



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, February 22, 2021

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 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 Mark Anderson with Unification Church of Arizona.****Pledge of Allegiance****Awards, Recognitions and Announcements**

- 1 Appointment of Joseph Lisitano as City Auditor.**
- 2 Appointment and swearing-in of Stephanie Olohan as City Magistrate.**
- 3 Appointment and swearing-in of Stephen Umpleby as City Magistrate.**
- 4 Take action on all consent agenda items.**

Items on the Consent Agenda

***5** **21-0142** Approval of minutes of previous meetings as written.

6 **Take action on the following liquor license applications:**

***6-a** **21-0184** Palace Nail Lounge by Jimmy

A nail salon is requesting a new Series 07 Beer and Wine Bar License for Jimmy Nguyen, sole proprietor, 1940 West Rio Salado Parkway, Suite 101-102. This is an ownership transfer; therefore, the existing license held by Phoenix Blue Sky LLC will revert to the State for modification. **(District 1)**

***6-b** **21-0185** Family Dollar Store #23914

A general merchandise retailer is requesting a new Series 10 Beer and Wine Store License for Family Dollar Inc., 255 East Southern Avenue, Suite 9; Raphael Sean Piche, agent. There is no existing license at this location. **(District 4)**

7 Take action on the following contracts:***7-a [21-0187](#) Ratification of the Emergency Purchase of Antigen Rapid Tests (Citywide)**

The City purchased 2,000 COVID-19 antigen tests on 12/29/2020. Antigen tests were needed as soon as possible to test Mesa Fire and Medical and Police upon their return to work after the holidays.

The Mesa Fire and Medical Department and Purchasing recommend ratifying the purchase with AllerCyte, at \$47,987.60. This purchase is funded by the Mesa CARES Program.

***7-b [21-0199](#) Purchase of Fire Apparatus (Four Replacement Pumpers) for the Mesa Fire and Medical Department (Citywide)**

The four replacement pumpers are part of MFMD's ongoing apparatus replacement schedule and will be used as emergency response frontline units. The four apparatus that are being replaced are reserves and have met established replacement criteria and will be sold by a sealed bid process or traded-in as part of the City's fire apparatus purchase agreement with Pierce Manufacturing.

The City entered into a five-year fire apparatus Master Purchase Agreement with Pierce Manufacturing in 2014 and a three-year renewal in 2019. Staff is studying purchase options including apparatus brands for future purchases.

The Mesa Fire and Medical Department and Purchasing recommend awarding this purchase to Pierce Manufacturing Inc., through their designated local dealer, Hughes Fire Equipment Inc., at \$3,238,433.74. This purchase is funded by 2018 Public Safety Bonds.

***7-c [21-0205](#) Three-Year Term Contract with Two Years of Renewal Options for Landscape Maintenance Services for City Facilities (Secured Sites) for the Parks, Recreation and Community Facilities Department (Citywide)**

This contract will establish landscape maintenance services for all applicable City facilities within the Secured Sites Zone which encompasses 22 City facilities.

An evaluation committee recommends awarding the contract to the highest scored proposal from Brightview Landscape Services, Inc., at \$251,000 annually (includes a 20% contingency), with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

- *7-d** [21-0192](#) Three-Year Term Contract with Two Years of Renewal Options for Landscape Maintenance Services for City Facilities (Zone 5) for the Parks, Recreation and Community Facilities Department (**Citywide**)

This contract will establish landscape maintenance services for all applicable City facilities within Zone 5, which encompasses 22 City facilities.

An evaluation committee recommends awarding the contract to the highest scored proposal from Mariposa Landscape Arizona, Inc., at \$347,444 annually (includes a 20% contingency), with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

- *7-e** [21-0193](#) Three-Year Term Contract with Two Years of Renewal Options for Landscape Maintenance Services for City Facilities (Zone 6) for the Parks, Recreation and Community Facilities Department (**Citywide**)

This contract will establish landscape maintenance services for all applicable City facilities within Zone 6, which encompasses 24 City facilities.

An evaluation committee recommends awarding the contract to the highest scored proposal from Mariposa Landscape Arizona, Inc., at \$419,764 annually (includes a 20% contingency), with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

- *7-f** [21-0194](#) Three-Year Term Contract with Two Years of Renewal Options for Landscape Maintenance Services for City Facilities (Zone 7) for the Parks, Recreation and Community Facilities Department (**Citywide**)

This contract will establish landscape maintenance services for all applicable City facilities within Zone 7, which encompasses 14 City facilities.

An evaluation committee recommends awarding the contract to the highest scored proposal from Brightview Landscape Services, Inc., at \$221,350 annually (includes a 20% contingency), with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

- *7-g** **[21-0186](#)** Purchase of Application Delivery Controllers Software and Support (Upgrade/Replacement) for the Department of Innovation and Technology **(Citywide)**

Application delivery controllers (ADC) balance the network traffic to City hosted websites and application services both on premise and in the cloud. They also provide secure access to websites and applications for employees, retirees, and customers. The ADC software licenses will retire current hardware ADC's, while increasing the capacity of existing software ADC's, and allow for ADC services in the City's cloud environment.

Department of Innovation and Technology (DoIT) and Purchasing recommend authorizing the purchase using the National Cooperative Purchasing Alliance cooperative contract and lowest quoted vendor, Sentinel Technologies, Inc., at \$89,491.67, based on estimated requirements. This purchase is funded by DoIT Lifecycle Program Budget.

- *7-h** **[21-0196](#)** 44-Month Term Contract with Five Years of Renewal Options for Kenwood Radio Equipment for the Water Resources Department **(Citywide)**

This contract will provide replacement Kenwood radios as needed for Water Resources - Wastewater collection crews.

The Water Resources Department and Purchasing recommend authorizing the purchase using the State of Arizona contract with Durham Communications, Inc.; Southwest Radio Sales; and Kelly Communications, Inc., at \$60,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

- *7-i** **[21-0191](#)** Purchase of Leica Land Surveying Equipment (Upgrade/Replacement) for the Engineering Department (Sole Source) **(Citywide)**

This equipment will be used to perform engineering plan reviews for surveying conformance, legal and easement descriptions, topographic surveys for engineering design and support, construction surveying services, regular maintenance and perpetuation of the Citywide benchmark system used for vertical control within the City, for various City Departments. To fulfill these requests, operational, accurate, and functional land surveying equipment is needed.

The Engineering Department and Purchasing recommend authorizing the purchase from the sole source vendor, Surveyors Source, at \$60,053.57.

- *7-j [21-0210](#) Authorizing the Mayor to sign an employment contract with the City Auditor.
- *7-k [21-0211](#) Authorizing the Mayor to sign an amendment to the employment contract with the City Clerk.
- *7-l [21-0212](#) Authorizing the Mayor to sign an amendment to the employment contract with the City Attorney.
- *7-m [21-0213](#) Authorizing the Mayor to sign an amendment to the employment contract with the City Manager.

8 Take action on the following resolutions:

- *8-a [21-0146](#) Approving and authorizing the City Manager to enter into a Development Agreement with Comarch Inc., relating to 3 acres of property located at the northeast corner of Ellsworth Road and Prairie Avenue for the purpose of “opting-in” to the Elliot Road Technology Corridor zoning overlay. **(District 6)**
- *8-b [21-0147](#) Extinguishing three temporary drainage easements located at 10529 East Hampton Avenue to allow for the development of Mera Mesa, an age-restricted, active adult development; requested by the property owner. **(District 6)**
- *8-c [21-0189](#) Vacating two rights-of-way, and extinguishing three public utility easements, a drainage easement, two temporary drainage easements, and a temporary drainage and retention easement located at 5960 East Thomas Road to accommodate the development of a 294-lot residential subdivision called The Reserve at Red Rock; requested by the property owner. **(District 5)**
- *8-d [21-0188](#) Approving and authorizing continued negotiations to acquire certain property along the Signal Butte Road Improvement Project, between Williams Field Road and Germann Road, and in order to avoid unnecessary construction expense and delays, authorizing and directing that fee title, easements, or other interests in, and possession of, certain property be acquired by the City of Mesa through eminent domain as a matter of public necessity. **(District 6)**

9 Introduction of the following ordinances and setting March 1, 2021 as the date of the public hearing on these ordinances:

- *9-a [21-0152](#) ZON20-00609 **(District 1)** 731 North Alma School Road. Located north of University Drive on the east side of Alma School Road (1.2± acres). Rezone from OC to RS-6. This request will allow for a single residence use. Randal L. Courtney, applicant; Randal L. Courtney, owner.

Staff Recommendation: Approval with conditions

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

- *9-b** [21-0150](#) ZON20-00491 (**District 6**) Within the 5200 to 5300 blocks of South Ellsworth Road (east side), the 5300 through 6200 blocks of the South Crismon Road alignment (east and west sides), the 9800 to 10000 blocks of the East Williams Field Road alignment (north and south sides) and the 10000 to 10200 blocks of East Williams Field Road (north side). Located on the north side of the future State Route 24 freeway alignment between Ellsworth Road to approximately one-quarter mile east of the Crismon Road alignment (465± acres). Major Amendment to the Pacific Proving Grounds North Community Plan, also known as the Cadence Community Plan. This request is to modify sections of the approved Community Plan and Land Use Budget allocations for Development Unit 3 within the Plan. Susan Demmitt, Gammage and Burnham, PLC, applicant; PPGN-Williams, LLLP, owner.

Staff Recommendation: Approval with conditions

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

- *9-c** [21-0151](#) ZON20-00562 (**District 6**) Within the 5300 block of South Power Road (east side). Located south of Ray Road and east of Power Road (2.4± acres). Modification of an existing PAD; and Site Plan Review. This request will allow for the development of a hotel. Taylor Earl, Earl and Curley, applicant; Mesa Hotel Partners, LLC, owner.

Staff Recommendation: Approval with conditions

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

- *9-d** [21-0153](#) ZON20-00769 (**District 6**) Within the 8400 to 8800 blocks of East Elliot Road (north side) and within the 3400 to 3600 blocks of South Hawes Road (east side). Located east of Hawes Road and north of Elliot Road (77± acres). Rezone from LI-PAD to LI-PAD; and Site Plan Review. This request will allow for an industrial development. Eric Zitny, Ware Malcomb, applicant; Loop 202 & Elliot Road Parcel #2 LLC, owner.

Staff Recommendation: Approval with conditions

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

- *9-e** [21-0154](#) ZON20-00815 (**District 3**) Within the 100 block of South Dobson Road (west side). Located south of Main Street on the west side of Dobson Road (2.5± acres). Rezone from GC to GC-BIZ overlay; and Site Plan Review. This request will allow for a commercial development. Rick Daughtery, 3rd Story Architecture, applicant; WJC, LLC, owner.

Staff Recommendation: Approval with conditions

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

- *9-f** **21-0155** ZON20-00861 (**District 6**) The 3600 to 4400 blocks of South Ellsworth Road (east side), the 3600 to 4200 blocks of South Eastmark Parkway (west side), the 9200 to 9600 blocks of East Elliot Road (south side), and the 9200 to 9800 blocks of East Warner Road (north side). Located south of Elliot Road and north of Warner Road between Ellsworth Road and Signal Butte Road (325± acres). Major Amendment to the Eastmark Community Plan. This request is to modify the character descriptions for Development Units 1 and 2 of the Eastmark Community Plan. Jill Hegardt, DMB Associated, Inc., applicant; DMB Mesa Proving Grounds LLC, owner.

Staff Recommendation: Approval with conditions

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

- *9-g** **21-0157** ANX20-00665 (**District 5**) Annexing property located north of University Drive and west of Ellsworth Road (1.0± acre). Initiated by the applicant, Reese Anderson, Pew and Lake, P.L.C.; for the owners, Vance and Amanda Williams.

- *9-h** **21-0214** Amending Title 6 of the Mesa City Code (Police Regulations) by repealing Chapter 14, entitled "Fair Housing," in its entirety, and adding a new Chapter 14 entitled "Non-Discrimination Code," prohibiting discrimination in public accommodations, employment, and housing on the basis of race, color, ethnicity, national origin, age, disability, religion, sex, sexual orientation, gender, gender identity, veteran's status, marital status, or familial status, with certain exclusions. (**Citywide**)

Items not on the Consent Agenda

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