



COUNCIL MINUTES

January 25, 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 25, 2021 at 5:45 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.

Invocation by Pastor Mike Cash with East Valley Free Will Baptist Church

Pledge of Allegiance was led by Mayor Giles.

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 Thompson, 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.

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

Minutes from the January 11, 2021 Regular Council meeting.

3. Take action on the following liquor license applications:

*3-a. Hiatus

A bar is requesting a new Series 06 Bar License for JMMS Holdings LLC, 6429 East Main Street; Amy S. Nations, agent. There is no existing license at this location. **(District 2)**

*3-b. **See: Items not on the Consent Agenda.**

*3-c. Herb N Smoke

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Herb N Smoke LLC, 123 West Main Street; Leo Andrew Chavez, agent. There is no existing license at this location. **(District 4)**

*3-d. 7-Eleven #26201D

A convenience store is requesting a new Series 10 Beer and Wine Store License for Main Bro JSC LLC, 2010 East Main Street; Jagdeep Singh Chatha, agent. The existing license held by Bambi & Friends Inc. will revert to the state. **(District 4)**

4. Take action on the following contracts:

*4-a. Ratification of Emergency Purchases made under the Mesa CARES Program (Mesa CARES Funds). **(Citywide)**

These purchases of materials and services were made and approved supporting the Mesa CARES programs; Feeding Mesa, Community Health and Safety, and Program Management during the period of August through December 2020. These items do not reflect all expenditures under Mesa CARES, but those that require Council approval under the City procurement policy.

The Business Services Department recommends ratifying these emergency purchases from The Mesa Chamber of Commerce, Northern Arizona University, Prestamos CDFI LLC, Visit Mesa, Amici Pizza, Artistic Touch Catering, CKE Downtown 12 West Main, Creative Hands Cuisine, Handle Bar Diner LLC, Gilded Gatherings LLC, Pacinos, 3 Taquitos on the Go LLC, Straight to the Plate, The Hub Grill and Bar, Naumann Hobbs Material, Personal Touch Catering, Mountain Vista Medical Center LP, SAFE Global Solutions LLC, Sonora Quest Laboratories, Trane US Inc., Apple Inc., and Dell Marketing LP, for a total of \$3,379,985.46.

- *4-b. Three-Year Term Contract with Two Years of Renewal Options for Food Service for the Mesa Police Department Holding Facility (Competition Exemption). **(Citywide)**

This contract will provide sandwiches for detainees in the Mesa Police Department's holding facility. By City Procurement Policy, the City may partner with local non-profits for services. Copa Health (formerly Marc Community Resources, Inc.), a private non-profit organization located in Mesa, has been providing the holding facility with sandwiches for the last five years.

The Mesa Police Department and Purchasing recommend awarding the contract to Copa Health, at \$40,000 annually, based on estimated usage.

- *4-c. Purchase Ten, BMW R 1250 RT-P Police Motorcycles (Replacements) for the Mesa Police Department. **(Citywide)**

This purchase is part of the Vehicle Replacement Program and will replace 10 motorcycles purchased in 2010. The motorcycles being replaced are no longer operating at peak performance and need to be replaced.

The Mesa Police Department, Fleet Services Department, and Purchasing recommend authorizing the purchase from the lowest, responsive, and responsible bidder, RideNow Powersports, at \$267,176.

- *4-d. 3-1/2 Year Term Contract with Five Years of Renewal Options for Wireless Voice, Data, Equipment, Products, and Services for Citywide Use. **(Citywide)**

This contract provides for the purchase of a wide variety of wireless devices and services used by City departments. This includes cell phones, data cards, and vehicle locator services. Through the program, City devices draw from the Citywide voice or data allowance if usage exceeds an individual plan's limit, mitigating overage charges. In addition, the program allows equipment upgrades facilitating the replacement of aging or failing devices as needed.

The Department of Innovation and Technology, Mesa Fire and Medical, Mesa Police, Energy Resources, and Water Resources Departments and Purchasing recommend authorizing the purchase using the NASPO/State of Arizona cooperative contracts with AT&T, DiscountCell, T-Mobile, and Verizon Wireless, at \$1,755,000 annually, based on estimated usage.

- *4-e. Purchase of a Mechanical Street Sweeper (Addition) for the Transportation Department. **(Citywide)**

The City was awarded a Federal Highway Administration (FHWA) grant for the purchase of one PM-10 certified street sweeper through the Maricopa Association of Governments. This purchase complies with FHWA procurement requirements.

The Transportation and Fleet Services Departments and Purchasing recommend authorizing the purchase using the Arizona Department of Transportation cooperative contract with Balar Equipment, at \$265,000. This purchase is funded by Congestion Mitigation and Air Quality Improvement (CMAQ) Funds (\$236,009) with a City match of 5.7% minimum (\$28,991).

- *4-f. One-Year Renewal with a One-Year Renewal Option to the Term Contract for Bio-Solids Removal and Reuse/Disposal Services for the Water Resources Department. **(Citywide)**

This contract provides materials, equipment, and labor to load, transport, and reuse/dispose of dewatered bio-solids from Mesa's Northwest and Greenfield Water Reclamation Plants. Dewatered bio-solids are removed from the plant site daily.

The Water Resources Department and Purchasing recommend authorizing the renewal with Denali Water Solutions, LLC, at \$480,000 annually, with an increase allowance of up to 5%, or the adjusted Consumer Price Index.

- *4-g. Three-Year Term Contract with Two Years of Renewal Options for Bronze Water Service Valves, Fittings and Hydrants for the Materials and Supply Warehouse (for the Water Resources Department). **(Citywide)**

This contract will provide a variety of valves, fittings, hydrants, and repair parts stocked in the Materials and Supply Warehouse for use by Water Resources for the maintenance of the City's water distribution system and City-owned fire hydrants.

The Business Services Department and Purchasing recommend awarding the contract to the lowest, responsive, and responsible bidders: Arizona Water Works Supply; Core and Main LP; Dana Kepner Co. Inc.; Ferguson Enterprises LLC, dba Ferguson Waterworks; and Fortiline Waterworks Inc. (a Mesa business), at \$751,000 annually, based on estimated requirements with an annual increase of up to 5%, or the adjusted Producer Price Index.

- *4-h. Three-Year Term Contract with Two Years of Renewal Options for the Purchase of Wastewater Grinder Equipment, Parts and Services for the Water Resources Department. **(Citywide)**

This contract will provide a supply of wastewater grinder equipment, parts, and services for the City's three wastewater reclamation plants. Equipment, parts, and services are essential to maintaining these critical assets in good working order.

The Water Resources Department and Purchasing recommend awarding the contract to the two proposals received: Hennesy Mechanical Sales, LLC and JWC Environmental, Inc., at \$175,000 annually, based on estimated requirements with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

- *4-i. PD Main Sanitary Sewer and Landscape Improvements Project. **(District 4)**

The Police Department Headquarters Building (PD Main) has iron sewer pipes from the original construction in 1979. The pipes need to be replaced with polyvinyl chloride (PVC) pipes to reduce maintenance problems. The replacement of pipes scope of work will include the improvement of security and landscape issues at the same time.

Staff recommends awarding the contract to the lowest, responsible bidder, Britt Pipeline, LLC, in the amount of \$254,055.87. This project is funded by the Parks, Recreation, and Community Facilities Department operating budget.

- *4-j. Historic Post Office Project - Pre-Construction Services and Construction Manager at Risk (CMAR). **(District 4)**

The Historical Post Office, formerly known as the Federal Building, was conveyed to the City of Mesa by the Federal Government for public use in 2002. The building has been vacant, except for the basement, which contains storage for the Arizona Museum of Natural History. The proposed improvements will focus on the reconstruction of all three floors of the existing building's interior. The exterior work will include limited landscaping upgrades and improvements to address American Disability Act (ADA) compliant access to the site.

Staff recommends selecting ForeSite Design & Construction, Inc. as the CMAR for this project, and awarding a pre-construction services contract in the amount of \$75,843. This project is funded by 2012 and 2018 General Obligation Bonds.

5. Take action on the following resolutions:

- *5-a. Approving and authorizing the City Manager to enter into a Lease Agreement with Maricopa County for the lease of a portion of the City-owned surface parking lot, for a ten-year term with three optional additional terms of five years each, located at 240 North Pasadena. **(District 4)** – Resolution —No. 11620
- *5-b. Approving and authorizing the City Manager to enter into a Lease Agreement with a hotel located in east Mesa, effective January 1, 2021 through December 31, 2021, for the purpose of providing temporary shelter to the City's homeless population during the COVID-19 public health emergency and funded through a federal grant, Emergency Solutions Grant-Coronavirus. **(Citywide)** – Resolution No. 11621
- *5-c. Approving and authorizing the City Manager to enter into a Fourth Amendment to the Lease Agreement with Option to Purchase with Benedictine University, for City-owned property generally located at 225 East Main Street. The Fourth Amendment increases the City's funding cap for the design and build-out of approximately 10,000 square feet to support the innovative educational partnership between Benedictine University and CO+HOOTS from \$2,000,000 to \$2,150,000. **(District 4)** – Resolution No. 11622
- *5-d. Authorizing the City Manager to approve individual job orders under Council approved Job Order Master Contracts of up to \$1,500,000 with notification to City Council and authorizing City Manager to approve individual job orders in excess of \$1,500,000 and up to \$2,000,000, provided City Manager obtains the Council's prior approval for the specific job order through Council resolution; and authorizing the City Manager to execute an individual job order under Job Order Master Contract MA-19003214 with a value of \$1,700,000 for the build-out of approximately 10,000 square feet of the City-owned property at 225 East Main Street to support the innovative educational partnership between Benedictine University and CO+HOOTS. **(District 4)** – Resolution No. 11623

Items not on the Consent Agenda.

3-b. Nicotine Source

A tobacco store is requesting a new Series 10 Beer and Wine Store License for Mt Baker Vapor LLC, 4355 East University Drive, Suite 108; James Ricky Thompson, agent. There is no existing license at this location. **(District 2)**

The following citizens submitted comment cards in opposition to Agenda Item 3-b, but did not wish to have their comments read:

- Sukhwinder Singh, a Gilbert resident
- Cruz Hurtado
- Gloria Hurtado

The following comments were read into the record:

Heather Russell, a Mesa resident indicated opposition to Item 3-b because there is a sober living house next door and that the liquor store will bring in criminal elements.

Amarjit Singh, a Mesa business owner indicated opposition for the liquor license because the location does not have enough customers to support two stores selling beer and wine.

The following citizens submitted comments to be read in opposition to agenda item 3-b:

- Greg Olson, a Mesa resident
- Kulwinder Singh, a Mesa resident
- Kimberly Crockett, a Mesa resident
- Davinder Kumer Bhardwaj, a Mesa resident
- Angelica Ginez, a Mesa resident
- Andrea Biggs, a Mesa resident
- Bianca Tarin, a Mesa resident
- Gurwail Sandhu, a Gilbert resident
- Steven Daugherty, a Mesa resident
- Linda Swaney, a Mesa resident
- Timothy Swaney, a Mesa resident
- Normal Arellano, a Mesa resident

The speakers offered a series of comments including, but not limited to, the following:

- Do not want or need additional liquor stores in the area
- Work in the area and do not want additional problems near their work places
- Rehab center next door

In response to a question from Mayor Giles, City Attorney Jim Smith explained the City provides a recommendation to the State Liquor board and the State board makes the final decision.

It was moved by Councilmember Luna, seconded by Vice Mayor Duff, that the liquor license be approved.

Upon tabulation of votes, it showed:

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

Mayor Giles declared the motion carried by majority vote.

6. Items from citizens present.

There were no items from citizens present.

7. Adjournment.

Without objection, the Regular Council meeting adjourned at 6:04 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 25th 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

jg