

COUNCIL MINUTES

March 6, 2023

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on March 6, 2023, at 5:45 p.m.

COUNCIL PRESENT

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

COUNCIL ABSENT

Julie Spilsbury

OFFICERS PRESENT

Christopher Brady
Holly Moseley
Jim Smith

Mayor's Welcome.

Mayor Giles conducted a roll call.

Mayor Giles excused Councilmember Spilsbury from the entire meeting.

Invocation by Pastor Jose Luis Amaya with Iglesia de Cristo Elim Betel Church.

Pledge of Allegiance was led by Mayor Giles.

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 Somers, seconded by Councilmember Freeman, that the consent agenda items be approved.

Upon tabulation of votes, it showed:

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

NAYS – None

ABSENT – Spilsbury

Mayor Giles declared the motion carried unanimously by those present.

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

Minutes from the February 27, 2023, Regular Council meeting.

3. Take action on the following liquor license applications:

*3-a. Vero Chicago Pizza West Mesa

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Vero Chicago Pizza West Mesa, 2057 South Alma School Road Suite 3 - 4; Joseph Anthony Scarnato, agent. There is no existing license at this location. **(District 3)**

4. Take action on the following contracts:

*4-a. Central Mesa Reuse Pipeline - Construction Manager at Risk (CMAR), Guaranteed Maximum Price (GMP) No. 1. **(Districts 1 and 2)**

GMP No. 1 includes the early procurement of 36-inch diameter concrete cylinder pipe and associated materials for the new pipeline. The City of Mesa desires to utilize reclaimed water produced at the Northwest Water Reclamation Plant as part of a water exchange agreement with the Gila River Indian Community (GRIC). Construction of a 10.5-mile reclaimed water pipeline will allow the City to meet the requirements of this agreement to convey this water to the GRIC.

Staff recommends awarding a construction services contract to the CMAR, Garney Companies, Inc. in the amount of \$12,475,000 (GMP No. 1) and authorizing a change order allowance in the amount of \$623,750 (5%), for a total amount of \$13,098,750. This project is funded by the Water Utility Systems Revenue Obligations.

*4-b. Use of a Cooperative Contract for an Initial Term of 15-Months and Two Years of Renewal Options for Front-Load Refuse and Roll-Off Containers for the Solid Waste, and Water Resources Departments. **(Citywide)**

This contract will provide front-load refuse and roll-off containers on an as-needed basis to service residential and commercial customers. Additionally, Water Resources will utilize this contract to replace roll-off containers used at the Water Reclamation and Water Treatment Plants.

The Solid Waste, Water Resources Departments and Purchasing recommend authorizing the purchase using the Sourcewell (State of Minnesota) cooperative contract with Box Gang Manufacturing LLC and Wastequip Manufacturing Company LLC, initial term at \$435,000 and Years 2 and 3 at \$360,000 annually, with an annual increase allowance of up to 5% or the adjusted Consumer Price Index.

*4-c. Three-Year Term Contract with Two Years of Renewal Options for Residential Refuse and Recycling Containers for the Solid Waste Department. **(Citywide)**

This contract will supply 35-gallon, 65-gallon, and 95-gallon plastic refuse and recycling containers for residential and commercial use on an as-needed basis. Mesa is the lead agency with 12 other municipalities on this cooperative contract done by reverse auction.

The Solid Waste Department and Purchasing recommend awarding the contract to the lowest, responsive, and responsible bidders; Duramax Holdings, LLC dba Otto Environmental Systems; Schaefer Plastics North America, LLC; Rehrig Pacific Company; and Tank Holding Corp. dba Snyder Refuse; at \$1,640,000 annually for Mesa, based on estimated usage, with an annual increase allowance of up to 5% or the adjusted Producer Price Index.

- *4-d. Purchase of Five Pumper Trucks (Replacements) for the Mesa Fire and Medical Department. **(Citywide)**

The Department is requesting to purchase five 2026 E-One pumpers as part of the current replacement schedule. These units will be used to provide emergency services to the citizens of Mesa.

An evaluation committee recommends awarding the contract to the highest-scored and lowest-priced proposal from H&E Equipment Services, Inc./E-One for \$5,150,441.88, based on estimated requirements. This purchase is funded by 2018 Public Safety Bonds.

- *4-e. Dollar Limit Increase to the Term Contract for Bio-Solids Removal and Reuse/Disposal Services for the Water Resources Department. **(Citywide)**

This three-year contract expired on 1/31/2023. The increase is needed to pay for the final invoices for November, December, and January.

The Water Resources Department and Purchasing recommend increasing the dollar limit with Denali Water Solutions, LLC by \$190,000, from \$480,000 to \$670,000.

- *4-f. One-Year Term Contract with Four Years of Renewal Options for Pipe Repair Clamps for the Materials and Supply Warehouse (for the Water Resources Department). **(Citywide)**

This contract will provide water and sewer system pipe repair clamps per specifications or approved products listed in the solicitation. The Materials and Supply Warehouse places orders and maintains stock inventory as needed.

The Business Services and Water Resources Departments, and Purchasing recommend awarding the contract to the lowest, responsive, and responsible bidders, Arizona Waterworks Supply, Fortiline Inc. and Fullerform Systems, Inc. at \$110,000 annually, with an annual increase allowance of up to 5% or the adjusted Producer Price Index.

- *4-g. Use of a Cooperative Contract for a 32-Month Term Contract with a Two-Year Renewal Option for Equipment Rental and Related Services for the Energy Resources Department. **(Citywide)**

This contract will provide long-term and short-term rentals of heavy duty trucks and equipment. Energy Resources utilizes heavy duty trucks and equipment for daily

operations when City equipment is down or inoperable and when spare vehicles are in-use.

The Energy Resources Department and Purchasing recommend authorizing the purchase using the OMNIA (State of North Carolina) cooperative contract with Herc Rentals, Inc. at \$300,000 annually, based on estimated requirements, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

- *4-h. Purchase of Services for Transformer Maintenance for Lewis West Substation for the Energy Resources Department (Sole Source). **(Citywide)**

Annual oil analysis of the Lewis West Substation transformer indicates a high level of breakdown of the transformer's load tap changer (LTC) compartment's oil. Due to the age of the LTC and the number of operations, the manufacturer recommends that the LTC be drained of oil, inspected and serviced, and the oil replaced. This purchase will provide complete transformer and LTC servicing at the substation.

The Energy Resources Department and Purchasing recommend awarding the contract to the qualified vendor, Reinhauser Manufacturing, Inc. for \$67,000, based on estimated requirements.

- *4-i. Two-Year Term Contract for Video Display/Scoreboard Components and Event Services for Hohokam Park and Fitch Practice Fields for the Parks, Recreation and Community Facilities Department (Sole Source). **(Citywide)**

Hohokam Stadium and Fitch Practice Fields use configurable video displays and control equipment to enhance customer experience during baseball games and events. The scoreboards are proprietary and cannot be maintained by City staff.

The Parks, Recreation and Community Facilities Department and Purchasing recommend awarding the contract to the sole source vendor, Daktronics, Inc., Year 1 at \$36,300 and Year 2 at \$38,000, based on estimated usage.

5. Take action on the following resolutions:

- *5-a. Accepting the American Rescue Plan (ARP) Act of 2021 funding under the HOME Investment Partnership Program - ARP (HOME ARP) in the amount of \$5,605,694, approving the HOME ARP Allocation Plan (Plan) and submitting the Plan to the U.S. Department of Housing and Urban Development (HUD) for the use of HOME ARP funds, and authorizing the City Manager to administer eligible activities. **(Citywide)** – Resolution No. 12009
- *5-b. Approving and authorizing the City Manager to enter into an Advance Construction Authorization Agreement with Maricopa Association of Governments and the Arizona Department of Transportation for the Elliot Road: East Maricopa Floodway to Ellsworth Road Arterial Improvement Project to secure the reimbursement process under the Arterial Life Cycle Program and request additional federal funding. **(District 6)** – Resolution No. 12010

6. Introduction of the following ordinance and setting March 20, 2023, as the date of the public hearing on this ordinance:

- *6-a. ZON22-01270 “Copa Health” (**District 4**) Within the 600 block of West Jerome Avenue (north side). Located west of Country Club Road and north of Baseline Road (2± acres). Rezone from Light Industrial with a Bonus Intensity Zone overlay (LI-BIZ) to General Commercial with a Bonus Intensity Zone overlay and Council Use Permit (GC-BIZ-CUP) and Site Plan Review. This request will allow for a social service facility. John Moore, Copa Health, applicant; Accel Properties LLC, owner.

Staff Recommendation: Approval with conditions

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

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

- *7-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. – Ordinance No. 5770

Staff Recommendation: Approval with conditions

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

8. Take action on the following subdivision plat:

- *8-a. SUB22-01231 “Tech Center @ Ellsworth” (**District 6**) Within the 7200 to 7400 blocks of South Ellsworth Road (east side). Located south of Pecos Road on the east side of Ellsworth Road. (10.6± acres). NEC E&G, LLC, Developer; James A. Loftis, 3 Engineering, Surveyor.

Items not on the Consent Agenda:

9. Items from citizens present.

David Land, Pastor of New Life Assembly of God Church, expressed his concern regarding a new policy that prohibits reservations for events at Evergreen Park due to lack of restroom facilities. He said he was told by staff the restrooms were removed due to negative activity and vandalism. He stated his church has hosted an Easter egg hunt at the park for the past three years for members who live nearby, emphasizing the members could easily walk home to use the restroom if needed. He requested that Council protect the parks, ensure safety without restrictions, and restore restroom facilities to Evergreen Park to be utilized by the good organizations again.

City Manager Chris Brady informed the Mayor that he would address the concern.

10. Adjournment.

Without objection, the Regular Council Meeting adjourned at 5:54 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 6th day of March 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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