



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

**Monday, May 16, 2022
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 Charles Hart with Cornerstone Church****Pledge of Allegiance****Awards, Recognitions and Announcements****1 Take action on all consent agenda items.****Items on the Consent Agenda**

***2** **22-0445** Approval of minutes of previous meetings as written.

3 Take action on the following liquor license applications:

***3-a** **22-0622** Cork Crush

A bar is requesting a new Series 7 Beer and Wine Bar License for Cork Crush LLC, 9241 East Cadence Parkway; Jessica Ann Etts, agent. There is no existing license at this location. **(District 6)**

***3-b** **22-0623** Tobacco Beer & More

A smoke shop is requesting a new Series 10 Beer and Wine Store License for Thompson Online Media LLC, 1121 South Higley Road, Suite 104; James Ricky Thompson, agent. There is no existing license at this location. **(District 2)**

***3-c** **22-0631** Tasty Joe's Asian Diner Chinese Cuisine

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Triple Diamonds 3 LLC, 1152 North Power Road, Suite 108; Piyu Louisa Robinson, agent. The existing license held by Wing on LLC, will revert to the State. **(District 5)**

***3-d** [22-0632](#) The Hub

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for The Hub Grill and Bar McDowell Road LLC, 6655 East McDowell Road, Suite 101; David George Bee, agent. The existing license held by Goat Sports Grill LLC, will revert to the State. **(District 5)**

4 **Take action on the following contracts:*****4-a** [22-0645](#) 48-Month Term Contract for the Purchase of Demographic Verification Software for the Business Services Department (Sole Source) **(Citywide)**

ZOLL AR Boost is a subscription software product developed specifically for the medical billing industry that queries multiple databases (major health insurance providers, USPS, consumer reporting agencies, and others) to help locate address, billing, health insurance, consumer credit, and other information critical in successfully issuing and collecting medical bills. AR Boost aggregates multiple database queries into a single 'button click', thus greatly reducing time, effort, and cost in developing medical bills for individual patients and reducing the likelihood of billing errors and delays.

The Business Services Department and Purchasing recommend awarding the contract to the sole source vendor, ZOLL Data Systems, Inc., at \$39,000 annually.

***4-b** [22-0649](#) Three-Year Term Contract with Two Years of Renewal Options for Public Wi-Fi Equipment and Products for the Department of Innovation and Technology (Replacement/Upgrade) **(Citywide)**

In 2021, the City conducted an IT project to replace aging Wireless Access Points. In an effort to extend broadband options to underserved areas of the City, we expanded the scope of the project to an additional nine square miles of the City that were identified and pre-qualified for use of ARPA funding. This purchase will authorize DoIT to acquire the hardware needed to conduct this expansion of the project. This contract will also be used by various City departments as well as DoIT to update or expand Wi-Fi within public buildings.

The Department of Innovation and Technology and Purchasing recommend awarding the contract to the lowest, responsive, and responsible bidders, Enterprise Networks Solutions (a Mesa business) and Sentinel Technologies, Inc., at \$3,000,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index. This purchase is funded by American Rescue Plan Act grant funds, General and Capital Improvement Project Funds.

***4-c** **22-0647** Six-Month Extension and Dollar-Limit Increase to the Term Contract for Medical Billing Services for the Mesa Fire and Medical Department **(Citywide)**

Business Services - Medical Transport Billing has been working with Daisy Mountain Fire District to transition medical billing services in-house. Currently, the City is fully-staffed and fully-trained with eight medical billers who handle and process billing services; approximately 84%+ of the City's transports. Staff was looking at other options to contract this resource, but that did not work out. DMFD has limited resources but has offered to continue to help the City through the end of 2022 at a per claim cost. This request also includes monthly charges to use DMFD's billing system and demographic verification system, from which Mesa's claims data should be transferred away from by the end of the year.

The Fire and Medical and Business Services Departments and Purchasing recommend increasing the dollar limit with Daisy Mountain Fire District by \$75,000, from \$400,000 to \$475,000, through December 31, 2022, based on estimated usage. This purchase is funded by the Ambulance Transport Fund.

***4-d** **22-0642** Two-Year Term Contract with Three Years of Renewal Options for Night Vision Equipment for the Mesa Police Department **(Citywide)**

The department's SWAT Team has been working to increase their ability to effectively operate during low light and no light missions utilizing night vision equipment. This contract will provide infrared illuminators which are critical for the safety of the officers and individuals encountered during a search. The illuminators, used in conjunction with night vision goggles, allow the officers to locate and identify individuals without detection. The ability to operate in low light or no light provides officers with a tactical advantage allowing for pre-planned contacts and the avoidance of conflict. The avoidance of conflict and de-escalation tactics play key roles in the peaceful resolution of these incidents.

The Police Department and Purchasing recommend awarding the contract to the lowest, responsive, and responsible bidder, Proforce Marketing, Inc., dba Proforce Law Enforcement, at \$88,000 annually, with an annual increase allowance of up to 5% or the adjusted Consumer Price Index.

- *4-e** [22-0643](#) Ratification of an Emergency Purchase for 350 Ballistic Helmets (Replacements) and the Purchase of 610 Ballistic Helmets (Replacements) Using a Cooperative Contract for the Mesa Police Department **(Citywide)**

MPD received City Manager Office approval to purchase 350 United Shield International helmets from Safeware, Inc. as an emergency purchase to replace helmets issued to patrol personnel. The purchase replaced only a portion of the helmets, and the department is requesting the purchase of 610 additional helmets using the same cooperative contract and through the same vendor.

The Police Department and Purchasing recommend ratifying the purchase for 350 helmets; and authorizing the purchase of another 610 helmets, using the Omnia Partners cooperative contract with Safeware, Inc., at \$300,507.

- *4-f** [22-0650](#) Three-Year Term Contract with Two Years of Renewal Options for Flexible Delineators for the Transportation Department (Single Response) **(Citywide)**

The City will be adding new bicycle routes with segments containing separated bicycle lanes. This contract will provide flexible delineators and other related items to implement separated bicycle lanes. The City will have a need for delineator installation and removal.

The Transportation Department and Purchasing recommend awarding the contract to the single, responsive, and responsible bidder, American Highway Solutions, at \$150,000 annually, with an annual increase allowance of up to 5%, or the adjusted Producer Price Index.

- *4-g** [22-0646](#) Three-Year Term Contract with Two Years of Renewal Options for Electric Switchgear Testing, Maintenance and Repairs for the Water Resources Department (Single Response) **(Citywide)**

This contract will provide inspections, testing, preventative maintenance and repairs or replacement of electrical distribution system components located at the City's water and wastewater facilities. This contract is necessary to maintain the functionality of the electrical distribution systems located at these facilities and is necessary for continuing utility operations.

An evaluation committee recommends awarding the contract to the sole, responsive proposal from Hampton Tedder Technical Services, Inc., at \$625,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

- *4-h** [22-0648](#) Dollar-Limit Increase to the One-Year Term Contract with Renewal Options for Leasing Hotel Rooms for “Off the Streets” Emergency Housing Program, and as requested by the Community Services Department **(Citywide)**

This contract provides leasing of hotel rooms for the City’s Off the Streets program, which provides emergency, temporary and safe shelter for individuals and families of Mesa’s at-risk homeless population. An additional \$400,000 is being allocated for each year (2022 through 2024) from the American Rescue Plan Act (ARPA) to this program to support of Mesa’s Addressing Homelessness Strategic Plan and Housing Path to Recovery including: adding 10 more rooms for a total of 85; adding the lease of a classroom for the ‘Dusk to Dawn’ program for overnight, emergency use when needed, including beds and bedding-related items and having this congregate space with 10 beds to ensure we can continue to have beds while enforcing urban camping laws; leasing cost increase for the 10 new rooms; and funding for minor damage to rooms.

The Community Services Department and Purchasing recommend increasing the dollar-limit by \$400,000, from \$1,200,000 to \$1,600,000 annually. This purchase is funded by the American Rescue Plan Act - Local Fiscal Recovery.

- *4-i** [22-0653](#) Purchase of Equipment for the Topaz Regional Wireless Cooperative (TRWC) H60 Public Safety Radio Expansion Site **(Citywide)**

Due to the growth of the Topaz Regional Wireless Cooperative (TRWC), a study was performed to evaluate the existing radio coverage and the future needs, as the area continues to grow. The report indicated that there were areas where the radio coverage may not meet the criteria for a public safety radio system. The requested equipment is for the southeast area of the Apache Junction site, and is part of a multi-year improvement expansion plan. The purchase will consist of Public Safety Grade radio/network equipment.

The Department of Innovation and Technology and Purchasing recommend authorizing the purchase using the State of Arizona cooperative contract cooperative contract with Motorola Solutions, at \$870,000. This purchase is funded by Capital Project Funds and TRWC Funds.

- *4-j** [22-0644](#) One-Year Term Contract with Four, One-Year Renewal Options for Citrus Groves Maintenance for the Engineering Department (Single Proposal Response) **(Citywide)**

The Contractor will maintain ten blocks of citrus groves (210 acres) near the Falcon Field Airport. The City is actively marketing for the future development of three northern blocks comprised of approximately 63.5 acres. The remaining seven southern blocks are being evaluated for long-term options due to the aging citrus groves.

An evaluation committee recommends awarding the contract to the single and qualified proposal from Armistead Farms LLC (a Mesa business), at \$163,800 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

- *4-k** [22-0619](#) One-Year Term Contract with Two Years of Renewal Options for Three Master Job Order Contracts for General Building Construction Services. **(Citywide)**

Job order master contracts for general building construction services includes renovations and repairs, additions, demolition, and facility improvements for City buildings and facilities.

Staff recommends the selections of CORE Construction Inc. (a Mesa Business), ForeSite Design & Construction, Inc., and SDB Contracting Services for general building construction services. These contracts allow for the issuance of multiple individual job orders with a not-to-exceed limit of \$1,500,000 per job order, and a total contract value not-to-exceed \$5,000,000 for each year of the contract, per contractor.

- *4-l** [22-0654](#) Salt River Project (SRP) Lehi Service Line Relocation **(District 1)**

On January 11, 2021, City Council awarded the SRP Lehi Service Line Relocation project to FPS Civil. During construction, unforeseen requirements were made by SRP that added to the project's scope-of-work relating to materials, processes, and time delays.

Staff recommends authorizing an increase to the contract for FPS Civil by \$10,000, from \$1,164,417.10, to a total of \$1,174,417.10 for the added scope-of-work. This project is funded by 2010 Gas Bonds and 2014 Water Bonds.

- *4-m [22-0652](#) Ratifying an emergency procurement with Garney Construction via an amendment to an existing individual job order contract relating to the relief sewer improvements project within the area of Hampton Avenue and Country Club Drive. This emergency procurement was required to alleviate an immediate risk to public health and safety, in and around the vicinity of the project. The procurement increased the existing job order contract in value of up to \$2,200,000 to complete these time-sensitive sewer improvements. **(District 3)**

5 Take action on the following resolutions:

- *5-a [22-0621](#) Extinguishing a 3-foot public utility easement located at 4510 East Ivy Street to accommodate the construction of a new industrial office warehouse; requested by the property owner. **(District 5)**
- *5-b [22-0573](#) Authorizing and supporting the submittal of a grant application by Carry Me Productions to the Tohono O’odham Nation in the amount of \$10,000, and authorizing the City Manager to accept and administer subsequent awarded funds as a pass-through grant.
- *5-c [22-0574](#) Authorizing and supporting the submittal of a grant application by Child Crisis Arizona to the Tohono O’odham Nation in the amount of \$10,000, and authorizing the City Manager to accept and administer subsequent awarded funds as a pass-through grant
- *5-d [22-0575](#) Authorizing and supporting the submittal of a grant application by Desert Sounds Performing Arts to the Tohono O’odham Nation in the amount of \$15,000, and authorizing the City Manager to accept and administer subsequent awarded funds as a pass-through grant.
- *5-e [22-0576](#) Authorizing and supporting the submittal of a grant application by Native American Fatherhood & Families Association to the Tohono O’odham Nation in the amount of \$182,700, and authorizing the City Manager to accept and administer subsequent awarded funds as a pass-through grant.
- *5-f [22-0577](#) Authorizing and supporting the submittal of a grant application by Over-Flo Missions to the Tohono O’odham Nation in the amount of \$15,000, and authorizing the City Manager to accept and administer subsequent awarded funds as a pass-through grant.
- *5-g [22-0578](#) Authorizing and supporting the submittal of a grant application by Save the Family Foundation of Arizona to the Tohono O’odham Nation in the amount of \$20,000, and authorizing the City Manager to accept and administer subsequent awarded funds as a pass-through grant.

- *5-h [22-0572](#) Approving and authorizing the City Manager to enter into a Grant Agreement with the Arizona Criminal Justice Commission to accept \$71,018 in grant funds that will be used for overtime, equipment, software licenses, and supplies for the Police Department's Forensic Services Division. **(Citywide)**
- *5-i [22-0612](#) Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with the City of Casa Grande that governs the terms for City of Casa Grande fire employees to attend the Mesa Fire and Medical Department Paramedic Program. **(Citywide)**
- *5-j [22-0613](#) Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with the Town of Queen Creek that governs the terms for The Town of Queen Creek fire employees to attend the Mesa Fire and Medical Department Paramedic Program. **(Citywide)**
- *5-k [22-0614](#) Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with the Town of Gilbert that governs the terms for Town of Gilbert fire employees to attend the Mesa Fire and Medical Department Paramedic Program. **(Citywide)**
- *5-l [22-0615](#) Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with the Superstition Fire and Medical District that governs the terms for Superstition Fire and Medical fire employees to attend the Mesa Fire and Medical Department Paramedic Program. **(Citywide)**
- *5-m [22-0559](#) Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with the Town of Gilbert to accept \$706,007 in annual compensation for forensic laboratory services provided by the Mesa Police Department. **(Citywide)**
- *5-n [22-0629](#) Approving and authorizing the City Manager to submit the City of Mesa Annual Action Plan for Fiscal Year 2022/2023; authorizing the submittal of applications to receive entitlement funds for Fiscal Year 2022/2023 under the U.S. Department of Housing and Urban Development Community Development Block Grant program (CDBG), Emergency Solutions Grant program (ESG), HOME Investment Partnership Program (HOME), and Human Services to fund activities approved by the City Council; and authorizing the City Manager to expend, disburse and enter into agreements for disbursement of Fiscal Year 2022/2023 CDBG, ESG, HOME, and Human Services funds, received by the City. **(Citywide)**

- *5-o** [22-0630](#) Adopting the City of Mesa Title VI Implementation Plan as required by the Federal Transit Administration (FTA). Title VI of the Civil Rights Act of 1964 requires recipients of federal funding to submit an updated Title VI Plan every three years that documents compliance with federal Title VI guidance. The City of Mesa Title VI Implementation Plan will be submitted as a part of the City of Phoenix Title VI Implementation Plan. **(Citywide)**
- *5-p** [22-0651](#) Approving the purchase of real property located at 111 West Main Street (APN: 138-42-048) consisting of approximately 0.15 +/- acres and improvements, and authorizing the City Manager to enter into the documents necessary to purchase the property for \$1,600,000. The purchase of the property is intended to facilitate the development of the Downtown Restaurant Incubator and will be funded through the City's American Rescue Plan Act allocation. **(District 4)**

6 Take action on the following resolution and Introduction of the following ordinance relating to Mesa City Code, Natural Gas Regulations, and setting June 6, 2022 as the date of the public hearing on this ordinance:

- *6-a** [22-0616](#) Resolution declaring the document filed with the City Clerk identified as Title 5, Chapter 14, Sections 1 through 12 and entitled "Natural Gas Regulations" to be a public record and providing for the availability of the document for public use and inspection with the City Clerk. **(Citywide)**
- *6-b** [22-0617](#) Ordinance amending the Mesa City Code by repealing the existing Title 5, Chapter 14, entitled "Natural Gas Regulations" and adopting as part of Title 5, a new Chapter 14, Sections 1 through 12, entitled "Natural Gas Regulations" related to updating the City's natural gas curtailment regulations, line extension policies, and mirroring recent updates to policies and regulations for other City utilities. **(Citywide)**

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

- *7-a** [22-0181](#) ZON21-00940 **(District 2)** Within the 3100 block of East Southern Avenue (south side) and the 1200 block of South 32nd Street (west side). Located east of Lindsay Road on the south side of Southern Avenue (2.4± acres). Rezone from Single Residence 9 (RS-9) to Multiple Residence 3 with a Planned Area Development overlay (RM-3-PAD) and Site Plan Review. This request will allow for a multiple residence development.

Staff Recommendation: Approval with conditions

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

(For continuance to the June 20, 2022 City Council meeting)

Items not on the Consent Agenda**10 Conduct a public hearing and take action on the following two resolutions relating to the Mesa Town Center Improvement District No. 228:**

10-a [22-0562](#) Public hearing on the modification of the assessment rates for the Mesa Town Center Improvement District No. 228 and on the FY2022/2023 annual assessment at the modified rate. **(District 4)**

10-b [22-0563](#) Resolution approving the modified assessment rates for the Mesa Town Center Improvement District No. 228. **(District 4)**

The modified rate for annual property assessments is determined by a methodology that equitably reflects the level and frequency of enhanced services to property owners necessary to support the transforming downtown, and will result in both increases and decreases in individual property assessment rates.

10-c [22-0693](#) Resolution approving the annual assessments for the Mesa Town Center Improvement District No. 228. **(District 4)**

11 Conduct a public hearing on the following annexation case:

11-a [22-0603](#) Public hearing prior to the release of the petition for signatures for the proposed annexation case ANX22-00020, located north of Pecos Road on the east side of Ellsworth Road (38± acres). This request has been initiated by the applicant, Gammage & Burnham, for the owner, Pacific Proving LLC. **(District 6)**

12 Conduct a public hearing on the following home rule option:

12-a [22-0620](#) Public hearing to extend the locally controlled alternative expenditure limitation - home rule option.

13 Conduct a public hearing and take action on the following resolution relating to the proposed Five-Year Capital Improvement Program for fiscal years ending 2023-2027:

13-a [22-0656](#) Public hearing on the Five-Year Capital Improvement Program for fiscal years ending 2023-2027.

13-b [22-0657](#) Resolution approving the Five-Year Capital Improvement Program for fiscal years ending 2023-2027. **(Citywide)**

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

15 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.