



# COUNCIL MINUTES

June 21, 2021

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on June 21, 2021 at 6:12 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

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.

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 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.

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

Minutes from the April 8, April 22, June 7, 2021 Study Sessions, the June 7, 2021 Special Council meeting, and the June 7, 2021 Regular Council meeting.

3. Take action on the following contracts:

- 3-a. One-Year Term Contract with Four Years of Renewal Options for Real Property Escrow and Title Services for the Engineering Department (Single Response). **(Citywide)**

Currently, the City is preparing for the Broadway Road Improvement Project - Phase 1, from LeSueur to Spur. As part of the project, additional right-of-way and/or easements may be required for a total of 93 properties. This contract will provide a qualified firm to provide services for real property escrow and title services, which include updates and litigation report fee structures for real property with escrow fees and title insurance fees.

The Engineering Department and Purchasing recommend awarding the contract to the single, responsive, and responsible bidder, Security Title Agency, at \$170,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index. This purchase is funded by the Capital Improvement Program project budget.

- \*3-b. One-Year Term Contract with Three Years of Renewal Options for Walk-In Groceries and General Retail Merchandise for Various Citywide Departments and Strategic Alliance for Volume Expenditures (S.A.V.E.) Cooperative Members. **(Citywide)**

Dysart Unified School District, as a member of S.A.V.E., acted as the lead agency for this solicitation. The City can utilize this contract as a S.A.V.E. member. The purpose of establishing these contracts is to allow Citywide departments to purchase groceries and miscellaneous items from multiple local retail vendors within convenient proximity to our facilities.

The Business Services Department and Purchasing recommend authorizing the purchase using the Dysart Unified School District cooperative contract with Bashas/Food City, Costco, Fry's Food and Drug, and Sam's Club, at \$160,000 annually, based on estimated requirements.

- \*3-c. Three-Year Term Contract with Two Years of Renewal Options for Seasonal Ice Rink Installation, and Removal Services for the Parks, Recreation and Community Facilities Department. **(Citywide)**

This contract provides a qualified ice rink management company that will provide the equipment for turnkey installation, removal, and support for a custom oval holiday-season ice rink venue to be staged at The Plaza at Mesa City Center.

An evaluation committee recommends awarding the contract to the highest scored proposal from IRE Crown Rinks LLC, dba Ice Rink Events, at \$283,560 annually, includes contingency of \$47,260, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

- \*3-d. Three-Year Term Contract with Two Years of Renewal Options for Pest Control Services for City Facilities for the Parks, Recreation and Community Facilities Department. **(Citywide)**

This contract will provide monthly interior and exterior pest control services for various City facilities. Rodent control and extra/emergency call out services are also included.

An evaluation committee recommends awarding the contract to the highest scored proposal from Bug Off Pest Control, at \$56,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

- \*3-e. Three-Year Term Contract with Two Years of Renewal Options for Particulate Blocking Fire Hoods for the Mesa Fire and Medical Department. **(Citywide)**

This new type of hood enhances the long-term protection of firefighters in blocking carcinogenic particulates proven to cause cancer in firefighters across the country.

An evaluation committee recommends awarding the contract to the highest scored proposal from L.N. Curtis and Sons, dba Curtis Tools for Heroes, at \$57,000 annually, with an annual increase allowance of up to 5%, or the adjusted Producer Price Index.

- \*3-f. Purchase of Network Switches (Replacement/Upgrade) for the Mesa Police and Mesa Fire and Medical Departments. **(Citywide)**

This purchase is for Cisco switches to support Mesa Police and Mesa Fire and Medical Department's Computer-Aided Dispatch (CAD) workstations. The current devices are reaching end of support and technical assistance, software updates, and security patches are no longer available.

Department of Innovation and Technology and Purchasing recommend authorizing the purchase using the National Cooperative Purchasing Alliance cooperative contract and the lowest quoted vendor, Sentinel Technologies, Inc., at \$70,578.49. This purchase is funded by the Department of Innovation and Technology Lifecycle Program.

- \*3-g. Three-Year Term Contract with Two Years of Renewal Options for Glock Weapons for the Mesa Police Department (Sole Source). **(Citywide)**

In 2012, the Police Department selected the Glock handgun as the standard duty-issued pistol. These handguns are issued to academy classes and lateral officers. The annual contract amount provides capacity to replace existing weapons that have reached cost-effective lifespan, purchase additional weapons, and replenish inventory as needed.

The Police Department and Purchasing recommend awarding the contract to the sole source vendor, Proforce Law Enforcement, Year 1, at \$330,000 annually and Years 2 and 3, at \$84,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index. Year 1 is funded by the Police Department operating budget, and Years 2 and 3 are funded by FY 2022 Public Safety Lifecycle Funds.

- \*3-h. Five-Year Term Contract for the Purchase of Axon Flex On-Body Camera Equipment, Supplies and Evidence.com Storage and Controlled Electrical Weapon Equipment and Supplies for the Mesa Police Department (Replacements/Upgrades) (Sole Source). **(Citywide)**

The Police Department began using Axon Flex On-Body Cameras (OBCs) in 2012 and using Controlled Electrical Weapon (CEW) equipment in 2011. In addition to hardware,

the Police Department purchased five years of secure cloud data storage through Evidence.com.

This contract includes an Axon refresh plan for OBCs and docks, which will cycle to the most current format every 2.5 years. Also, regarding CEWs, a warranty is included which covers the devices for the entirety of the contract. These provisions will ensure that program costs are evenly dispersed, the program can be sufficiently maintained, and will be financially supported for the foreseeable future without the need to purchase any replacement devices or docks which may get damaged or become inoperable.

The Police Department and Purchasing recommend awarding the contract to the sole source vendor, Axon Enterprises, Inc., at \$1,956,522.15 for Year 1 and \$1,583,911.70 annually for Years 2 through 5, based on estimated quantities.

\*3-i. Purchase of Real Time Crime Center Equipment and Services (Additions) for the Mesa Police Department. **(Citywide)**

This purchase of equipment and services will be for the Real Time Crime Center (RTCC) or Fusion Center Remodel Project. The RTCC will be a centralized law enforcement technology center, located at the Police Department Headquarters. It will serve as the department's resource hub, supporting intensive law enforcement efforts to prevent crime and provide effective and efficient police service to the community, while prioritizing citizen and officer safety. The benefits of the RTCC include real time intelligence, quick identification and apprehension of criminals, video evidence to enhance prosecution, crime prevention and reduction, and increased community perception of public safety. The RTCC is a component of the Smart Cities initiative.

The Police Department and Purchasing recommend authorizing the purchase using cooperative contracts: Omnia Partners-Fairfax County with Insight Public Sector, at \$495,000; State of Arizona with Level 3 Audio Visual at \$335,500; and Houston-Galveston Area Council with Russ Bassett, at \$166,430; includes a 10% contingency, for the combined total of \$996,930. This purchase is funded by the Mesa Police Department Fusion Center Remodel Capital Improvement Program project budget.

\*3-j. Three-Year Term Contract with Two Years of Renewal Options for Pavement Management Solution for the Transportation Department. **(Citywide)**

This contract will provide automated distress survey data for the pavement management system used to ascertain the Pavement Condition Index (PCI) for the arterial sections of City of Mesa streets inventory. The current data from the PCI assessment will be used for forecasting treatments each fiscal year for pavement preservation and the street overlay program.

An evaluation committee recommends awarding the contract to the highest scored proposal from Transmap Corporation, at \$100,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

\*3-k. Three-Year Term Contract with Two Years of Renewal Options for Teledyne-Isco Equipment, Parts, Products and Services for the Water Resources Department (Single Response). **(Citywide)**

This contract will provide Teledyne-Isco lab equipment, replacement parts, consumables, technical, and annual maintenance services per specifications. The lab equipment is located at each of the City water reclamation plants and is used in the daily collection and processing of samples to ensure regulatory compliance at these facilities.

An evaluation committee recommends awarding the contract to the single, responsive, and responsible proposal from Western Environmental Equipment Co., at \$40,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

- \*3-l. Public Safety Training Facility Burn Building Project - Construction Manager at Risk (CMAR), Guaranteed Maximum Price (GMP). **(District 5)**

This project is for the construction of a burn building for the Fire and Medical Department to be used for live fire training. The project was originally bid in 2015; however, the contractor was unable to meet the performance requirements that 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 awarding a construction services contract to the Construction Manager at Risk (CMAR), CORE Construction, Inc. (a Mesa business), in the amount of \$2,560,429.36 (GMP), and authorizing a change order allowance in the amount of \$128,021.47, for a total amount of \$2,688,450.83. This project is funded by the 2013 Public Safety Bonds and the General Fund.

4. Take action on the following resolutions:

- \*4-a. Approving and authorizing the City Manager to enter into a Subrecipient Agreement with the Arizona Department of Homeland Security to accept \$101,000 in grant funds for equipment to support and sustain the Police Department's Hazardous Device Team. **(Citywide)** – Resolution No. 11691
- \*4-b. Approving and authorizing the City Manager to enter into a Grant Agreement with the City of Tucson to accept \$52,000 in grant funds under the Arizona Warrant Apprehension Network Targeted Enforcement Detail (AZ WANTED) to be used for overtime for the Police Department's Violent Offender Unit. **(Citywide)** – Resolution No. 11692
- \*4-c. Extinguishing a portion of an 8-foot public utilities easement located at 1755 East Enrose Street to accommodate construction of a backyard swimming pool; requested by the property owner. **(District 1)** – Resolution No. 11693
- \*4-d. Extinguishing a 30-foot public utilities and facilities and ingress/egress easement located at 8950 E Decatur Road as it is no longer needed for emergency access; however, access to maintain existing utilities in the easement will be granted; requested by the property owner. **(District 5)** – Resolution No. 11694
- \*4-e. Approving and authorizing the City Manager to enter into a Foreign Trade Zone Operator Agreement for Foreign Trade Zone 221 with CMC Steel Fabricators d/b/a CMC Steel Arizona, that will designate a subzone to allow for the operation of a steel manufacturing facility at 11444 East Germann Road; Foreign Trade Zone No. 221. **(District 6)** – Resolution No. 11695

- \*4-f. Approving and authorizing the City Manager to enter into an Intergovernmental Agreement (IGA) with the Town of Gilbert to provide mutual back-up ambulance services. This IGA will allow City of Mesa Fire and Medical Department and Town of Gilbert Fire and Rescue to provide back-up ambulance services for each other across their Certificate of Necessity boundaries upon request, when additional ambulances are needed and resources are available. **(Citywide)** – Resolution No. 11696
- \*4-g. Levying the amount to be collected by a secondary property tax and the rate upon each one hundred dollars (\$100) of assessed valuation of property subject to taxation within the City of Mesa for the fiscal year ending June 30, 2022. **(Citywide)** – Resolution No. 11697
- \*4-h. Accepting a Climate Action Plan for Mesa with Aspirational Goals that will inform consideration of actions within City Operations and guide engagement of the public to identify community-wide opportunities. **(Citywide)** – Resolution No. 11698

5. Discuss, receive public comment, and take action on the following ordinances:

- \*5-a. ANX21-00095 **(District 1)** Annexing property located north of McDowell Road and west of Lehi Road (41.5± acres). Initiated by the applicant, Sean Lake, Pew and Lake, P.L.C. for the owner, Cemex USA Construction Materials, Inc. – Ordinance No. 5624
- \*5-b. ZON21-00089 **(District 1)** Within the 2600 to 2800 blocks of East Lehi Road (west side). Located north of McDowell Road and east of the 202 Red Mountain Freeway (41.8± acres). Rezone from Single Residence 43 (RS-43) to Single Residence 15 (RS-15) with a Planned Area Development Overlay (PAD). This request will allow the development of a single-residence subdivision. Sean Lake, Pew and Lake, PLC, applicant; Cemex USA Construction Materials, Inc., owner. – Ordinance No. 5625

Staff Recommendation: Approval with conditions

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

- \*5-c. ZON21-00191 **(District 1)** Within the 2200 block of North Center Street (west side). Located north of McKellips Road and east of Country Club Drive (24.42± acres). Rezone from Agricultural (AG) and Light Industrial (LI) to Public/Semi Public (PS). This request will allow for development of a public facility. Valerie Ahyong - Engineering Department, City of Mesa, applicant; City of Mesa, owner. – Ordinance No. 5626

Staff Recommendation: Approval with conditions

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

- \*5-d. ZON20-00786 **(District 6)** Within the 9700 block of East Southern Avenue (south side). Located west of Crismon Road on the south side of Southern Avenue (8.1± acres). Rezone from Planned Employment Park (PEP) to Multiple Residence 5 (RM-5) with a Planned Area development Overlay (PAD); and Site Plan Review. This request will allow for a multiple residence development. Sean Lake, Pew and Lake, PLC, applicant; Sunny Acres/Montgomery 320 LLC, owner.) – Ordinance No. 5627

Staff Recommendation: Approval with conditions

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

- \*5-e. ZON20-00872 (**District 6**) Within the 3800 to 4000 blocks of South Power Road (east side). Located south of Elliot Road on the east side of Power Road (overall 41.85± acres). Modification to an approved Planned Area Development Overlay (PAD) on a 41.85± acre property; rezone 10.8± acres of the 41.85± acre property from General Industrial (GI) PAD to Light Industrial (LI) PAD; and Site Plan Review on 39.5± acres of the 41.85± acre property. Jack Gilmore, Gilmore Planning and Landscape Architecture, applicant; Power Lender Partners LLC & Rockall Power LLC, owner. – Ordinance No. 5628

Staff Recommendation: Approval with conditions

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

- \*5-f. ZON19-00507 (**District 6**) Within the 4000 block of South Power Road (east side). Located north of Warner Road on the east side of Power Road (25± acres). Rezone from Limited Commercial (LC) and Light Industrial (LI) to Light Industrial with a Planned Area Development Overlay (LI-PAD); and Site Plan Review. This request will allow for the development of a large-scale commercial recreation development. Pew & Lake, PLC, applicant; Cono Vertuccio and Vertuccio Family Limited Partnership, owners.) – Ordinance No. 5629

Staff Recommendation: Approval with conditions

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

- \*5-g. ZON21-00050 (**District 6**) Within the 1800 to 2000 blocks of South Sossaman Road (west side). Located north of Baseline Road on the west side of Sossaman Road (1.2± acres). Rezone from Single Residence 6 with a Planned Area Development overlay (RS-6-PAD), Office Commercial (OC), and Neighborhood Commercial (NC) to Multiple Residence 4 with a Planned Area Development (RM-4-PAD); and Site Plan Review. This request will allow for the development of a multiple residence development. Brian Sandstrom, ARCHISTRUCT, applicant; Superstition & Sossaman Road and Sossaman & Baseline Rd LTD Partnership, owners. – Ordinance No. 5630

Staff Recommendation: Approval with conditions

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

6. Take action on the following subdivision plats:

- \*6-a. “Woodspring Suites Baseline” (**District 3**) Within the 300 to 400 blocks of East Baseline Road (north side) and within the 1800 to 2000 blocks of South Mesa Drive (east side). Located east of Mesa Drive on the north side of Baseline Road (5.32± acres). Sundown Equipment, LLC, developer. David S. Klein, Superior Surveying Services, Inc., surveyor.
- \*6-b. “Cannon Beach” (**District 6**) Within the 4400 to 4700 blocks of South Power Road (east side) and within the 6800 to 7000 blocks of East Warner Road (south side). Located at

the southeast corner of Power Road and Warner Road (39± acres). Cole Cannon, Power 40, LLC, developer. Michael D. Pollock, EPS Group, Inc, surveyor.

**Items not on the Consent Agenda.**

**7. Items from citizens present.**

Terry Benelli, a Mesa resident, submitted comments to be read asking that Council consider implementing a Community Advisory Board that includes residents affected by the negative effects of air quality, increased energy and water consumption and their costs, lack of heat mitigation alternatives, and food system weaknesses. She remarked that constructive relationships between communities and institutions like the City of Mesa are necessary to lead to more equitable and sustainable decisions and that collaboration improves the livability of our communities, starting with residents at the table helping to identify aspirational goals. She wholeheartedly agrees with the plan, which states, "This gives us a great reason to come together and collectively envision what we hope for Mesa's future."

Mayor Giles confirmed the Climate Action Plan was adopted on the consent agenda and referred the community to the presentation given at the June 17, 2021 Study Session for details.

Mr. Brady announced the information will be available on the website and encouraged the community to review the plan and participate in the upcoming community engagement meetings to share their thoughts.

**8. Adjournment.**

Without objection, the Regular Council Meeting adjourned at 6:24 p.m.

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JOHN GILES, MAYOR

ATTEST:

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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 21<sup>st</sup> day of June 2021. I further certify that the meeting was duly called and held and that a quorum was present.

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DEE ANN MICKELSEN, CITY CLERK