listed on this agenda pursuant to A.R.S. §38-431.03(A)(3); this notice is given pursuant to A.R.S. §38-431.02 to the members of the City Council and the public.