

COUNCIL MINUTES

February 27, 2023

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on February 27, 2023, at 5:45 p.m.

COUNCIL PRESENT

John Giles
Francisco Heredia
Jennifer Duff
Mark Freeman
Alicia Goforth
Scott Somers
Julie Spilsbury

COUNCIL ABSENT

None

OFFICERS PRESENT

Christopher Brady
Holly Moseley
Jim Smith

Mayor's Welcome.

Mayor Giles conducted a roll call.

Invocation by Pastor Brian Crane with Eternal Life Lutheran Church.

Pledge of Allegiance was led by Kenneth Perry, Scout Troop 2019.

Awards, recognitions, and announcements.

There were no awards, recognitions, or announcements.

1. Take action on all consent agenda items.

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, a blue card must be completed and given to the City Clerk prior to the Council's vote on the consent agenda.

It was moved by Councilmember Freeman, seconded by Councilmember Spilsbury, that the consent agenda items be approved.

Upon tabulation of votes, it showed:

AYES – Giles–Heredia–Duff–Freeman–Goforth–Somers–Spilsbury

NAYS – None

ABSENT – None

Carried unanimously.

*2-a. Approval of minutes of previous meetings as written.

Minutes from the January 23, 2023, Study Session; and February 13, 2023, Regular Council meeting.

*3. Take action on the following liquor license applications:

*3-a. Casa Ramos

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Casa Ramos II LLC, 1526 East Main Street - Kenny Ramos, agent. There is no existing license at this location. **(District 4)**

*3-b. Chicago Cubs Charities

This is a one-day event to be held on Sunday, March 12, 2023, from 9:00 A.M. to 5:00 P.M. at 2330 West Rio Salado Parkway. **(District 3)**

*3-c. Chicago Cubs Charities

This is a one-day event to be held on Tuesday, March 14, 2023, from 2:00 P.M. to 9:00 P.M. at 2330 West Rio Salado Parkway. **(District 3)**

*3-d. Chicago Cubs Charities

This is a two-day event to be held on Thursday, March 16, 2023, and Friday, March 17, 2023, from 9:00 A.M. to 5:00 P.M. at 2330 West Rio Salado Parkway. **(District 3)**

*3-e. Chicago Cubs Charities

This is a one-day event to be held on Sunday, March 19, 2023, from 9:00 A.M. to 5:00 P.M. at 2330 West Rio Salado Parkway. **(District 3)**

4. Take action on the following contracts:

*4-a. **New Well Drilling Projects. (District 6)**

This project consists of drilling two new wells in Southeast Mesa, Desert Well 24 (DW24) and Desert Well 25 (DW25). These wells will expand the City's access to ground water and provide for current and future growth in the area and additional flexibility for the water system.

Staff recommends awarding the contract for this project to the lowest responsible bidder, Yellow Jacket Drilling Services LLC, in the amount of \$3,430,019, and authorizing a change order allowance in the amount of \$343,001.90 (10%), for a total amount of \$3,773,020.90. This project is funded with Water Utility Obligations.

*4-b. **Design, Construction, and Delivery of Precast Concrete Shelters for the TOPAZ Regional Wireless Cooperative H60 Public Safety Radio Expansion Site. (Citywide)**

The H60 Public Safety Radio Expansion Site will expand radio coverage to areas in the south/east portion of the TOPAZ Regional Wireless Cooperative (TRWC), as the TRWC member coverage needs have outgrown the original radio system design.

An evaluation committee recommends awarding the contract to the qualified proposals from Modular Connections, LLC; Cellsite Solutions, LLC; and Module X Solutions, LLC; at \$300,000. The cost of this prefabricated building is shared between members of the TRWC: City of Mesa 67.55%, Town of Gilbert 19.60%, City of Apache Junction 9.22%, Fort McDowell Yavapai Nation 2.23%, Superstition Fire & Medical District 0.72%, Town of Queen Creek 0.65%, and Rio Verde Fire District 0.03%.

***4-c. Elliot Road, Sossaman Road to Hawes Road/202 Freeway Gas Infrastructure. (District 6)**

This infrastructure project will install a natural gas line and a district regulator station along the Elliot Road corridor between Sossaman and Hawes Roads. This will provide a gas feed to the area and meet the commitments made in existing development agreements.

Staff recommends awarding the contract for this project to the lowest responsible bidder, Arizona Pipeline Company, in the amount of \$1,259,816, and authorize a change order allowance in the amount of \$125,981.60 (10%), for a total amount of \$1,385,797.60. This project is funded by 2010 Gas Bonds.

***4-d. Purchase of One Gas Chromatograph Triple Quadrupole Mass Spectrometer (Replacement) for the Mesa Police Department (Sole Source) (Grant Funded). (Citywide)**

This system is for testing narcotic analgesics from blood/urine specimens for the presence of impairing drugs of abuse (particularly marijuana). The new equipment will replace the old system purchased ten years ago and at the 10-year life expectancy.

The Police Department and Purchasing recommend awarding the contract to the sole source vendor, Agilent Technologies for \$175,500. This purchase is grant funded by the Governor's Office of Highway Safety.

***4-e. One-Year Term Contract for Nighthawk Software Subscription for the Mesa Police Department (Sole Source). (Citywide)**

Investigative units (Criminal Investigations, Special Operations, and the Real Time Crime Center) routinely rely on electronic data from multiple sources to develop leads and solve cases. The Nighthawk data analysis software allows disparate data sets to be analyzed and stitched together to form a complete picture of the information in a fraction of the time it takes for an analyst to manually perform the task. The software is compliant with the Department of Justice's Criminal Justice Information System Security Policy with the use of individual accounts and multi-factor authentication.

The Police Department and Purchasing recommend awarding the contract to the sole source vendor, Nighthawk.Cloud, Inc., at \$82,300 annually.

***4-f. Three-Year Term Contract with Two Years of Renewal Options for Truck Work Boxes for the Mesa Fire & Medical Department. (Citywide)**

This purchase will provide a truck work box that will be mounted on a 2023 F-450 chassis that is being replaced. The new unit will be used to provide after-hours repair services for the City's apparatus.

The Mesa Fire & Medical Department and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder, J.B. Pointdexter & Co. Inc. dba Reading Truck Equipment, LLC, at \$63,500 annually, with an annual increase allowance of up to 5% or the adjusted Consumer Price Index. This purchase is funded by Capital General Fund.

- *4-g. Two-Year Renewal to the Term Contracts for Custodial Services - Zones 5, 6 and 7 for the Parks, Recreation and Community Facilities Department. **(Citywide)**

These contracts provide Custodial Services for City buildings.

The Parks, Recreation and Community Facilities Department and Purchasing recommend authorizing the renewal with Kellermeyer Bergensons Services, LLC (KBS), Zone 5 at \$1,239,250 annually; Zone 6 at \$1,346,700 annually; and Zone 7 at \$794,900 annually, based on estimated usage, with an annual increase allowance of up to 5% or the adjusted Consumer Price Index.

- *4-h. Three-Year Term Contract with Two Years of Renewal Options for Elevator/Vertical Transportation Unit Maintenance for the Parks, Recreation and Community Facilities Department. **(Citywide)**

This contract will provide preventative maintenance and repair services for approximately 60 elevators and vertical lift units at various City buildings.

An evaluation committee recommends awarding the contract to the highest scored proposal from Arizona Elevator Solutions, Inc. dba Arizona Elevator Solutions at \$280,000 annually, with an annual increase allowance of up to 5% or the adjusted Producer Price Index.

- *4-i. Three-Year Term Contract with Two Years of Renewal Options for Landscape Maintenance Services - Aquatics Facilities for the Parks, Recreation and Community Facilities Department. **(Citywide)**

This contract will provide landscape maintenance services for City aquatic facilities located at Junior High Schools and High Schools. Facilities include: Brimhall, Carson, Fremont, Kino, Shepherd, and Stapley Junior High Schools; and Mesa and Skyline High Schools.

The Parks, Recreation and Community Facilities Department and Purchasing recommend awarding the contract to the lowest, responsive, and responsible bidder, WCD Enterprises, LLC at \$71,000 annually, with an annual increase allowance of up to 5% or the adjusted Consumer Price Index.

- *4-j. Use of a Cooperative Contract for the Purchase of a Mobile Library (Addition) for the Library Services Department. **(Citywide)**

A Bookmobile/Mobile Library is an opportunity to expand reach into under-engaged communities in Mesa making accessing library services easier and more convenient. This Bookmobile will be managed by the Library's Outreach Unit.

The Fleet Services and Library Services Departments and Purchasing recommend authorizing the purchase using the State of Arizona cooperative contract with Freightliner of Arizona, LLC for \$476,926.32. This purchase is funded by Capital General Fund.

- *4-k. Three-Year Term Contract with Two Years of Renewal Options for Library Books, Spoken Word, DVDs and Digital Media for the Library Services Department. **(Citywide)**

This contract will be used to purchase books, audiobooks, DVDs, digital products and professional services such as materials processing to develop library material collections to circulate to Mesa residents. The materials will be used to replace older content as well as purchase new content for circulation in the community.

An evaluation committee recommends awarding the contract to the three, highest scored proposals from Baker & Taylor, LLC; Brodart, Co.; and Ingram Library Services, LLC; at \$700,000 annually, with an annual increase allowance of up to 5% or the adjusted Consumer Price Index.

- *4-l. Three-Year Term Contract with Two Years of Renewal Options for Library Digital Media Materials for the Library Services Department. **(Citywide)**

This contract will be used to purchase eBooks, eAudiobooks, and other digital products and services to develop library digital media material collections to circulate to patrons. The materials will be used to replace older content as well as purchase new content for circulation in the community.

An evaluation committee recommends awarding the contract to the two, highest-scored proposals from Bibliotheca, LLC and OverDrive, Inc. at \$700,000 annually, with an annual increase allowance of up to 5% or the adjusted Consumer Price Index.

- *4-m. Three-Year Term Contract with Two Years of Renewal Options for Library Physical Media Materials for the Library Services Department. **(Citywide)**

This contract will be used to purchase audiobooks, DVDs, Blu-Rays, and professional services such as materials processing to develop library media material collections to circulate to patrons. The materials will be used to replace older content as well as purchase new content for circulation in the community.

An evaluation committee recommends awarding the contract to the highest-scored proposal from Midwest Tape, LLC at \$150,000 annually, with an annual increase allowance of up to 5% or the adjusted Consumer Price Index.

- *4-n. Purchase of Document Scanning Services for the Development Services Department. **(Citywide)**

This purchase will provide document scanning services to convert historic paper building permit records currently stored in the Municipal Building to an electronic format that will be uploaded to the City's document management system. By digitizing these documents

and placing them online, customers will be able to find these documents on their own, freeing up City resources to assist customers in other ways.

An evaluation committee recommends awarding the contract to the highest scored proposal from ICM Conversions Inc. dba ICM Document Solutions for \$254,000, based on estimated requirements.

- *4-o. Three-Year Term Contract with Two Years of Renewal Options for Paper and Envelopes for the Print Shop and Materials and Supply Warehouse (for Citywide Departments). **(Citywide)**

This contract will be used by the City's Print Shop and made available to citywide Departments through the Materials and Supply Warehouse. The vendor will provide envelopes and multipurpose paper in various sizes, weights and brands.

The Business Services Department and Purchasing recommend awarding the contract to the single, responsive, and responsible bidder, Spicers Paper, Inc. at \$161,000 annually, based on estimated usage.

- *4-p. Three-Year Term Contract with Two Years of Renewal Options for Temporary Agency Worker Services for the Human Resources Department. **(Citywide)**

The City uses temporary agency workers to supplement City staff in a variety of job classifications when a short-term need for substitute or additional resources exists and the hiring of additional employees is not warranted.

An evaluation committee recommends awarding the contract to the two highest scored proposals Marathon Staffing Corporation, Inc. (a Mesa business) (Primary); and 22nd Century Technologies, Inc. (Secondary); at \$5,000,000 annually, with an annual increase allowance of up to 5% or the adjusted Consumer Price Index.

- *4-q. Three-Year Term Contract with Two Years of Renewal Options for Software Storage Related Products and Services for the Department of Innovation and Technology and Water Resources Department. **(Citywide)**

This contract will serve two purposes. First, it will provide Department of Innovation and Technology needed software licensing, data storage, other related software and hardware products, and services such as consulting and technical support to meet the City's current and future needs supporting the Supervisory Control and Data Acquisition (SCADA) system to supervise, control, and monitor the utility system production and processing operations for the City's four utilities.

Second, it will allow Water Resources Department to utilize American Rescue Plan Act (ARPA) Coronavirus State and Local Fiscal Recovery Funds to purchase an application to centrally manage, monitor, automate, backup, and secure the configurations of all critical control system equipment, devices, and related infrastructure.

The Department of Innovation and Technology, the Water Resources Department, and Purchasing recommend awarding the contract to the lowest, responsive, and responsible bidders, Gray Matter, LLC; Sentinel Technologies, Inc.; Advanced Network Management, Inc.; Milestone Computer Technology, Inc.; and IT1 Source, LLC; at

\$2,650,000 annually (\$240,200 Funded by ARPA), with an annual increase allowance of up to 5% or the adjusted Consumer Price Index.

- *4-r. Three-Year Term Contract with Two Years of Renewal Options for Tree Maintenance and Assessment Services for the Transportation Department. **(Citywide)**

Maintaining the health and appearance of the City's trees is a high priority for the Transportation Department. The Contractors will provide professional expertise for planting and maintaining trees located in the right of ways, multi-use paths, transit centers, selected bus stops, and utility pruning. The contract also provides storm response services, allowing timely and effective response to tree related hazards in the roadways and right of ways.

The Transportation Department and Purchasing recommend awarding the contract to the lowest, responsive, and responsible bidders, West Coast Arborists, Inc. (Primary); and Rapid Response Force, LLC at \$542,000 annually, with an annual increase allowance of up to 5% or the adjusted Consumer Price Index.

- *4-s. Dollar Limit Increase to the Term Contract for Vactor Services for the Transportation and Water Resources Departments. **(Citywide)**

The Water Resources Department has a need to utilize this contract for their water distribution work activities (water main breaks, fire hydrant replacements, etc.) while their Vactor trucks are in the repair shop.

The Transportation and Water Resources Departments and Purchasing recommend increasing the dollar limit with Pipeline Video Inspection, LLC, Year 5 by \$60,000, from \$290,500 to \$350,500 annually, based on estimated usage.

5. Take action on the following resolutions:

- *5-a. Adopting new and modifying existing fees and charges for Parks, Recreation, and Community Facilities. **(Citywide)** – Resolution No. 12002
- *5-b. Approving and authorizing the Mesa Police Department to submit grant applications to the Arizona Governor's Office of Highway Safety for Fiscal Year 2024 grant funds in the amount of \$367,311 and authorizing the City Manager to accept awarded funds for various Mesa Police Department projects. **(Citywide)** – Resolution No. 12003
- *5-c. Approving and authorizing the City Manager to enter into a Membership Agreement with the Arizona Board of Regents, on behalf of Arizona State University, to join the Southwest Pavement Technology Consortium. The Consortium is expected to create pavement designs that utilize materials found in the area with a focus on reducing water usage, carbon dioxide emissions, hauling expenses, and the cost of Mesa's lifecycle rehabilitation pavement program at an annual membership price of \$50,000. **(Citywide)** – Resolution No. 12004
- *5-d. Approving and authorizing the City Manager to enter into an Agreement with the City of Tempe and Valley Metro Rail, Inc. for the Rio East/Dobson Streetcar Extension Locally Preferred Alternatives Study. The total study cost is \$2,000,000. The City's contribution for the study shall not exceed \$800,000. **(District 3)** – Resolution No. 12005

- *5-e. Approving and authorizing the City Manager to enter into an Intergovernmental Agreement (IGA) with Maricopa County for the permitting and annexation of Power Road from Baseline Road to Guadalupe Road for the Monterey Park Expansion Project. There is no fiscal impact from this IGA, it allows no-cost permitting through Maricopa County and development in accordance with City design standards. **(District 6)** – Resolution No. 12006
- *5-f. Endorsing the creation of the Woodland Terrace Irrigation Water Delivery District that is generally bounded by East Main Street on the north, East 2nd Avenue on the south, South Matlock Street on the west, and South Stapley Drive on the east. **(District 4)** – Resolution No. 12007

The formation of an irrigation water delivery district allows the District to make improvements and perform maintenance and operations of their irrigation system. Final designation of the District is determined by the Maricopa County Board of Supervisors.

6. Introduction of the following ordinance and setting March 6, 2023 as the date of the public hearing on this ordinance:

- *6-a. ZON22-01024 “Lemon Lane” **(District 2)** Within the 3700 to 3800 blocks of East McLellan Road (south side). Located south of McLellan Road and east of Val Vista Drive (10± acres). Rezone from Single Residence-35 with a Planned Area Development overlay (RS-35 PAD) to Single Residence-35 with a new Planned Area Development overlay (RS-35 PAD). This request will allow for a seven-lot single-residence development with increased maximum fence height and private roads. Jared Cox, applicant; Forever 7 LLC, owner.

Staff Recommendation: Approval with conditions

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

7. Discuss, receive public comment, and take action on the following ordinance, and take action on the following resolution relating to the proposed development generally located west of South Lindsay Road on the north side of East Southern Road:

- *7-a. ZON22-00916 “Boomerang Headquarters” **(District 2)** Within the 2500 to 2600 blocks of East Southern Avenue (north side). Located west of Lindsay Road on the north side of Southern Avenue (1± acre). Rezone from Single Residence-43 (RS-43) to Office Commercial with a Bonus Intensity Zone Overlay (OC-BIZ) and Site Plan Review. This request will allow for an office development. Dane Astle, EDIFICE Architecture, applicant; Boomerang Southern, LLC, Boomerang Capital Partners, owner. – Ordinance No. 5768

Staff Recommendation: Approval with conditions

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

- *7-b A resolution approving and authorizing the City Manager to enter into a Development Agreement relating to the development project commonly known as “Boomerang” that will be located on approximately 1± acres located west of Lindsay Road on the north side of Southern Avenue within the 2500 to 2600 blocks of East Southern Avenue for the

primary purpose of prohibiting and limiting certain land uses. **(District 2)** – Resolution No. 12008

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

- *8-a. ZON22-00977 "Mountain Bridge Parcel 16" **(District 5)** Within the 9000 to 9200 blocks of East McKellips Road (south side) and within the 1800 to 2000 blocks of North Ellsworth Road (west side). Located south of McKellips Road and west of Ellsworth Road (4± acres). Rezone from Neighborhood Commercial with a Planned Area Development Overlay (NC-PAD) to Single Residence-9 with a Bonus Intensity Overlay (RS-9-BIZ). This request will allow for the development of a single residence subdivision. Pew and Lake PLC, applicant; Phoenix Land Division LLC, owner. – Ordinance No. 5769

Staff Recommendation: Approval with conditions

P&Z Board Recommendation: Approval with conditions (Vote: 5-1)

Items not on the Consent Agenda

9. Conduct a public hearing:

- 9-a. Public hearing prior to the release of the petition for signatures for the proposed annexation case ANX22-00922, located south of East Elliot Road on the west side of South Sossaman Road (272± acres). This request has been initiated by the applicant, Sean Lake, Pew & Lake, PLC, for the owners, B & K Land & Investment Company, L.L.P. **(District 6)**

Mayor Giles stated that this was the time and place for a public hearing prior to the release of the petition for signatures for the proposed annexation case ANX22-00922.

Councilmember Somers expressed his support for the petition, noting the project is a substantial parcel in the Interloop District, which needs to focus on job creation. He indicated the Mesa Gateway Strategic Development Plan states the District of high-intensity employment uses will be a primary area in achieving the City's goal of creating thousands of high-wage, high-value jobs. He emphasized the potential of the parcel to house many manufacturing and high-quality jobs.

Mayor Giles declared the public hearing closed.

Mayor Giles stated the hearing was to release the petition for signatures and there is no other action on this item. He added the item will come back to Council in the future for consideration on the annexation.

10. Items from citizens present.

Steven Gerard Sidlovsky provided an informational handout and a summary of the Arizona March for Life event on February 23, 2023. He explained he is currently traveling to various cities to discuss pro-life possibilities and the opportunity for cities to create language in the City Charter to protect pro-life rights.

William Vogt, a Phoenix resident, declared his support for Mr. Sidlovsky.

11. Adjournment.

Without objection, the Regular Council Meeting adjourned at 6:00 p.m.

JOHN GILES, MAYOR

ATTEST:

HOLLY MOSELEY, CITY CLERK

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Council Meeting of the City Council of Mesa, Arizona, held on the 27th day of February 2023. I further certify that the meeting was duly called and held and that a quorum was present.

HOLLY MOSELEY, CITY CLERK

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