



Council Meeting Notice: To decrease COVID-19 exposure, the City Council Chambers is closed, but public participation and viewing will be available electronically.

Members of the City Council will appear electronically for this meeting, via a video conferencing platform, and the live meeting will be accessible via broadcast and telephonically.

Because of the current public health emergency, the City Council Chambers is closed for Council Meetings. However, the live meeting may be watched on local cable **Mesa channel 11**, online at Mesa11.com/live, www.youtube.com/user/cityofmesa11/live, or <https://www.facebook.com/CityofMesa>, or listened to by **calling 888-788-0099 or 877-853-5247 (toll free) using meeting ID 5301232921 and following the prompts.**

Public participation will be available electronically. If you want to provide a written comment or speak telephonically at the meeting, please submit an online comment card by going to Mesaaz.gov/bluecard **at least 1 hour prior to the start of the meeting.** If you want to speak at the meeting, you will need to indicate on the comment card that you would like to speak during the meeting, and you will need to call **888-788-0099 or 877-853-5247 (toll free) using meeting ID 5301232921 and following the prompts, prior to the start of the meeting.** You will be able to listen to the meeting; and when the item you have indicated that you want to speak on is before Council, your line will be taken off mute and you will be given an opportunity to speak.

Applicants and their representatives who have items on the Council agenda and who want to be able to comment on their item or be able to answer questions should fill out this [Applicant online comment card](#) **at least 1 hour prior to the start of the meeting** and call **888-788-0099 or 877-853-5247 (toll free) using meeting ID 5301232921 and following the prompts, prior to the start of the meeting.** You will be able to listen to the meeting; and when the item you have indicated that you want to speak on is before Council, your line will be taken off mute and you will be given an opportunity to speak.

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



City of Mesa

*Council Chambers
57 E. First Street*

City Council

Meeting Agenda - Final

Tuesday, December 8, 2020

5:45 PM

CITIZEN PARTICIPATION

All citizens are permitted and encouraged to speak on agenda items including and preceding "Items from citizens present." Public participation is available electronically. If you want to provide a written comment or speak telephonically at the meeting, please submit an online comment card by going to [Mesaaz.gov/bluecard](https://mesaaz.gov/bluecard) **at least 1 hour prior to the start of the meeting.** If you want to speak at the meeting, you will need to indicate on the comment card that you would like to speak during the meeting, and you will need to call **888-788-0099 or 877-853-5247 (toll free) using meeting ID 5301232921 and following the prompts, prior to the start of the meeting.** You will be able to listen to the meeting; and when the item you have indicated that you want to speak on is before Council, your line will be taken off mute and you will be given an opportunity to speak.

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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.

CONSENT AGENDA

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, an online comment card will need to be completed by going to [Mesaaz.gov/bluecard](https://mesaaz.gov/bluecard) **at least 1 hour prior to the start of the meeting** and by following the instructions provided under "Citizen Participation" at the top of this page.

Mayor John Giles

Vice Mayor Mark Freeman - District 1

Councilmember Jeremy Whittaker - District 2

Councilmember Francisco Heredia - District 3

Councilmember Jennifer Duff - District 4

Councilmember David Luna - District 5

Councilmember Kevin Thompson - District 6

Mayor's Welcome

Roll Call

Invocation by Rabbi Laibel Blotner with the Chabad Jewish Center of Mesa.

Pledge of Allegiance

Awards, Recognitions and Announcements

1 Take action on all consent agenda items.

Items on the Consent Agenda

*2 [20-1205](#) Approval of minutes of previous meetings as written.

3 Take action on the following liquor license applications:

*3-a [20-1192](#) Cocos Power

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Cocos Power LC LLC, 540 West Broadway Road, Suite 101-102; Beatrice Adriana Soto, agent. There is no existing license at this location. **(District 4)**

4 Take action on the following contracts:

*4-a [20-1199](#) Three-Year Term Contract with Two Years of Renewal Options for Presort Mail Services for the Business Services Department (Single Response) **(Citywide)**

This vendor will merge the City's mail with other entities' mail for a postage savings. The first class metered postage rate is \$0.50. The presort meter postage rate is \$0.419, which includes postage and our contractor cost; an \$0.081 per piece savings. The City mails out between 150,000 and 200,000 pieces per month through this service.

An evaluation committee recommends awarding the contract to the single and qualified proposal from Pitney Bowes Presort Services, LLC, at \$50,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

***4-b** **20-1200** Purchase of Res-Q Jack Systems (Replacements) for the Mesa Fire and Medical Department (Sole Source) **(Citywide)**

This purchase will provide five Res-Q Jacks, a stabilization, and lifting strut capable of stabilizing and lifting large vehicles, as well as structural collapse.

The Mesa Fire and Medical Department and Purchasing recommend authorizing the purchase with the sole source vendor, DiamondBack Fire & Rescue Inc., at \$56,309.60. This purchase is funded by the Capital General Fund.

***4-c** **20-1198** Dollar-Limit Increase to the City of Mesa's Website Upgrades, Updates, and Annual Maintenance/Hosting for Various City Departments **(Citywide)**

The recommended contract amounts account for the City's main website, as well as the sites for the Economic Development Department; Parks, Recreation and Community Facilities Department; the Arizona Museum of Natural History; Falcon Field Airport; and Library Services. It also includes unique subsites designs for Mesa Fire/Police, and a possible new site for the Mesa Convention Center. The additional funding will cover the costs of the main website, subsites, upgrades, and design enhancements.

The Public Information and Communications Office and Purchasing recommend increasing the contract amount for annual hosting and support services at \$84,661.16 for Year 7, with an annual 5% increase, thereafter; and for website upgrade/design projects, at \$82,496.25 for Years 7 through 10, with Granicus, LLC, based on estimated usage.

***4-d** **20-1201** One-Year Renewal with a One-Year Renewal Option to the Term Contract for Transportation Amenity Cleaning and Repair Services for the Transportation Department **(Citywide)**

Transportation is responsible for cleaning and maintaining numerous amenities within the City public right-of-way, which include benches, bike racks, concrete pads, trash cans, etc. installed along multi-use paths and pocket parks. This contract addresses these ongoing maintenance needs.

The Transportation Department and Purchasing recommend authorizing the renewal with A Mind for Detail Inc. (a Mesa business), at \$87,180 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

- *4-e** [20-1202](#) One-Year Renewal with a One-Year Renewal Option to the Term Contract for Transportation Landscape Maintenance and Refurbishment Services for the Transportation Department **(Citywide)**

The contractor maintains landscapes, multi-use paths, transit centers, and selected bus stops. The contractor also renovates landscape areas designated for refurbishment.

The Transportation Department and Purchasing recommend authorizing the renewal with BrightView Landscape Services, Inc., a subsidiary of BrightView Landscapes, LLC, at \$3,184,250 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 and Capital Improvement Lifecycle program.

- *4-f** [20-1197](#) Three-Year Term Contract with Two Years of Renewal Options for Backflow Inspection and Repairs for the Transportation Department **(Citywide)**

This contract will provide full-service backflow testing consisting of annual backflow inspection, repair, replacement, and reporting of approximately 500 assemblies.

The Transportation Department and Purchasing recommend awarding the contract to the lowest, responsive, and responsible bidders, American Backflow and Fire Prevention (Primary); and TDIndustries (Secondary); at \$75,000 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** [20-1196](#) One-Year Term Contract with Four Years of Renewal Options for Backflow Assemblies and Related Parts for the Materials and Supply Warehouse (for the Water Resources Department) **(Citywide)**

This contract will provide backflow assemblies, ductile pipe, valves, fittings, and other related parts for the City's Meter Vault Rehab Program, and corrugated metal pipe for the Las Sendas Manhole Access Improvement Project.

The Business Services and Water Resources Departments and Purchasing recommend authorizing the purchase using the State of Arizona cooperative contract with Ferguson Enterprises, Inc.; and Brown's Partsmaster, Inc., at \$150,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index. This purchase is funded by authorized 2014 Water and Wastewater Bonds.

- *4-h** **20-1203** Four-Year Term Contract with a One Year Renewal Option for Uninterruptible Power Supply Maintenance, Repairs, Related Services, Equipment, and Parts Purchases for the Water Resources Department (**Citywide**)

This contract will provide uninterruptible power supply preventative system maintenance, repairs, related services, and purchase of equipment and parts to support approximately 23 City installations.

An evaluation committee recommends awarding the contract to the highest scored proposal from Titan Power, Inc., at \$100,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

- *4-i** **20-1208** Main Library Improvements - Kids' Zone (**District 4**)

The Main Library currently has a children's area that is smaller than desired and in need of expansion and an update. The project will provide additional programmable space, improve group play and learning areas, and update various other amenities. This project will also create a new pre-teen area, along with improved separation from the adult areas of the Library.

Staff recommends awarding the contract for this project to Chasse Building Team in the amount of \$830,835, (Guaranteed Maximum Price) and authorizing a change order allowance in the amount of \$83,084 (10%), for a total amount of \$913,919. This project is funded by 2018 authorized Arts and Culture bonds.

- *4-j** **20-1209** Fiber Network Expansion Project (Phase 2) - Construction Manager at Risk (CMAR) and Pre-Construction Services Contract (**Citywide**)

This pre-construction phase of the expansion project consists of working closely with the project team in the development of the project design. The CMAR and project team will review the project design for constructability, prepare cost estimates, and develop the project schedule and project phasing plan. This phase will also include the development of the construction phasing in two Guaranteed Maximum Price (GMP) packages. GMP 1 will be for construction work on the Downtown Loop and Western Inner Loop. GMP 2 will be for the remainder of the construction work.

Staff recommends the selection of CS Construction, Inc. (Mesa business), as the CMAR for this project and awarding a pre-construction contract in the amount of \$266,341.55. This project is funded by the 2018 authorized Public Safety Bonds.

***4-k** **20-1223** The Studios @ Mesa City Center - Second Guaranteed Maximum Price (GMP No. 2) **(District 4)**

This project is the second of three that will renovate and revitalize the vacant City-owned building at 59 East 1st Street into an academic building in conjunction with Arizona State University (ASU). City Council approved an Intergovernmental Agreement with ASU in February 2018 which, in part, commits the City to the renovation of 6,000 to 12,000 square-feet of the existing 26,500 square foot building into The Studios @ Mesa City Center.

Staff recommends awarding the contract to the selected Construction Manager at Risk (CMAR), Okland Construction, in the amount of \$3,419,587 (GMP) and authorizing a change order allowance in the amount of \$170,979.35 (5%), for a total amount of \$3,590,566.35. This project is funded by the Economic Investment Fund and General Fund - Capital.

5 **Take action on the following resolutions:**

***5-a** **20-1194** Minor General Plan amendment repealing and replacing the existing Chapter 7: Community Character and the existing Chapter 16: Plan Implementation and Amendment in their entirety and replacing them with the exhibits attached to case no: ZON20-00735. These amendments include but are not limited to, clarifying permitted zoning districts and land uses for each character type, adding minimum primary land use and zoning districts within the community character areas, revising the definition for major and minor character area map amendments, and adding approval criteria for character area map amendments. **(Citywide)**

Staff Recommendation: Adoption

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

***5-b** **20-1224** 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 \$520,000 in Proposition 202 Funds. The funds will be distributed to local community agencies, including A New Leaf, U.S. Vets, Child Crisis Center, Bogden House, Visit Mesa, and United Food Bank as pass-through grants. **(Citywide)**

***5-c** **20-1210** Extinguishing a portion of a drainage easement on Lot 8, on The Final Plat for Rock Canyon at Las Sendas, located at 3461 North Ladera Circle to allow for the construction of a backyard swimming pool; requested by the property owner. **(District 5)**

- *5-d [20-1211](#) Extinguishing a portion of a 20-foot waterline easement located at 8046 East Ray Road to allow for construction of a commercial warehouse building; requested by the property owner. **(District 6)**

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

- *6-a [20-1112](#) ZON20-00398 **(District 1)** Within the 3400 block of East University Drive (north side). Located west of Val Vista Drive on the north side of University Drive (2.3 acres). Rezone from RM-3 to RM-3-BIZ; and Site Plan Review. This request will allow for the development of a multiple residence on the site. Tim Boyle, Tim Boyle Design, applicant; AM Properties & Investments, LLC, owner.

Staff Recommendation: Approval with conditions

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

- *6-b [20-1212](#) Amending Title 6 of the Mesa City Code (Police Regulations) by adding a new Chapter 25 entitled "Marijuana Prohibitions" prohibiting certain activities and facilities related to marijuana including: recreational marijuana retail establishments, except for retail sales by a state dual licensee at a shared location; marijuana testing facilities; delivery of marijuana unless delivered by a nonprofit medical marijuana dispensary in accordance with state regulations; and the consumption of marijuana on City property, certain prohibited property, and in vehicles/transportation. **(Citywide)**

7 Take action on the following subdivision plat:

- *7-a [20-1207](#) "Reserve at Red Rock" **(District 5)** Located within the 5600 to 6000 blocks of East Thomas Road (north side) and within the 3600 to 4000 blocks of North Recker Road (west side). Located north of Thomas Road and west of Recker Road (117.3± acres). Desert Vista 100, LLC, developer; Brian Diehl, Wood, Patel & Associates, Inc., surveyor.

8 Take action on the following subdivision plat and development agreement pertaining to a proposed development with Desert Vista 100, LLC:

- *8-a [20-1222](#) "Monteluna" **(District 5)** A subdivision plat located 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). Desert Vista 100, LLC, developer; Richard G. Alcocer, Coe & Van Loo Consultants, Inc., surveyor.

- *8-b** **20-1225** A resolution approving and authorizing the City Manager to enter into a Development Agreement with Desert Vista 100, LLC, relating to approximately 40 acres of land located west of Hawes Road and south of McKellips Road for the purpose of facilitating the construction of a public sewer line for a single residence development. **(District 5)**

Items not on the Consent Agenda

- 9** **Items from citizens present. (Maximum of three speakers for three minutes per speaker).**
- 10** **Recognition/acknowledgement of Councilmember Jeremy Whittaker for his service to the City of Mesa.**
- 11** **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.