



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

Monday, September 14, 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 Pastor Tony Frazee with Gateway Bible Church.****Pledge of Allegiance****Awards, Recognitions and Announcements****1 Take action on all consent agenda items.****Items on the Consent Agenda*****2 [20-0827](#) Approval of minutes of previous meetings as written.****3 Take action on the following liquor license applications:*****3-a [20-0883](#) 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 [20-0884](#) 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 [20-0885](#) 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** [20-0886](#) 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** [20-0898](#) 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** [20-0893](#) 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** [20-0888](#) 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** **20-0894** 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** **20-0889** 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** [20-0892](#) 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** [20-0890](#) 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** [20-0891](#) 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** **20-0887** 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** **20-0789** 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** **20-0901** 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.

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

***5-a** **20-0940** 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.

***5-b** [20-0853](#) 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)**

***5-c** [20-0859](#) 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)**

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

***6-a** [20-0843](#) 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** [20-0822](#) 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.

- *7-b** [20-0757](#) 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.

Staff Recommendation: Approval with conditions

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

- *7-c** [20-0846](#) 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.

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** [20-0873](#) “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** [20-0874](#) “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** [20-0875](#) “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** [20-0876](#) “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

- 9** **Items from citizens present. (Maximum of three speakers for three minutes per speaker).**
- 10** **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.