



COUNCIL MINUTES

January 11, 2021

The City Council of the City of Mesa met in a Regular Council Meeting via a virtual format streamed into the lower level meeting room of the Council Chambers, 57 East 1st Street, on January 11, 2021 at 7:07 p.m.

COUNCIL PRESENT

John Giles*
Jennifer Duff*
Mark Freeman*
Francisco Heredia*
David Luna*
Julie Spilsbury*
Kevin Thompson*

COUNCIL ABSENT

None

OFFICERS PRESENT

Christopher Brady
Dee Ann Mickelsen
Jim Smith

(*Council participated in the meeting through the use of video conference equipment.)

Mayor's Welcome.

Mayor Giles conducted a roll call.

Mayor Giles led a moment of silence, followed by the Pledge of Allegiance.

Awards, Recognitions and Announcements.

Mayor Giles proclaimed January 2021 as Speak Up, Stand Up, Save a Life month in Mesa. He stated this is a student-run program designed to empower students to encourage their peers to report concerning behavior that is seen online and in person. He advised that students are feeling the social and emotional impacts of virtual learning and need support to ask for help and to recognize those in need of help. He introduced Michele Grimaldi, the Mesa Public Schools (MPS) Community Partnership Coordinator, who will accept the proclamation.

Ms. Grimaldi explained the mission of Speak up, Stand Up, Save a Life is to encourage students to be aware of behavioral health warning signs and to speak up to an adult. She compared the City of Mesa suicide prevention work group to the game Red Rover where it is necessary to join hands to fight suicide and suicide behaviors while working together to reduce the stigma related to seeking help. She stated care teams are deployed at each school to assist students that are showing warning signs or that have come forward with thoughts of suicide.

Ms. Grimaldi indicated the Mesa Center for Performing Arts is assisting the work group by creating public service announcements to raise awareness of suicide risk factors, warning signs, and help connect individuals with local and national resources. She mentioned the City of Mesa

libraries offer free virtual trainings to the public. She listed the unique MPS partnerships who will be assigned to a school to assist students that are above and beyond what the school counselor can provide.

Mayor Giles voiced his appreciation for the work being done in MPS to help students with their mental health challenges and for reminding everyone of the importance of being mindful and supportive to our students.

Mayor Giles noted last Thursday was the swearing-in ceremony and he welcomed Councilmember Spilsbury and congratulated Councilmembers Freeman and Heredia on their new terms. He remarked he is proud of what the City has accomplished but looks forward to more progress. He advised Mesa will continue to provide support to residents and hopes additional support will arrive due to the new leadership at the federal level. He added if further funding is received, Mesa will do everything possible to get the funding out the door quickly to those in need.

Mayor Giles stated the City is working with Maricopa County to make vaccinations available quickly and efficiently to help the community be healthy and safe. He expressed appreciation to Mesa Fire and Medical for proactively leading the way to distribute vaccinations throughout the City.

Mayor Giles commented he would like to work with Council to create the Mesa Education Council, which will be a group of education leaders, superintendents, and business leaders who will work to increase education attainment and job training to help Mesa become a better educated community. He expressed the importance of digital connectivity and having high-quality technology available to all citizens. He suggested that Council work with City staff to adopt a plan for citywide conduit to provide the fiber to every home and business within the City.

Mayor Giles emphasized the City of Mesa is a diverse, inclusive, and compassionate city and he wants Mesa to be known as a welcoming city that respects the rights of all residents, businesses, and visitors. He looks forward, with the support of Council, to adopting a non-discrimination ordinance that protects the constitutional and civil rights of Mesa residents. He encouraged the Council to commit to the goal of reducing Mesa's carbon footprint and reaffirming the commitment to recycling. He indicated he would like to lay out a plan to explore what action Mesa can take to become carbon neutral and to make an investment that ensures Mesa has a reliable and sustainable recycling program.

Mayor Giles summarized this year's goals as having an ongoing effective pandemic response, as well as focusing on education, equality, and the environment. He mentioned for Mesa to thrive, everyone must commit to finding ways to progress on these important topics. He looks forward to the upcoming strategic planning retreat to discuss these goals and work together to make meaningful progress over the next couple of years.

1. Selection of the Vice Mayor.

Mayor Giles expressed his appreciation to Councilmember Freeman for serving in the role of Vice Mayor for the past two years.

It was moved by Councilmember Luna, seconded by Councilmember Heredia, that Councilmember Duff be elected to serve as Vice Mayor.

Upon tabulation of votes, it showed:

AYES – Giles-Duff-Freeman-Heredia-Luna-Spilsbury-Thompson

NAYS – None

Carried unanimously.

Vice Mayor Duff stated she is honored to serve as Vice Mayor under the leadership of Mayor Giles and to help fulfill the goals and agenda for the City. She pointed out the last female to serve as Vice Mayor was Claudia Walters in 2008 and she is privileged to fill the seat. She thanked Mayor Giles for the opportunity to serve and the Council for their votes.

2. 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 Luna, that the consent agenda items be approved.

Upon tabulation of votes, it showed:

AYES – Giles-Duff-Freeman-Heredia-Luna-Spilsbury-Thompson

NAYS – None

Carried unanimously.

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

Minutes from the October 29, November 5, November 12, November 16, November 19, December 1, December 8, December 14, 2020 Study Sessions, and the December 8, 2020 Regular Council meeting.

4. Take action on the following liquor license applications:

*4-a. Fairway Market

A convenience store is requesting a new Series 09 Liquor Store License for VNTH Inc., 340 West Brown Road; Jeffrey Craig Miller, agent. This is an ownership transfer; therefore, the existing license held by VNTH Inc. will revert to the State for modification.
(District 1)

5. Take action on the following contracts:

*5-a. Purchase of Two, Mohawk TP-16 Two-Post Lifts (Replacements) for the Fleet Services Department. **(Citywide)**

The Fleet Services Department has two in-ground lifts that have passed their 20-year service life and need to be replaced. Replacing the in-ground lifts with above-ground lifts will provide a safer working environment for the technicians and mitigate the risk of ground contamination from an in-ground tank oil leak.

The Fleet Services Department and Purchasing recommend authorizing the purchase using the State of Arizona cooperative contract with Mohawk Automotive Lifts S.W., at \$33,270.37, based on estimated requirements.

- *5-b. Three-Year Term Contract with Two Years of Renewal Options for Structural/Extrication Personal Protective Equipment (PPE) for the Mesa Fire and Medical Department. **(Citywide)**

This contract will provide structural/extrication PPE for Mesa Fire and Medical members that has been tested and proven to be the most effective in training and emergency field operations. It is found that the use of task-specific appropriate single-layer garment extrication PPE provides higher protection from heat and burns, is quicker to cool down, has quicker drying times of gear, and allows for easier movement, which provides less body stress to muscles, less fatigue, and a lower body temperature; thereby, providing an effective means to eliminating exposure to carcinogens, while reducing thermal assault-related cardiac stress and fatigue.

The Mesa Fire and Medical Department and Purchasing recommend awarding the contract to the lowest, responsive, and responsible bidders: Freightliner of Arizona, LLC, dba Velocity Fire Equipment; L.N. Curtis & Sons; Matlick Enterprises, dba United Fire Equipment Company; and Municipal Emergency Services, Inc., at \$500,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index. This purchase is funded by the Mesa Fire and Medical operating budget and Public Safety Sales Tax Fund.

- *5-c. Ratification of the Emergency Purchase for Firefighting Suppression Agent for the Mesa Fire and Medical Department. **(Citywide)**

In January 2020, Senate Bill 1526 was passed stating local government or state agencies can no longer use class B firefighting foam that contains intentionally added PFAS (fluorinated) chemicals for training or testing. All frontline firefighting apparatus were drained of class A and B foam and switched to the F-500 Encapsulator Agent. The Department's initial purchase of F-500 filled half of the Fire apparatus fleet. This emergency purchase of 1,500 gallons of F-500 was required for filling the remaining half of the fleet and provides additional reserve for replenishment, until a purchase contract is established.

The Mesa Fire and Medical Department and Purchasing recommend ratifying the purchase with FDC Rescue, LLC, at \$51,219.50. This purchase is funded by the Capital - General Fund.

- *5-d. Purchase of Input-Ace Evidence Recovery Software (Addition) for the Mesa Police Department (Sole Source). **(Citywide)**

This software is a specialized tool used by detectives to recover evidence from video, hidden details, and metadata in video files.

City staff and Purchasing recommend authorizing the purchase from the sole source vendor, OCCAM Video Solutions, at \$48,978.34.

- *5-e. Three-Year Term Contract with Two Years of Renewal Options for Colt Patrol Rifles for the Mesa Police Department. **(Citywide)**

It is the Police Department's recommendation to standardize Colt rifles because of their proven durability and reliability. The Department's current inventory rifles are beginning to show signs of aging and will need to be replaced. Through this contract, the Department will begin purchasing rifles annually to replace the oldest rifles in service.

City staff and Purchasing recommend awarding the contract to the lowest, responsive, and responsible bidder, Proforce Marketing, Inc., dba Proforce Law Enforcement, at \$75,000 annually, with an annual increase allowance of up to 5%, or the adjusted Producer Price Index.

- *5-f. Three-Year Term Contract with Two Years of Renewal Options for Bus Shelter Maintenance and Repair Services for the Transit Services Department (Single Response). **(Citywide)**

This contract will provide bus shelter maintenance on a scheduled basis and repair services on an as-needed basis. Work under this contract will include cleaning, trash service, pressure washing, minor repairs, and other related services for bus stops, shelters, and bus rapid transit stations, transit centers, and park-and-rides, within the City.

The Transit Services Department and Purchasing recommend awarding the contract to the qualified, single respondent, A Mind for Detail (a Mesa business), at \$420,460 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

- *5-g. Dollar-Limit Increase to the Term Contract for Painting Services for the Parks, Recreation and Community Facilities Department. **(Citywide)**

The dollar-limit increase will provide additional contract capacity for the Mesa Convention Center paint project to be completed and will provide funding for both Facilities Maintenance and Parks Maintenance projects through 5/31/2021.

The Parks, Recreation and Community Facilities Department and Purchasing recommend increasing the dollar-limit with Ghaster Painting & Coatings, Inc.; Skyline Builders & Restoration, Inc.; East Valley Disaster Services, Inc.; A & H Painting Inc.; and First Choice Restoration Inc.; Year 3 by \$150,000, from \$385,000 to \$535,000 annually, based on estimated usage.

- *5-h. Seven-Month Term Contract with a One Year Renewal Option for the Purchase and Installation of Uninterruptible Power Supply (UPS) Systems for the Water Resources Department. **(Citywide)**

This contract will provide UPS system purchases and their associated services, labor, materials, software, transportation, equipment and related necessities for the installation,

integration, and implementation (engineering analysis, design, and configuration) of the manufacturer's product or service.

The Water Resources Department and Purchasing recommend authorizing the purchase using the State of Arizona cooperative contract with Titan Power, Inc. and Gruber Technical, Inc., at \$150,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

- *5-i. Purchase of One, CNG Powered Heavy-Duty Front-Loading Refuse Truck (Replacement) for the Environmental Management and Sustainability Department. **(Citywide)**

The refuse truck that is being replaced has met established criteria and will be either traded, auctioned, sold, or deployed to special uses.

The Fleet Services and Environmental Management and Sustainability Departments and Purchasing recommend authorizing the purchase from the existing contract with Rush Truck Centers of Arizona, dba, Rush Truck Center Phoenix, at \$400,124.62. This purchase is funded by the Utility Replacement Extension and Renewal Fund.

- *5-j. One-Year Renewal with a One-Year Renewal Option to the Term Contract for Streetlight Maintenance, Installation/Removal, and Rusted Pole Replacements for the Transportation Department. **(Citywide)**

The City maintains over 41,000 streetlights. Contractors are needed to supplement City crews for the replacement of damaged or rusted streetlight poles, foundations, fixtures, and cabinets. Contractors are also used for the installation of new streetlights along with performing various maintenance activities.

The Transportation Department and Purchasing recommend authorizing the renewal with Brooks Bros Utility Contractors, LLC; Contractors West, Inc.; and CS Construction, Inc., at \$3,300,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

- *5-k. One-Year Renewal with a One-Year Renewal Option to the Term Contract for Traffic Control Sign Materials and Sign Imaging for the Transportation Department. **(Citywide)**

This contract provides reflectorized sign sheeting, acrylic colored film, and protective overlay film for the fabrication of traffic control, street name, and wayfinding signs that are installed and maintained throughout the City.

The Transportation Department and Purchasing recommend authorizing the renewal with Safeway Sign Company, at \$210,700 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

- *5-l. Dollar-Limit Increase to the Term Contracts for Solid Waste Disposal, Recyclable Material Processing, and Vegetative Waste Processing Services as requested by the Environmental Management and Sustainability Department. **(Citywide)**

The contracts allow for annual Consumer Price Index increases, according to specified indexes in the contracts. This year, the Index increases were between 1.18% and

1.22%. The requested dollar-limit increase is to provide for the anticipated growth in the upcoming year and for the increased Index. The contracts cover all solid waste disposal, recyclable material processing, and vegetative waste processing services.

The Environmental Management and Sustainability Department and Purchasing recommend authorizing contract amendments reflecting a dollar-limit increase of \$220,000 to the multi-vendor master agreement, from \$9,430,000 to \$9,650,000, based on the estimated usage with annual Consumer Price Index increase.

- *5-m. Food to Energy Program, Phase 1: Flare to Fuel Project - Pre-Construction Services and Construction Manager at Risk (CMAR). **(District 1)**

In January 2020, the City completed a feasibility study of implementing the co-digestion of food waste in the existing digesters at the Northwest Water Reclamation Plant to generate additional biogas that could be converted into renewable natural gas and be used as a fuel for the Environmental Management and Sustainability Department's truck fleet. The study determined that utilizing biogas to generate renewable natural gas, under the federal Renewable Fuel Standard Program, was both environmentally friendly and economically feasible. This pre-construction services contract for Food to Energy Program, Phase 1, will allow the CMAR to work closely with the project team throughout the development stages of the project.

Staff recommends selecting Archer Western Construction, LLC, as the CMAR for this project and awarding a pre-construction services contract in the amount of \$105,721. This project is funded by the Enterprise Fund.

- *5-n. 2020 Public Safety Training Facility (PSTF) Burn Building Project - Pre-Construction Services and Construction Manager at Risk (CMAR). **(District 5)**

The PSTF Burn Facility Expansion project was originally bid in 2015 and construction started in early 2016; however, the contractor was unable to meet the performance requirements and the contract was terminated. An agreement with the bonding company resulted in the demolition of the partially constructed building. The City determined to proceed with a new building, utilizing the previous design with minor adjustments.

Staff recommends selecting CORE Construction Inc., (a Mesa Business), as the CMAR for this project and awarding a pre-construction services contract in the amount of \$30,000. This project is funded by the 2013 Public Safety Bonds and the General Fund.

- *5-o. SRP Lehi Service Line Relocation Project. **(District 1)**

This project consists of relocating approximately 45 water services and 29 gas services, along the south side of Lehi Road and the east side of Mesa Drive. In accordance with the Crossing Agreement the City has with SRP, the City is required to relocate its services to allow for the installation of new irrigation pipe within the existing SRP easement.

Staff recommends awarding a contract for this project to the lowest, responsible bidder, FPS Civil, in the amount of \$1,058,561, and authorizing a change order allowance in the amount of \$105,856.10 (10%), for a total of \$1,164,417.10. This project is funded by Water and Gas Bonds.

6. Take action on the following resolutions:

- *6-a. Approving and authorizing the City Manager to accept \$78,000 from the U.S. Department of Justice, U.S. Marshals Service for Police Officer overtime worked in support of the Joint Law Enforcement Operations Task Force. **(Citywide)** – Resolution No. 11617
- *6-b. Extinguishing a 30-foot retention basin easement located at 3407 East Hermosa Vista Drive to allow for the construction of a new single-family home; requested by the property owner. **(District 1)** – Resolution No. 11618
- *6-c. Extinguishing a portion of two 20-foot public utilities easements located at 10415 East Hampton Avenue, and a portion of a 10-foot drainage easement located at 10626 East Hampton Avenue to allow for development of the Mountain Vista Marketplace subdivision; requested by the property owner. **(District 6)** – Resolution No. 11619

7. Take action on the following recommendation from the Audit, Finance and Enterprise Committee:

- *7-a. Accepting the City's Comprehensive Annual Financial Report (CAFR) for the Fiscal Year ended June 30, 2020.

Items not on the Consent Agenda.

8. Conduct public hearings on the following proposed annexations:

- 8-a. Public hearing prior to the release of the petition for signatures for the proposed annexation case ANX20-00242, located north of Pecos Road and east of Ellsworth Road (337.0± acres). This request has been initiated by the applicant, Dennis Newcomb, Beus, Gilbert, McGroder, PLLC, for the owner, Pacific Proving, LLC. **(District 6)**

Mayor Giles announced that this was the time and place for a public hearing regarding annexation case ANX20-00242.

There being no citizens wishing to speak on this issue, the Mayor declared the public hearing closed.

- 8-b. Public hearing prior to the release of the petition for signatures for the proposed annexation case ANX20-00665, located north of University Drive and west of Ellsworth Road (1.0± acres). This request has been initiated by the applicant, Reese Anderson, Pew and Lake, P.L.C., for the owners, Vance and Amanda Williams. **(District 5)**

Mayor Giles announced that this was the time and place for a public hearing regarding annexation case ANX20-00665.

There being no citizens wishing to speak on this issue, the Mayor declared the public hearing closed.

9. Items from citizens present.

There were no items from citizens present.

10. Adjournment.

Without objection, the Regular Council meeting adjourned at 7:32 p.m.

JOHN GILES, MAYOR

ATTEST:

DEE ANN MICKELSEN, 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 11th day of January 2020. I further certify that the meeting was duly called and held and that a quorum was present.

DEE ANN MICKELSEN, CITY CLERK

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