



COUNCIL MINUTES

July 1, 2024

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, 2024, at 6:27 p.m.

COUNCIL PRESENT

John Giles
Francisco Heredia*
Jennifer Duff
Mark Freeman
Alicia Goforth
Scott Somers
Julie Spilsbury

COUNCIL ABSENT

None

OFFICERS PRESENT

Christopher Brady
Holly Moseley
Jim Smith

(*Participated in the meeting through the use of video conference equipment.)

Mayor Giles conducted a roll call.

Mayor Giles led a moment of silence followed by the Pledge of Allegiance.

There were no awards, recognitions, or announcements.

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 Freeman, seconded by Councilmember Spilsbury, that the consent agenda items be approved.

Upon tabulation of votes, it showed:

AYES – Giles–Heredia–Duff–Freeman–Goforth–Somers–Spilsbury
NAYS – None

Carried unanimously.

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

Minutes from the April 15 and June 17, 2024, Study Sessions; June 3, 2024, Special Council meeting; and June 17, 2024, Regular Council meeting.

3. Take action on the following contracts:

*3-a. Reconstruction of Anzio Ramp at Falcon Field Airport Project. **(District 5)**

This project includes full reconstruction of the pavement of the Anzio Ramp at Falcon Field Airport. The Anzio Ramp was originally constructed in 1992 and provides airport access to adjacent hangars. An analysis of the pavement condition indicated that routine maintenance is no longer a sufficient solution to protect the current pavement and extend its longevity. Design investigation determined that full reconstruction of the pavement section is necessary.

Staff recommends awarding a contract to the lowest responsible bidder, NEVE LLC, in the amount of \$362,729.00, and authorize a change order allowance in the amount of \$36,272.90 (10%) for a total authorized amount of \$399,001.90. This project is funded by the Arizona Department of Transportation (ADOT) Grant and Falcon Field Airport.

*3-b. Job Order Master Contracts (JOC) - Fire Safety Construction Services. **(Citywide)**

The selection of three contractors is needed for the Master JOC for fire safety construction services. These services will include new construction, renovations and repairs, additions, and facility upgrades for City buildings and facilities related to fire safety improvements. Contracts are for three full years, with two optional one-year extensions of the contracts based on successful contractor performance and City concurrence.

Staff recommend awarding AP Fire Protection, CertiPro Fire and Life Safety, Inc. and Metro Fire Equipment, Inc. for Job Order Master Contracts. Individual job orders will have a limit of \$4,000,000 per job order, or as otherwise approved by Council.

*3-c. Job Order Master Contracts (JOC) - Small Tenant Improvements Construction Services. **(Citywide)**

The selection of four contractors is needed for the Master JOC for small tenant improvement services. These construction services will include renovations and repairs, additions, demolition, and facility upgrades for City buildings and facilities related projects. Contracts are for three full years, with two optional one-year extensions of the contracts based on successful contractor performance and City concurrence.

Staff recommend awarding Builders Guild Inc., Integrity Building Corp., Concord General Contracting, and Woodruff Construction for Job Order Master Contracts. Individual job orders will have a limit of \$3,000,000 per job order, or as otherwise approved by Council.

*3-d. Three-Year Term Contract with Two-Year Renewal Options for Phlebotomy Services for the Mesa Police Department. **(Citywide)**

Phlebotomy services provide for the drawing of blood samples from suspected impaired motorists or persons involved in other criminal investigations. Additional services include urine samples, exposure draws, and delivery of samples to a laboratory for testing.

A committee representing the Mesa Police Department and Procurement Services evaluated responses and recommend awarding the contract to the highest scored, responsive, and responsible proposal from Desert Testing Service LLC at \$157,000

annually with an annual increase allowance of up to 5% or the adjusted Consumer Price Index.

- *3-e. Term Contract with Renewal Options for Security and Protection Systems and Related Equipment, Technology, Parts, Support, and Services for the Mesa Police Department. **(Citywide)**

Police Department Information Technology coordinates various security projects for the Police Department as well as other Departments in the City. Purchases from the vendors may include security and protection systems and related equipment, technology, parts, support, and services.

The Police Department and Procurement Services recommend authorizing the purchase using the OMNIA Partners/Region 4 ESC - TX cooperative contract with ADT Commercial LLC and Converjint Technologies LLC; and State of Arizona cooperative contract with APL Access and Security; at \$1,000,000 annually, based on estimated requirements.

- *3-f. Three-Year Term Contract with Two-Year Renewal Options for Illuminated Street Name Sign Supply and Maintenance Services for the Transportation Department. **(Citywide)**

This contract will provide maintenance and repair of internally illuminated street name signs. Services include sign face replacement due to fading, removal of existing signs, LED retrofit of existing signs, and fabrication and installation of new signs.

A committee representing Transportation and Procurement Services evaluated responses and recommend awarding the contract to the highest-scored, responsive, and responsible proposal from Fluoresco Services LLC at \$346,000 annually, with an annual increase allowance of up to 5% or the adjusted Consumer Price Index. This purchase is funded by Local Streets Sales Tax and Capital Improvement Program Funds.

- *3-g. Use of a Cooperative Contract for the Purchase of Two Street Sweepers (Replacement/Addition) for the Fleet Services Department and Transportation Department. **(Citywide)**

This purchase will provide two X-Broom sweepers for the Transportation Department. One sweeper will replace an existing sweeper that has met the established criteria for replacement and will be either traded, auctioned, sold, or deployed for special uses. The new sweeper will help maintain Transportation's residential street sweeping schedule of every four weeks.

The Fleet Services Department, Transportation Department, and Procurement Services recommend authorizing the purchase using the State of Arizona cooperative contract with Freightliner of AZ LLC at \$869,000.00, based on estimated requirements. This purchase is funded by Maricopa Association of Governments (MAG)/Arizona Department of Transportation (ADOT) Congestion and Mitigation Air Quality Grant (CMAQ) and Local Street Sales Tax Funds.

- *3-h. Use of a Cooperative Contract for the Purchase of One Air Sweeper (Replacement) for the Fleet Services Department and Falcon Field Airport. **(Citywide)**

Falcon Field's current sweeper's hopper is rusted, sandblasted and all seals are failing, allowing dust exfiltration. The sweeper hopper is no longer in a condition where repairs are effective, and a new sweeper is needed.

The Fleet Services Department, Falcon Field Airport, and Procurement Services recommend authorizing the purchase using the State of Arizona cooperative contract with Freightliner of AZ LLC at \$379,000 based on estimated requirements. This purchase is funded by the Maricopa Association of Governments (MAG)/Arizona Department of Transportation (ADOT) Congestion and Mitigation Air Quality Grant (CMAQ) and Falcon Field Enterprise Fund.

- *3-i. Use of a Cooperative Contract for the Purchase of Original and Aftermarket Refuse Truck Parts for the Fleet Services Department. **(Citywide)**

The City of Mesa maintains a fleet of over 80 refuse trucks. Parts purchased under these contracts will be used to provide in-house repairs and maintenance and installed by the Fleet Services Department.

The Fleet Services Department and Procurement Services recommend authorizing the purchase using the City of Phoenix cooperative contracts with Amrep Manufacturing Company LLC, Balar Holding Corp. dba Balar Equipment, BTE Body Company Inc., Short Equipment Inc., and Wastebuilt Environmental Solutions LLC at \$1,000,000 annually with an annual increase allowance of up to 5% or the adjusted Consumer Price Index.

- *3-j. Use of a Cooperative Contract for the Purchase of Seven Ambulances (5 Replacements and 2 Additions) for Mesa Fire and Medical Department. **(Citywide)**

This purchase will support the transition to providing both Basic Life Support and Advanced Life Support transport services and will increase the City's fleet to 30 vehicles. One ambulance is a demo unit which is advantageous due to the immediate availability of the unit.

Mesa Fire and Medical Department and Procurement Services recommend authorizing the purchase using the Houston-Galveston Area Council (H-GAC) cooperative contract with Professional Sales and Service, LLC at \$2,728,374.83, based on estimated requirements. This purchase is funded by the Ambulance Transport Fund.

- *3-k. Dollar Limit Increase to the Term Contract for Fire Department Uniforms for the Mesa Fire and Medical Department (MFMD). **(Citywide)**

This contract provides MFMD staff with work uniforms such as shirts, hats, outwear, pants, shorts, dress uniform items, etc. which are worn during their normal daily work activities. This contract was recently rebid and awarded. The dollar limit increase was necessary for the current contract to cover purchases made through the old contract expiration of June 30, 2024.

The MFMD and Procurement Services recommend increasing the dollar limit with United Fire Equipment Company by \$80,000, from \$838,368.95 to \$918,368.95.

- *3-l. Use of a Cooperative Contract for the Purchase of Three Automated Side Loader Refuse Trucks (Replacements) for Fleet Services and Solid Waste Department. **(Citywide)**

Three current automated side loaders in the Solid Waste fleet have met the established replacement criteria and are requested to be replaced. The estimated lead time is two years.

The Fleet Services Department, Solid Waste Department, and Procurement Services recommend authorizing the purchase using the Sourcewell cooperative contract with Rush Truck Centers of Arizona dba Rush Truck Center - Phoenix at \$1,807,000 based on estimated requirements. This purchase is funded by Utility Replacement Extension & Renewal and Solid Waste Funds.

- *3-m. Use of a Cooperative Contract for the Purchase of One Waste Bin Handler Truck (Addition) for the Fleet Services and Solid Waste Department. **(Citywide)**

This purchase will provide an additional rotating container handler for the Solid Waste Department. The department currently has two rotating container handlers but needs to purchase an additional one to keep up with the increasing demand for Solid Waste services.

The Fleet Services Department, Solid Waste Department, and Procurement Services recommend authorizing the purchase using the State of Arizona cooperative contract with Freightliner of AZ, LLC. at \$217,000 based on estimated requirements. This purchase is funded by Utility Replacement Extension & Renewal Solid Waste Fund.

- *3-n. Three-Year Term Contract with Two-Year Renewal Options for Video Surveillance System Maintenance and Installations for the Water Resources Department. **(Citywide)**

This contract will provide a qualified vendor to furnish and install Mobotix video security surveillance equipment at water treatment plants, wastewater reclamation plants, electric substations, well sites, reservoirs and other remote sites and will include a full maintenance contract for the existing Mobotix cameras throughout the City.

A committee representing Energy and Water Resources Departments and Procurement Services evaluated responses and recommend awarding the contract to the highest scored proposal from Gosserco, Inc. (a Mesa business) at \$450,000 annually with an annual increase allowance of up to 5% or the adjusted Consumer Price Index.

- *3-o. Four-Year Term Contract with Six Years of Renewal Options for Information Technology Solutions and Services for Various City Departments as requested by the Department of Innovation and Technology. **(Citywide)**

This contract will provide the City and participating agencies with a full range of information technology solution products and services to meet the varying requirements of governmental agencies. These contracts will provide critical software applications and hardware devices, including Microsoft software, Panasonic rugged devices, and much more.

Mesa led the solicitation that created this contract. The contract will be available to over 45,000 public agencies nationally through OMNIA Partners cooperative purchasing program. The City will receive rebates annually for administering and awarding this contract.

A committee representing the Department of Innovation and Technology and Procurement Services evaluated responses and recommend awarding the contract to the highest scored proposals from CDW Government LLC; and SHI International Corp., at \$15,000,000 annually, based on estimated requirements, with an annual increase allowance of up to 5% or the adjusted Consumer Price Index.

- *3-p. Three-Year Term Contract with Two-Year Renewal Options for Safety Shoes for Various City Departments as Requested by the Human Resources Department. **(Citywide)**

The City is responsible for providing proper personal protective equipment (PPE) to employees who are, or are expected to be, exposed to certain workplace hazards to avoid on-the-job injury and/or illness. There are more than 1,000 employees in over 80 job titles that require PPE for foot protection.

A committee representing the Human Resources Department - Safety Services and Procurement Services evaluated responses. The evaluation committee recommend awarding the contract to all qualified respondents: Boot Barn, FX Tactical, JRs Shoes and Boots LLC (a Mesa Business), and Matlick Enterprises dba United Fire Equipment Company at \$200,000 annually, with an annual increase allowance of up to 5% or the adjusted Producer Price Index.

4. Take action on the following resolutions:

- *4-a. Approving and authorizing the City Manager to enter into a one-year Agreement with Visit Mesa, Inc., for the distribution of a portion of the City's transient lodging tax proceeds for the promotion of tourism and destination marketing in Mesa, Arizona and in accordance with Arizona Revised Statute §9-500.06. **(Citywide)** – Resolution No. 12231
- *4-b. Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with the Regional Public Transportation Authority (RPTA) for fixed-route bus, paratransit and RideChoice, services. The estimated cost of transit services for FY 2024/25 is \$36,370,425. Public Transportation Funds (PTF) from Proposition 400 will fund \$31,433,345 and the City's General Fund will fund \$4,937,080. **(Citywide)** – Resolution No. 12237
- *4-c. Approving and authorizing the City Manager to enter into a funding agreement with Valley Metro Rail, Inc., for the current light rail operations in the City of Mesa. The estimated cost of service for operations, maintenance and facility landscaping of the existing light rail line for fiscal year 2024/25 is \$19,428,000. The City anticipates receiving \$3,036,289 in light rail fares, advertising, preventive maintenance grant and Arizona Lottery Funds for a net impact to the City's General Fund of \$16,391,711. **(Districts 3 and 4)** – Resolution No. 12238

5. Introduction of the following ordinances and setting July 8, 2024, as the date of the public hearing on these ordinances:

- *5-a. Proposed amendments to Section 11-7-2 of Title 11 of the Mesa City Code, Zoning Ordinance, allowing Banquet and Conference Centers in certain Employment Districts. – Ordinance No. 5861

Staff Recommendation: Adoption

P&Z Board Recommendation: Adoption (Vote: 6-0)

- *5-b. Proposed amendments to Chapters 24 and 87 of Title 11 of the Mesa City Code, Zoning Ordinance, pertaining to the Downtown Events (DE) Overlay District including but not limited to revising the boundaries of the DE Overlay District, creating an exception to the maximum consecutive days for City special events in the DE Overlay District, and adding definitions related to City special events. **(Citywide)** – Ordinance No. 5862

Staff Recommendation: Adoption

P&Z Board Recommendation: Adoption (Vote: 6-0)

- *5-c. Amending the Mesa City Code by repealing existing Chapter 10 of Title 8 and adopting a new replacement Title 8 Chapter 10 entitled “Municipal Water System” that establishes revised and additional terms, conditions, and limitations regarding City water utility service; including setting revised water demand limits and establishing permitting requirements for large water customer users and making other clarifying edits. **(Citywide)** – Ordinance No. 5863

- *5-d. ZON23-00465 "Smiles for Special Needs." **(District 1)** Within the 1800 block of East Brown Road (north side). Located west of Gilbert Road and north of Brown Road (1± acres). Rezone from Single Residence-9 (RS-9) to Office Commercial (OC) and Site Plan Review. This request will allow for a day care center. Smiles for Special Needs LLC, owner; Vanessa MacDonald, Pew & Lake PLC, applicant. **(Citywide)** – Ordinance No. 5864

Staff Recommendation: Approval with conditions

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

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

- *6-a. Proposed amendments to Chapters 5, 6, and 31 of Title 11 of the Mesa City Code, Zoning Ordinance, pertaining to minor revisions and technical updates including but not limited to modifying figures, modifying land use tables to correct footnote references, and correcting section references. **(Citywide)** – Ordinance No. 5858

Staff Recommendation: Adoption

P&Z Board Recommendation: Adoption (Vote: 6-0)

- *6-b. ZON23-00645 "1756 E University." **(District 1)** Within the 1700 block of East University Drive (north side) and within the 400 block of North Hall (east side). Located west of Gilbert Road and north of University Drive (1.5± acres). Rezone from Neighborhood Commercial (NC) to Multiple Residence-4 with a Planned Area Development overlay (RM-4-PAD) and Site Plan Review. This request will allow for a multiple residence development. Trevally LLC, owner; Tim Boyle, Atmosphere Architects; applicant. – Ordinance No. 5859

Staff Recommendation: Approval with conditions

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

- *6-c. ZON23-00982 "Dave Downing Associates Warehouse." **(District 4)** Within the 200 block of South Hibbert (west side). Located north of Broadway Road and west of Mesa Drive (2± acres). Rezone from Downtown Business 2 (DB-2) and Downtown Residence 2 (DR-2) to Downtown Business 2 with a Bonus Intensity Zone overlay (DB-2-BIZ), Council Use Permit, and Major Site Plan Modification. This request will allow for a warehouse development. JD Filter Properties LLC, owner; Kenzi Architects, applicant. – Ordinance No. 5860

Staff Recommendation: Approval with conditions

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

7. Take action on the following subdivision plat:

- *7-a. SUB23-00894 "8817 Pecos Plat." **(District 6)** Within the 8800 block of East Pecos Road (south side). Located west of Ellsworth Road on the south side of Pecos Road (4.72± acres). Killer Bulls, LLC, developer; Jeremy R. Dalmacio, D2 Surveying, surveyor.

Items not on the Consent Agenda

8. Conduct a public hearing.

- 8-a. Public hearing prior to the release of the petition for signatures for the proposed annexation case ANX23-00800, located on the north side of East Pecos Road and on the west side of the proposed South Crismon Road Alignment (43± acres). This request has been initiated by Gammage and Burnham, for owner Pacific Proving LLC. **(District 6)**

Mayor Giles announced that this was the time and place to conduct a public hearing prior to the release of the petition for signatures for the proposed annexation case ANX23-00800.

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

Mayor Giles noted that Item 8-a is releasing the petition for signatures and there is no other action, which will come back to Council for consideration of the annexation.

- 8-b. Public hearing prior to the release of the petition for signatures for the proposed annexation case ANX24-00192, located on the north side of East Pecos Road and on the east side of the proposed South Crismon Road Alignment (130± acres). This request has been initiated by Gammage and Burnham, for owner Pacific Proving LLC. **(District 6)**

Mayor Giles announced that this was the time and place to conduct a public hearing prior to the release of the petition for signatures for the proposed annexation case ANX24-00192.

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

Mayor Giles noted that Item 8-b will come back to Council for future consideration of the annexation.

9. Take action on the following contract:

Mayor Giles declared a potential conflict of interest on Agenda Item 9-a and said he would refrain from discussion/consideration of this item.

Mayor Giles yielded the gavel to Vice Mayor Heredia for action on this agenda item.

9-a. Signal Butte Water Treatment Plant (SBWTP) Expansion - Construction Manager at Risk (CMAR), Guaranteed Maximum Price (GMP) No. 2 of 2. **(District 6)**

GMP No. 2 includes expansion of the existing plant by adding facilities to increase capacity of the SBWTP from 24 million gallons per day to 48 million gallons per day of treated water. GMP No. 1 was approved on September 11, 2023 and included additional reservoir capacity that would allow for growing demand, redundancy in the distribution system and supplement supply during high demand months.

Staff recommends awarding a contract to McCarthy Building Companies, Inc. in the amount of \$111,973,648.69 (GMP No. 2) and authorizing a change order allowance in the amount of \$3,359,209.46 (3%), for a total authorized amount of \$115,332,858.15. This project is funded by Utility Systems Revenue Obligations.

It was moved by Councilmember Freeman, seconded by Councilmember Spilsbury, that the recommendation of staff be approved.

Upon tabulation of votes, it showed:

AYES – Heredia–Duff–Freeman–Goforth–Somers–Spilsbury
NAYS – None
ABSTAIN – Giles

Vice Mayor Heredia declared the motion carried unanimously by those voting.

With action on this agenda item being completed, Vice Mayor Heredia yielded the gavel back to Mayor Giles.

10. Items from citizens present.

Charisia Arnold, a Gilbert resident, requested assistance in publishing information to the public regarding Mesa's unruly gathering law. She shared that there was another minor altercation at a party with open containers of alcohol. She asked for support in bringing awareness and accountability to parents and minors about the consequences of parties, alcohol, and violence.

Bridget Vega, a Gilbert resident, reported that multiple parties were held in Mesa where a teen was assaulted while bystanders recorded the incident. She urged Mesa to implement and raise awareness around the unruly gathering law, along with enforcing curfew and holding teens and parents accountable. She encouraged the City of Mesa to implement a no brass knuckles ordinance and follow the examples of the City of Chandler and Town of Gilbert. She asked for a moment of silence and to pray for all families affected by teen violence.

11. Adjournment.

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

JOHN GILES, MAYOR

ATTEST:

HOLLY MOSELEY, 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 2024. I further certify that the meeting was duly called and held and that a quorum was present.

HOLLY MOSELEY, CITY CLERK

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