



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

**Monday, June 20, 2022
5:45 PM**

**Council Chambers
57 East 1st 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: Moment of silence****Pledge of Allegiance****Awards, Recognitions and Announcements****1 Take action on all consent agenda items.****Items on the Consent Agenda**

*2 [22-0447](#) Approval of minutes of previous meetings as written.

3 Take action on the following recommendations made by the Judicial Advisory Board:

*3-a [22-0822](#) Reappointing Presiding City Magistrate, John Tatz, to a two-year term beginning July 1, 2022 and ending June 30, 2024.

*3-b [22-0823](#) Reappointing City Magistrate, Elizabeth Arriola, to a four-year term beginning July 1, 2022 and ending June 30, 2026.

*3-c [22-0824](#) Reappointing City Magistrate, Alicia Lawler, to a four-year term beginning July 1, 2022 and ending June 30, 2026.

*3-d [22-0825](#) Reappointing City Magistrate, Raymond Schumacher, to a two-year term beginning July 1, 2022 and ending June 30, 2024.

4 Take action on the following liquor license applications:

*4-a [22-0806](#) Hawk's Nest

An ice-skating rink is requesting a new Series 7 Beer and Wine Bar License for Dimension's Business Group LLC, 140 North Country Club; Juanita Alica Esparza, agent. There is no existing license at this location. **(District 4)**

***4-b** [22-0807](#) El Herradero Carniceria Y Restaurante

A restaurant with an on-site butcher shop is requesting a new Series 10 Beer and Wine Store License for Lopez Asociados LLC, 10839 East Main Street, Suite 109; Veronica Lopez Sanchez, agent. There is no existing license at this location. **(District 5)**

5 **Take action on the following contracts:*****5-a** [22-0798](#) Purchase of Stage Curtains (Replacements) for the Mesa Arts Center, Ikeda and Piper Theaters, as requested by the Arts and Culture Department **(Citywide)**

The existing curtains are seventeen years old. They currently fail current fire treatment guidelines and are also dry rotting. This purchase will replace the existing curtains with new curtains that are made with inherently fire-retardant materials.

The Arts and Culture Department and Purchasing recommend awarding the contract to the lowest, responsive, and responsible bidder, IWEISS Holdings LLC, dba IWEISS, at \$51,575.04.

***5-b** [22-0795](#) Three-Year Term Contract with Two Years of Renewal Options for Asphalt Equipment Repairs and Service for the Fleet Services Department (Sole Source) **(Citywide)**

Fleet Services has three Rayner RoadSaver slurry seal and micro surfacing machines that have been serviced in-house because there was not a vendor with adequate expertise in Arizona. The department is now sending the RoadSaver equipment to Bearcat Manufacturing for annual services and repairs, as they can provide a higher level of support and service.

The Fleet Services Department and Purchasing recommend awarding the contract to the sole source vendor, EDECO Southwest Services Company, LLC, dba Bearcat Manufacturing, at \$100,000 annually, based on estimated usage, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

***5-c** **22-0801** Dollar-Limit Increase to the Term Contracts for Custodial Services - Zones 5, 6, and 7 for the Parks, Recreation and Community Facilities Department **(Citywide)**

The vendor requested an overall pricing increase of 7.5% to the Custodial Services contracts for Zones 5, 6 and 7, retroactive to the start of Year 3, 3/1/2022. They submitted verifiable justification for the increases in labor costs, as well as materials and supplies.

The Parks, Recreation and Community Facilities Department and Purchasing recommend increasing the dollar-limit with Kellermeyer Bergensons Services LLC for Zones 5, 6, and 7, cumulatively, by \$182,937.55, from \$2,928,857.60 to \$3,111,795.15 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

***5-d** **22-0796** Three-Year Term Contract with Two Years of Renewal Options for Bird Control and Removal Services for the Parks, Recreation and Community Facilities Department **(Citywide)**

The services provided under this contract include installation of bird netting, spikes, or mechanical devices that deter pigeons and other fowl from nesting and roosting on City buildings and other structures, and pressure washing areas that contain bird droppings to maintain a clean and inviting environment.

An evaluation committee recommends awarding the contract to the highest scored proposal from Southwest Avian Solutions, LLC, at \$57,200 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

***5-e** **22-0797** Three-Year Term Contract with Two Years of Renewal Options for Controlled Substance Screening for the Mesa Police Department **(Citywide)**

The Police Department recognizes that to meet the high standards of performance, professionalism, and personal conduct required of those involved in the police profession, its members must be free of the debilitating effects of controlled substances or illegal drugs. This contract will provide for random controlled substance screening of department members.

An evaluation committee recommends awarding the contract to the sole, responsive proposal from NextCare Arizona, LLC, at \$30,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

***5-f** **22-0805** One-Year Term Contract with Two Years of Renewal Options for a License Plate Reader Data Subscription for the Mesa Police Department **(Citywide)**

In 2016, the Fusion Center purchased a subscription with Vigilant to have access to data related to License Plate Reader (LPR) scans. This software solution allowed queries of LPR data that is gathered by camera equipped vehicles. This information has proven to be a valuable tool for criminal investigations. This purchase will expand access to LPR data to all sworn Officers.

The Police Department and Purchasing recommend authorizing the purchase using the Houston-Galveston Area Council (HGAC Buy) cooperative contract with Vigilant Solutions, LLC, at \$33,500 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

***5-g** **22-0734** One-Year Term Contract for Qiagen Consumables and Supplies for DNA Analysis for the Mesa Police Department (Sole Source) **(Citywide)**

In April 2009, Council approved the purchase of a QIAGEN QIASymphony instrument for the Police Department's Forensic Services Division to analyze DNA cases. To complete DNA extractions, consumable kits and supplies are required.

The Police Department and Purchasing recommend awarding the contract to the sole source vendor, QIAGEN, Inc., at \$200,000 annually, based on estimated usage.

***5-h** **22-0810** One-Year Term Contract with Four Years of Renewal Options for Transportation Landscape Maintenance Services for the Transportation Department **(Citywide)**

This contract will provide landscape, mowing, and irrigation services required to maintain and improve landscape assets located within the right of way, roadway medians, transit centers, bus stops, multi-use pathways, and other City maintained properties. Landscape maintenance locations are divided into five landscape route areas and four turf route areas that are maintained on cyclical schedules, depending on service levels and needs.

The Transportation Department and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidders, Reyes & Sons Landscaping, LLC and Mariposa Landscape Arizona, Inc., at \$2,600,000 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 and Local Streets Fund.

***5-i** **[22-0808](#)** Three-Year Term Contract with Two Years of Renewal Options for Pavement Preservation Materials for the Transportation Department **(Citywide)**

This contract will provide pavement preservation materials for use by Transportation's in-house crews to maintain the City's roadways and extend the life of the pavement.

The Transportation Department and Purchasing recommend awarding the contract to the lowest, responsive, and responsible bidders of each Group: GuardTop, LLC; Quality Emulsions, LLC (a Mesa business); Musgrove Enterprises, dba SealMaster Arizona; and Holbrook Asphalt Co., at \$6,258,000 annually, with an annual increase allowance of up to 5%, or based on the market indexes identified in the contract. ,This purchase is funded by the Highway User Revenue Fund.

***5-j** **[22-0809](#)** Three-Year Term Contract with Two Years of Renewal Options for Pavement Preservation Services for the Transportation Department **(Citywide)**

This purchase is for contract services for to install pavement preservation materials on roadways throughout the City.

The Transportation Department and Purchasing recommend Primary and Secondary awards to the lowest, responsive and responsible bidders of each Group and Section: Cactus Asphalt, a Division of Cactus Transport, Inc.; Copper State Pavement, Inc.; Holbrook Asphalt Co.; Morgan Industries, Inc.; Southwest Slurry Seal, LLC; Sunland Asphalt & Construction, LLC; Talis Construction Corporation, at \$12,000,000 annually, with an annual increase allowance of up to 5%, or based on the market indexes identified in the contract.

***5-k** **[22-0802](#)** Three-Year Term Contract with Two Years of Renewal Options for Fire Hydrant Rehabilitation and Replacement Services for the Water Resources Department **(Citywide)**

This contract will provide fire hydrant and water valve installation, rehabilitation and replacement services and materials, as well as supplementing Water Resources' efforts to accelerate fire hydrant maintenance, repairs, and replacements due to age.

An evaluation committee recommends awarding the contract to all three qualified and responsive proposals from Hydra Contracting, LLC; SDB Inc., dba SDB Contracting Services; and WaCo, LLC, dba WaCo Contracting, at \$500,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

***5-l** **22-0821** Central Mesa Reuse Pipeline - Pre-Construction Services and Construction Manager at Risk (CMAR) **(District 1, 2, and 5)**

The City of Mesa desires to utilize delivery of reclaimed water produced at the Northwest Water Reclamation Plant as part of a water exchange agreement with the Gila River Indian Community (GRIC). To further maximize the benefits of this exchange agreement, the City has determined that the construction of a 10.5 mile reclaimed water pipeline will be necessary.

Staff recommends selecting Garney Companies, Inc., as the CMAR for this project, and awarding a pre-construction services contract in the amount of \$2,932,147.09. This project is funded by Utility Systems Revenue Obligations.

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

***6-a** **22-0779** Authorizing the City Manager to execute an individual job order, currently under a Job Order Master Contract, with a value of up to \$2,000,000 for the Alma School Road Arterial Reconstruct Mill and Overlay Improvements Project so that the remaining Alma School Road roadway work can be completed on a timely schedule and with minimal disruptions to traffic and the general public.
(Districts 3 & 4)

***6-b** **22-0800** Approving an increase in the maximum dollar amount for individual job orders under existing Job Order Master Contracts for the following construction services: water and wastewater, transportation, general, utility, and landscaping construction services, from \$1,500,000 to \$4,000,000 per job order, and small tenant improvements from \$250,000 per job order to \$500,000 per job order, and authorizing the City Manager to approve future job orders under Job Order Master Contracts. **(Citywide)**

The City's current Job Order Master Contracts that will be affected are with the following: Garney Construction, Inc., and Archer Western Construction, LLC (water and wastewater); Talis Construction Corporation, Nesbitt Contracting Company, and M.R. Tanner Construction (transportation); CORE Construction, Inc., SDB Contracting Services, and ForeSite Design & Construction, Inc. (general); B&F Contracting, Inc., Garney Construction, and Hunter Contracting, Inc.(utility); Valley Rain Construction Corporation, and Haydon Building Corporation (landscape); and Builders Guild Inc., Integrity Building Corp., and SD Crane Builders, Inc. (small tenant improvements).

***6-c** **22-0769** Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with Queen Creek Unified School District #95 for reimbursement of the salary and benefits of a Mesa Police Officer to perform School Resource Officer duties. **(Citywide)**

- *6-d [22-0733](#) Authorizing the City Manager and the City Attorney to purchase insurance for the City including property, liability, cyber risk, and aviation insurance, and authorizing additional insurance purchases and renewals. **(Citywide)**
- *6-e [22-0770](#) Designating the Chief Fiscal Officer with the authority to submit the City's 2022/2023 fiscal year Expenditure Limitation Report to the Arizona Auditor General on behalf of the City Council, as required by state statute. **(Citywide)**
- *6-f [22-0143](#) Levying the amount to be collected by a secondary property tax and the rate upon each one hundred dollars (\$100) of assessed valuation of property subject to taxation within the City of Mesa for the fiscal year ending June 30, 2023. **(Citywide)**

7 Introduction of the following ordinance and setting July 5, 2022 as the date of the public hearing on this ordinance:

- *7-a [22-0803](#) Amending Title 2, Chapter 3 of the Mesa City Code pertaining to the Judicial Advisory Board to include an additional process for appointing City Magistrates. **(Citywide)**

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

- *8-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 July 5, 2022 City Council meeting.

- *8-b [22-0704](#) ZON21-01285 **(District 6)** Within the 4900 to 5200 blocks of South Power Road (east side) and within 6800 to 7000 blocks of East Ray Road (north side). Located north of Ray Road on the east side of Power Road (41± acres). Site Plan Modification. This request will allow for the development of a hotel. Jose Pombo, Vivo Development Partners, applicant; Power 202 Mixed Use, LLC., owner.

Staff Recommendation: Approval with conditions

P&Z Board Recommendation: Approval with conditions (Vote: 5-0)

- *8-c** [22-0705](#) ZON22-00093 (**District 6**) Within the 7900 block of East Warner Road (south side). Located east of Sossaman Road and west of Hawes Road (50± acres). Rezone from Agricultural (AG) to Light Industrial with a Planned Area Development overlay (LI-PAD) and Site Plan Review. This request will allow for an industrial development. Shane Cassidy, Comunale Properties, applicant; Victor Riches, owner.

Staff Recommendation: Approval with conditions

P&Z Board Recommendation: Approval with conditions (Vote: 5-0)

- *8-d** [22-0707](#) ZON22-00160 (**District 3**) Within the 800 block of North Country Club Drive (west side), within the 400 block of West Rio Salado Parkway (north side), and within the 400 block of West 9th Street (south side). Located south of Brown Road on the west side of Country Club Drive (2.3± acres). Rezone from Multiple Residence (RM-4) and Limited Commercial (LC) to Limited Commercial with a Bonus Intensity Zone overlay (LC-BIZ), Site Plan Review. This request will allow the development of a new Child Crisis Arizona headquarters. Chris Woosley, Architectural Resource Team, applicant; SAFE KIDS STRONG FAMILIES LLC, owner.

Staff Recommendation: Approval with conditions

P&Z Board Recommendation: Approval with conditions (Vote: 5-0)

Items not on the Consent Agenda

9 Take action on the following contract:

- 9-a** [22-0775](#) Signal Butte Water Treatment Plant Expansion - Construction Manager at Risk (CMAR), Guaranteed Maximum Price (GMP) No. 1 (**District 6**)

The Signal Butte Water Treatment Plant (SBWTP) was constructed in 2018 to deliver 24 million gallons per day (MGD) to meet the growth in southeast Mesa. Because of rapid growth, additional water capacity is needed to meet demands. This project will expand the SBWTP to produce 48 MGD of treated water. The project will also include the construction of a second 8-million-gallon reservoir to store and distribute the treated water, as well as the procurement of long lead items, including large custom valves, pipe and fittings, stainless steel watertight roll up doors, large pumps, and variable frequency drives (VFDs).

Staff recommends awarding a construction services contract to McCarthy Building Companies in the amount of \$5,237,028 (GMP No. 1), and authorizing a change order allowance of \$523,702.80 (10%), for a total of \$5,760,730.80. This project is funded by Utility Systems Revenue Obligations.

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.