



# COUNCIL MINUTES

October 19, 2020

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 October 19, 2020 at 5:45 p.m.

## COUNCIL PRESENT

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

## COUNCIL ABSENT

Jeremy Whittaker

## OFFICERS PRESENT

Christopher Brady  
Dee Ann Mickelsen  
Jim Smith

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

(\*Councilmember Thompson participated in the meeting through the use of telephonic equipment.)

Mayor Giles excused Councilmember Whittaker from the entire meeting.

Mayor's Welcome.

Mayor Giles conducted a roll call.

Invocation by Pastor Nate Boyd, Christ's Church of the Valley.

Mayor Giles led the Pledge of Allegiance.

Awards, Recognitions and Announcements.

Mayor Giles proclaimed October 2020 as Domestic Violence Awareness Month. He stated during the month the City will be dedicated to building a community where no one suffers the hurt and hardship that domestic violence causes and recommit to upholding the basic human right to be free from violence and abuse.

City Prosecutor John Belatti accepted the proclamation and thanked the Mayor and Council for supporting victims and survivors of domestic violence. He stated the proclamation reaffirms the City of Mesa's commitment to serving justice to victims of such violence and holding offenders accountable for their actions. He announced the Prosecutors office, Mesa Police Department, and the Mesa Family Advocacy Center are hosting a virtual domestic violence awareness event on Thursday, October 22, 2020 at 6:30 p.m., that will be live on Mesa Channel 11 and

streaming on the Channel 11 YouTube page. He mentioned Mayor Giles, domestic violence survivors, and educational providers will be speaking at the event followed by a candlelight commemoration. He expressed appreciation for the proclamation and accepted on behalf of everyone who is working to prevent domestic violence in the City of Mesa.

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 Luna, seconded by Vice Mayor Freeman, that the consent agenda items be approved.

Upon tabulation of votes, it showed:

AYES – Giles-Freeman-Duff-Heredia-Luna-Thompson  
NAYS – None  
ABSENT – Whittaker

Mayor Giles declared the motion carried unanimously by those present.

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

Minutes from the September 21, October 5, 2020 Study Sessions, the September 24, 2020 Special Council meeting, and the October 5, 2020 Regular Council meeting.

\*3. Take action on the following contracts:

- \*3-a. One-Year Renewal with a One-Year Renewal Option to the Term Contract for Print Shop Paper for the Business Services Department. **(Citywide)**

This contract is used by the City's Print Shop and the paper is also available to departments through the Materials and Supply Warehouse.

The Business Services Department and Purchasing recommend authorizing the renewal with Spicers Paper, Inc., at \$80,500 annually, with an annual increase allowance of up to 5%, or the adjusted Producer Price Index.

- \*3-b. Dollar-Limit Increase to the Term Contract for Legal Process Services for the Photo Safety Program. **(Citywide)**

This contract provides legal process services for the Photo Safety Program and courier services for the City Attorney and City Courts. This contract has now expired, but the dollar-limit increase is needed for charges as the final cases are settled and the invoices reconciled.

City staff recommends increasing the dollar-limit with Hot Shot Delivery, Inc., by \$100,000, from \$580,000 to \$680,000 for the term contract that expired September 30, 2020.

- \*3-c. One-Year Renewal with a One-Year Renewal Option to the Term Contract for Open Data Platform Solution for the Department of Innovation and Technology. **(Citywide)**

The City's Open Data platform hosts 285 datasets and views, 194 performance measures, and 316 story pages with an additional 188 performance measures currently planned. The platform is an integral resource in making data available to decision makers and public transparency.

The Department of Innovation and Technology, Office of Management and Budget, and Purchasing recommend authorizing the renewal with Tyler Technologies, at \$180,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index. This purchase is funded by the IT Application Lifecycle Budget.

- \*3-d. Purchase of an Annual Subscription of a Law Enforcement Web-Based Training Platform (Addition) (Sole Source). **(Citywide)**

This purchase is for a subscription to a web-based training platform that has been evaluated and vetted by law enforcement and subject matter experts throughout the country. This is a tailored learning solution that will provide full access for 1,250 law enforcement personnel for one year.

City staff recommends authorizing the purchase from the sole source vendor, Lexipol, at \$56,034, based on estimated requirements.

- \*3-e. Three-Year Term Contract with Two Years of Renewal Options for Communications Tower Service for the Department of Innovation and Technology. **(Citywide)**

This contract will provide qualified contractors for tower support services to repair antennas and lighting systems at approximately 23 sites, as well as a periodic inspection of the communications towers and monopoles located on City property.

An evaluation committee recommends awarding the contract to the highest scored respondents: Arizona West Builders and Communications, Inc. (a Mesa business), and Engineering Wireless Services, LLC, at \$60,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index. This purchase is funded by the General Fund and TOPAZ Joint Venture Fund.

- \*3-f. One-Year Term Contract for Altec Equipment Service, Repairs, and Parts for the Fleet Services Department (Sole Source). **(Citywide)**

The City has thirteen vehicles with Altec aerial lift equipment. Altec requires annual inspections and repairs that must be performed by Altec certified technicians. This contract will provide service and technical support administered by Altec.

The Fleet Services Department and Purchasing recommend awarding the contract to the sole source vendor, Altec Industries, Inc., at \$70,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

- \*3-g. Purchase of One Medium-Duty Aerial Bucket Truck and Service Body (Replacement) for the Transportation Department as requested by the Fleet Services Department. **(Citywide)**

The aerial truck that is being replaced is part of the ongoing vehicle replacement program and has met established criteria and will be either traded, auctioned, sold, or deployed to special uses.

The Fleet Services and Transportation Departments and Purchasing recommend authorizing the purchase using the Sourcewell cooperative contract with Altec Industries, Inc., at \$200,799.77. This purchase is funded by the Local Streets Fund.

- \*3-h. Eight-Month Term Contract with Three Years of Renewal Options for In-Vehicle Routers for Medical Response Vehicles for the Mesa Fire and Medical Department. **(Citywide)**

On 8/31/2020, Council approved the one-time purchase for fifteen, in-vehicle routers (additions) for new Fire and Medical response vehicles, at \$50,000, as recommended. This was intended to be a term contract for the Department's future purchases for in-vehicle routers. MFMD and Purchasing recommend amending the award to be an annual contract with an annual amount of \$50,000.

The Mesa Fire and Medical Department and Purchasing recommend authorizing the purchase using the State of Arizona cooperative contract with Discount Cell, Inc., at \$50,000 annually, based on estimated requirements. This purchase is funded by the General Fund through the Department of Innovation and Technology's Lifecycle Program.

\*4. Take action on the following resolutions:

- \*4-a. Approving and authorizing the City Manager to accept a \$130,000 grant award from the National Recreation and Park Association to enhance the playground renovation at Palo Verde Park. **(District 3)** – Resolution No. 11573
- \*4-b. Approving and authorizing the City Manager to enter into a Subrecipient Agreement with the Arizona Department of Homeland Security for grant funds up to \$206,000 for equipment and training for the Fire and Medical Department's Rapid Response Team. **(Citywide)** – Resolution No. 11574
- \*4-c. Approving and authorizing the City Manager to enter into a Subrecipient Agreement with the Arizona Department of Homeland Security for grant funds up to \$87,700 for equipment and training for the Fire and Medical Department's Prevention Threat Liaison Officer. **(Citywide)** – Resolution No. 11575
- \*4-d. Approving and authorizing the City Manager to enter into a Highway Safety Contract with the Arizona Governor's Office of Highway Safety to accept \$123,569 in grant funds. The funds will be used by the Police Department's Traffic Division for overtime, employee related expenses, materials, and supplies for DUI/Impaired Driving Enforcement. **(Citywide)** – Resolution No. 11576
- \*4-e. Approving and authorizing the City Manager to enter into a Highway Safety Contract with the Arizona Governor's Office of Highway Safety to accept \$86,218 in grant funds. The

funds will be used by the Police Department's Traffic Division for overtime, employee related expenses, materials, and supplies for the Selective Traffic Enforcement Program. **(Citywide)** – Resolution No. 11577

- \*4-f. Approving and authorizing the City Manager to enter into a Highway Safety Contract with the Arizona Governor's Office of Highway Safety to accept \$33,262 in grant funds. The funds will be used by the Police Department's Traffic Division for overtime, employee related expenses, materials, and supplies for pedestrian and bicycle safety. **(Citywide)** – Resolution No. 11578
- \*4-g. Approving and authorizing the City Manager to enter into a three-year Intergovernmental Agreement with the Mesa Unified School District #4 to accept up to \$1,417,809 annually, for salary and benefits for Mesa Police School Resource Officers assigned to 12 Mesa Public Schools working under the Department of Education's School Safety Program. **(Citywide)** – Resolution No. 11579
- \*4-h. Approving and authorizing the City Manager to enter into a Grant Agreement with the Arizona Department of Public Safety to accept \$1,493,064 in Victims of Crime Act (VOCA) grant funds. The funding will be used for salaries and expenses for the Mesa Prosecutors Office, Victim Services Unit for a three-year period. **(Citywide)** – Resolution No. 11580
- \*4-i. Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with the Town of Queen Creek concerning pavement preservation activities at the intersection of Germann and Sossaman Roads. The City's total contribution to the project construction costs is estimated to be \$22,666, which is one-third of the project's construction costs. The remaining two thirds will be split between the Town of Queen Creek and Maricopa County. **(District 6)** – Resolution No. 11581
- \*4-j. Authorizing the issuance and sale of General Obligation Bonds, Series 2020, not to exceed \$22,075,000. **(Citywide)** – Resolution No. 11582
- \*4-k. Authorizing the issuance and sale of General Obligation Refunding Bonds, Series 2020, not to exceed \$31,000,000. **(Citywide)** – Resolution No. 11583
- \*4-l. Authorizing the issuance and sale of Utility Systems Revenue Bonds, Series 2020, not to exceed \$85,275,000. **(Citywide)** – Resolution No. 11584
- \*4-m. Authorizing the issuance and sale of Utility Systems Revenue Refunding Bonds, Series 2020, not to exceed \$47,000,000. **(Citywide)** – Resolution No. 11585

\*5. Introduction of the following ordinance and setting November 2, 2020 as the date of the public hearing on this ordinance:

- \*5-a. **ZON19-00709 (District 6)** Within the 8500 to 8700 blocks of East Pecos Road (south side). Located west of Ellsworth Road on the south side of Pecos Road (11.7± acres). Rezone from AG to LI-PAD and OC-PAD; and Site Plan Review. This request will allow for an industrial development. Katie Rounds, The Kaidence Group, applicant; Pecos 10 LLC, owner.

Staff Recommendation: Approval with conditions

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

6. Discuss, received public comment, and take action on the following ordinances:

6-a. **See: Items not on the Consent Agenda.**

\*6-b. **ZON20-00377 (District 1)** Within the 3500 block of East Brown Road (north side) and the 1200 block of North Val Vista Drive (west side). Located at the northwest corner of Brown Road and Val Vista Drive (1.2± acres). Rezone from AG to OC-BIZ; and Site Plan Review. This request will allow for the development of a medical and professional office building and use. Sean Lake, Pew & Lake, PLC, applicant; Makana LP, owner. – Ordinance No. 5588

Staff Recommendation: Approval with conditions

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

7. Take action on the following subdivision plat:

\*7-a. **“Baywood Square Replat” (District 5)** Within the 7100 to 7300 blocks of East University Drive (south side) and within the 100 to 400 blocks of North Sunvalley Boulevard (west side). Located west of Sossaman Road on the south side of University Drive (9± acres). Baywood Square Owners Association, Balance Capital LLC, Bodo Park Holdings LLC, Shepherd Enterprises LLC, Blackstone Charitable Trust, Pinion Properties LLC, B&B Office Condo LLC, Advanced Equity International LLC, Lodoc Investments LLC, Baywood Holdings LLC, Keeley Shepard Holdings LLC, Faith Edward LLC, Jai Laxmi LLC, Braunberger Investments LLC, Bogle Building LLC, G to G LLC, and Arbor 5800 LLC, developers; William H. Standage, Standage & Associates Ltd., surveyor.

\*7-b. **“Eastridge Manor” (District 6)** Within the 3100 block of South Eastridge (east side). Located south of Guadalupe Road and east of Hawes Road (4.2± acres). Douglas Sweeney, Brighton Companies Eastridge Manor, LLC., developer; Duran T. Thompson, D&M Engineering, LLC., surveyor.

Items not on the Consent Agenda.

6-a. **ZON20-00283 (District 2)** Within the 6000 block of East Baseline Road (north side) and within the 1900 block of South Recker Road (east side). Located at the northeast corner of Recker Road and Baseline Road (6.7± acres). Rezone from AG to RM-2-PAD; and Site Plan Review. This request will allow a multiple residence development (town homes) on the property. Ralph Pew, Pew & Lake, PLC, applicant; Pacific Rim Mesa 2 LLC, owner. – Ordinance No. 5589

Staff Recommendation: Approval with conditions

P&Z Board Recommendation: Approval with conditions (Vote: 3-2)

Russell Kennedy, a Mesa resident, objected to the redevelopment process and believed there would be a long-term impact and consequential damages to the community as a result of this zoning case.

Kay Scott, a Mesa resident, voiced her concerns regarding the multiple residence development. She also expressed her concerns with the increased amount of traffic that 76 townhomes would bring to the area.

Mysti Brown, a Mesa resident, submitted comments to be read aloud expressing her opposition to the project because of the additional traffic and possible addition of an entrance/exit that will be added on Recker Road which will result in a greater number of collisions, wait times to exit, and an additional 140 drivers on a dead end street.

Planning Director Nana Appiah introduced Deputy Transportation Director Erik Guderian who displayed a PowerPoint presentation. **(See Attachment 1)**

Mr. Appiah stated the site is located on the northeastern corner of Baseline and Recker Roads. (See Page 2 of Attachment 1)

Mr. Appiah reported the current zoning designation on the property is agriculture and the southeast corner is owned by the Town of Gilbert and is zoned commercial. (See Page 3 of Attachment 1)

Mr. Appiah presented the General Plan designation is Neighborhood-Suburban, and the character designation is intended to provide a variety of housing along with encouraging high density to be developed along the arterial streets and intersections. He stated the zoning of the property is based on the General Plan character designation serving as a transition to lower density. He explained building higher density in front of high traffic areas serves as a buffer to the community. (See Page 4 of Attachment 1)

Mr. Appiah stated the proposed zoning request is to convert from agriculture to RM-2. He mentioned the neighborhood suburban character designation is a primary use, which means it is specifically intended to be the zoning designation for the character designation. (See Page 5 of Attachment 1)

Mr. Appiah pointed out the site is presented by the applicant and shows 76 units throughout 15 buildings, with many high-end amenities. He stated the applicant is requesting a Plan Area Development (PAD) intended for innovative design. He shared the applicant is requesting modifications pertaining to the landscaping along Baseline and Recker Roads and a perimeter fence distinguishing the site boundaries. He added the overall proposals from the applicant are higher quality which is what the City wants to promote when reviewing a project for a PAD. (See Page 6 of Attachment 1)

Mr. Guderian highlighted traffic items around the proposed project site. He stated Baseline Road is owned and maintained by the Town of Gilbert. He noted there is a traffic signal 1200 feet east of Recker Road. He reported staff has reviewed the traffic memorandums included but due to COVID-19 there is not an accurate traffic count because of the fluctuation of traffic volumes. He mentioned the traffic consultant estimated the number of trips that would occur with both the existing development and the proposed development. He commented the City looked at the average delay of each vehicle turning onto Baseline Road with the addition of 76

units, and it showed the delay is not significant because of the lower volumes of traffic coming from Recker Road. (See Page 7 of Attachment 1)

Mr. Appiah provided images showing the City's higher quality development standards for the project such as building materials, breaks in the elevation, and landscaping. (See Pages 8 through 10 of Attachment 1)

Mr. Appiah stated the applicant conducted two citizen participation meetings and the major concerns discussed were traffic, devaluation of properties, and loss of a neighborhood feeling. (See Page 12 of Attachment 1)

Mr. Appiah reported based on the application and staff review, the proposal complies with the 2040 Mesa General Plan, and meets criteria for quality development and site plan review. He stated the Planning and Zoning board reviewed and recommended by a 3 to 2 vote of approval with conditions, with two members voting against the project due to traffic concerns. (See Page 13 of Attachment 1)

Ralph Pew, an attorney with Pew & Lake, PLC pointed out the property conforms to the General Plan and is a primary zoning district. He stated one thing to remember is that the northern boundary of the property does not contain any deviations and the building setbacks and landscaping have been increased. **(See Attachment 2)**

Mr. Pew presented an overview of the narrow nature of the property on Baseline Road, which is only 390 feet wide, making an access point off Baseline Road difficult, especially with a center median in the way. (See Page 9 of Attachment 2)

Mr. Pew explained that the 76 townhomes will not increase traffic enough on Recker Road to require a traffic signal. (See Pages 10 and 11 of Attachment 2)

Mr. Pew provided an example of the varying distances from the buildings on the north end separating the townhomes from the single-family homes. He noted the City of Mesa's zoning code described the methodology and separation requirements when a multi-family zoning district adjoins a single-family district. (See Page 13 of Attachment 2)

Mr. Pew explained the property is a small five-and-a-half-acre lot on the corner of Baseline and Recker Roads, where there are no single-family homes on the Mesa side of the street from Power Road to Higley Road. He commented the property is not a good location for single-family homes. He reported Mesa residents suggested building medical or commercial offices, but with COVID, the demand for office space has decreased. He added there would also be an issue with parking and traffic if medical or commercial offices were built. He provided a sneak peek of images of the townhome project. (See Pages 16 through 21 of Attachment 2)

Mr. Pew presented a slide showing the northern boundary where trees will be planted to grow into barriers when matured. He mentioned the buildings are setback from 30-feet to 50-feet and face sideways with no second story windows to the north, ensuring privacy for the single-family homeowners. (See Page 22 of Attachment 2)

Mr. Pew provided an image of one of the popular features, a patio which is placed above the garage. (See Page 23 of Attachment 2)

Mr. Pew urges support for the project that will allow for a different density in the area creating a diversified housing product.

Vice Mayor Freeman commented the area used to be citrus farmland, and the neighborhood is trying to preserve the historical component of the property. He stated City staff and the developer never mentioned maintaining the characteristics of the neighborhood, or if the City is meeting the needs of the community. He indicated traffic will be a safety concern when adding 76 townhomes to the project area, along with the future development of A.T. Still University. He concluded by stating he is in opposition to the project because it does not maintain the characteristics of the area, even with it meeting the General Plan standards. He suggested reducing the number of townhomes to be built.

Councilmember Luna expressed his support for the development of the project. He commented the project is a good example of what the City has been striving for in the General Plan, which is to build up the characteristics of the community. He does not think traffic will be an issue because the residents will not come and go all at the same time. He believed the project will compliment the surrounding area with the high-end townhomes.

Councilmember Duff indicated support for the project and that it is an excellent example of high-density housing.

In response to a question from Councilmember Heredia, Mr. Appiah explained the two boardmembers who voted against the project had concerns about the amount of traffic and wait times to turn at the intersection.

Councilmember Thompson commented the Council has worked through difficult zoning projects before, which is why the City has a Planning and Zoning Department and a Council Committee that ensures projects are thoroughly vetted, and to provide for Mesa residents to voice their opinions. He indicated support for the project because it meets the intent of the General Plan.

Mayor Giles expressed appreciation for the concerns of the neighborhood and agreed the City should do what is possible to preserve the quality of life for the residents. He stated a transitional buffer of high-density housing is not inconsistent with trying to protect the more rural low-density housing to the north. He indicated that he understands the resident's concerns regarding the variances in the neighborhood, but by looking at the way the townhomes are configured, he can see there was sensitivity to neighbors' concerns in the way the project was designed. He indicated his support for this project.

In response to a question from Vice Mayor Freeman regarding an entrance/exit off Recker Road for A.T. Still University, Mr. Guderian explained there are no non-vehicular easements that currently exist.

It was moved by Councilmember Duff, seconded by Councilmember Luna, that Ordinance No. 5589 be approved.

Upon tabulation of votes, it showed:

AYES – Giles-Duff-Heredia-Luna-Thompson

NAYS – Freeman

ABSENT – Whittaker

Mayor Giles declared the motion carried by majority vote of those present and Ordinance No. 5589 adopted.

8. Items from citizens present.

Taylor Earl, an attorney with Earl & Curley P.C. spoke about the recent passing his father, Stephen Earl who had been a mainstay in the zoning community in the east valley for over 30 years. He stated during that time, he represented many zoning cases for the City of Mesa. He thanked past and present members of the City Council, Planning and Zoning Board, Design Review Board, and City employees who had collaborated with him over the years turning good projects into great projects.

Mayor Giles expressed condolences to the Earl family on behalf of the City of Mesa regarding the passing of Mr. Stephen Earl.

9. Adjournment.

Without objection, the Regular Council meeting adjourned at 6:58 p.m.

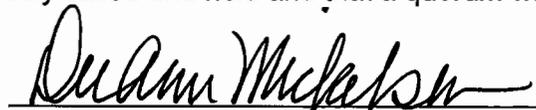
  
JOHN GILES, MAYOR



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 19<sup>th</sup> day of October 2020. I further certify that the meeting was duly called and held and that a quorum was present.

  
DEE ANN MICKELSEN, CITY CLERK

jpg  
(Attachments – 2)