



COUNCIL MINUTES

May 18, 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 May 18, 2020 at 6:07 p.m.

COUNCIL PRESENT

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

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 presented Certificates of Appreciation for the following businesses that have gone above and beyond to help during the COVID-19 pandemic:

- Tan Hua, Inc. – Donated 1,000 masks to the Public Safety Department
- United Food Bank – Providing food to Mesa residents in need
- Dutch Bros. – Donated to United Food Bank
- Las Palmas – Donated money and food to United Food Bank

Mayor Giles recognized City of Mesa employees whose jobs have drastically changed and have stepped up to assist wherever needed. He expressed his appreciation to all City employees for everything they are doing to help the community.

Mayor Giles introduced Energy Resources Director Frank McRae and announced the City of Mesa has recently been designated as a Reliable Public Power Provider (RP3) by the American Public Power Association.

Mr. McRae discussed that Mesa is a customer-owned electric utility that serves almost 17,000 customers in the Downtown area. He mentioned the RP3 program is a national designation to recognize publicly owned utilities that are providing communities with the highest degree of reliable and safe electric service. He emphasized the four key aspects of electric utility goals and strategies the award measures are reliability, safety, workforce development and system improvement.

Mr. McRae explained the extensive application process for the RP3 award. He identified the current platinum award is for the 2020 to 2023 timeframe, adding the City also received the award in 2012, 2014 and 2017. He reported the RP3 program has provided the Water Resources Department the chance to identify best practices by working and collaborating with other publicly owned utilities to learn, grow and improve, and listed a number of departments that partner in the effort to make the electric utility system safer and more reliable.

Mayor Giles thanked Mr. McRae and congratulated him for the well-earned recognition.

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

Upon tabulation of votes, it showed:

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

NAYS – None

Carried unanimously.

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

Minutes from the March 26, April 7, April 9, 2020 Study Sessions and May 4, 2020 Regular Council meeting.

3. Take action on the following contracts:

- *3-a. Dollar-Limit Increase to the Term Contract for Locks, Door Hardware and Related Parts for Citywide Departments as requested by the Water Resources and Parks, Recreation and Community Facilities Departments. **(Citywide)**

This contract provides locks, door hardware, and other parts to be used when performing repairs or replacements at City facilities. Locking systems and parts are essential for City facilities. Water Resources has a need to purchase tiered locks and related installation services available through this contract to improve security at the City's plants, pump stations, well sites, and other remote facilities.

The Water Resources Department recommends increasing the dollar-limit, using the State of Arizona cooperative contract with Intermountain Lock and Security, by \$75,000, from \$75,000 to \$150,000 annually, based on estimated usage.

- *3-b. Purchase for the Climbing Net (Replacement) for the Parks, Recreation and Community Facilities Department (Sole Source). **(Citywide)**

This purchase will provide a full replacement of the climbing tower net at Riverview Park, which has reached end-of-life. The feature has become a favorite play element of the popular park and the ropes cannot be sufficiently replaced in smaller sections.

The Parks, Recreation and Community Facilities Department and Purchasing recommend authorizing the purchase from the sole source vendor, Dynamo Industries, at \$418,236.40, based on estimated requirements.

- *3-c. One-Year Renewal with a One-Year Renewal Option to the Term Contract for Vehicle Decals for the Mesa Police, Mesa Fire and Medical, and various City Departments as requested by the Fleet Services Department. **(Citywide)**

This contract provides decals and graphics, and installation on Solid Waste trucks, Mesa Fire and Medical apparatus, Police, and other City vehicles.

The Fleet Services and Mesa Fire and Medical Departments, and Purchasing recommend authorizing the renewal with VisionIT Media LLC, at \$55,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

- *3-d. One-Year Renewal with a One-Year Renewal Option to the Term Contract for Handheld Narcotics Analyzer System Supplies for the Mesa Police Department (Sole Source). **(Citywide)**

This analyzer system is used for the rapid identification of suspected narcotics; a single test for multiple controlled substances provides clear, definitive results for presumptive identification.

The Mesa Police Department and Purchasing recommend authorizing the renewal using the State of Arizona cooperative contract with Fisher Scientific, at \$145,000 annually, based on estimated usage.

- *3-e. One-Year Term Contract with Three-Years of Renewal Options for Service/Maintenance Coverage for Forensic Equipment for the Police Department. **(Citywide)**

The Police Department's Forensic Services Division relies on specialized equipment and instruments for state-of-the art scientific examinations in support of investigations. After the manufacturer's warranty expires, Forensic Services continues to maintain the equipment through individual support agreements, maintenance contracts or extended warranties.

The Police Department and Purchasing recommend authorizing the purchase using the State of Arizona cooperative contract with Specialty Underwriters, at \$198,000 annually, based on estimated usage.

- *3-f. Three-Year Term Contract with Two Years of Renewal Options for Vehicle Rental Services for the Police Department. **(Citywide)**

The Police Department uses rental vehicles for many purposes and has been successfully leasing from Enterprise Rent-A-Car for several years.

An evaluation committee recommends awarding the contract to the qualified proposal from Enterprise Leasing Company of Phoenix LLC, dba Enterprise Rent-A-Car, at \$650,700 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index. This purchase is funded by Asset Forfeiture RICO Funds.

- *3-g. Three-Year Term Contract with Two Years of Renewal Options for LED Streetlight Fixtures for the Transportation Department. **(Citywide)**

This contract for LED streetlight fixtures will be a primary means for the City's LED conversion project and replacement of failed streetlights for the City's local, collector, and major roadways.

The Transportation Department and Purchasing recommend awarding the contract to the lowest, responsive, and responsible bidders for each Group (A, B, and C): Wesco Distribution, Inc., dba, Brown Wholesale; and Wesco International, Inc.; at \$1,280,000 annually, with an annual increase and allowance of up to 5%, or the adjusted Consumer Price Index. This purchase is funded by the Local Streets Fund.

- *3-h. Three-Year Term Contract with Two Years of Renewal Options for Hauling Services for the Transportation Department (Single Response). **(Citywide)**

The Transportation Department has the need for dump trucks with an operator to supplement in-house crews to complete maintenance tasks and emergency hauling when needed.

The Transportation Department and Purchasing recommend awarding the contract to the single, responsive, and responsible bidder, Lincoln Constructors, Inc., at \$228,800 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index. This purchase is funded by the Highway User Revenue Fund.

- *3-i. Three-Year Term Contract with Two Years of Renewal Options for Pad Mounted Junction Cabinets for the Energy Resources Department (Single Response). **(Citywide)**

Energy Resources - Electric Utility has an immediate need to purchase pad mounted junction cabinets in order to facilitate new commercial projects, provide spare inventory for units in the field, and facilitate the directive to move junctions from sub-surface structures to above grade structures.

The Energy Resources Department and Purchasing recommend awarding the contract to the single, responsive, and responsible bidder, Power Design, Inc., at \$33,200 annually, with an annual increase allowance of up to 5%, or the adjusted Producer Price Index. This purchase is funded by authorized Electric Bond Funds.

- *3-j. Three-Year Term Contract with Two Years of Renewal Options for Pad Mounted Junction Cabinets for the Energy Resources Department (Single Response). **(Citywide)**

Energy Resources - Electric Utility has an immediate need to purchase pad mounted junction cabinets in order to facilitate new commercial projects, provide spare inventory for units in the field, and facilitate the directive to move junctions from sub-surface structures to above grade structures.

The Energy Resources Department and Purchasing recommend awarding the contract to the single, responsive, and responsible bidder, Power Design, Inc., at \$33,200 annually, with an annual increase allowance of up to 5%, or the adjusted Producer Price Index. This purchase is funded by authorized Electric Bond Funds.

- *3-k. Four-Month Term Contract with Two, One-Year Renewal Options for Asbestos and Lead Based Paint Abatement Services for the Environmental Management and Sustainability Department. **(Citywide)**

This contract will provide a list of sources for asbestos and lead paint abatements performed by the City that are generally for operational projects and for relatively low-dollar amounts. Most of the abatement is performed during Engineering CIP projects that are under contract through a general contractor.

The Environmental Management and Sustainability Department and Purchasing recommend authorizing the purchase using the State of Arizona/Arizona Department of Environmental Quality cooperative contract with Native Environmental; Southwest Hazard Control; Kary Environmental; Circadian Enterprises, Inc. (dba, American Abatement); Spray Systems of Arizona, Inc.; Viking Specialty Contracting; and East Valley Disaster Services; at \$150,000 annually, based on estimated usage.

4. Take action on the following resolutions:

- *4-a. Authorizing and supporting the submittal of a grant application by Save the Family Foundation of Arizona to the Tohono O'odham Nation in the amount of \$25,000, and authorizing the City Manager to accept and administer subsequent awarded funds as a pass-through grant. – Resolution No. 11502
- *4-b. Authorizing and supporting the submittal of a grant application by Gene Lewis Boxing Club to the Tohono O'odham Nation in the amount of \$8,500, and authorizing the City Manager to accept and administer subsequent awarded funds as a pass-through grant. – Resolution No. 11503
- *4-c. Authorizing and supporting the submittal of a grant application by Arizona State University Foundation to the Tohono O'odham Nation in the amount of \$90,000, and authorizing the City Manager to accept and administer subsequent awarded funds as a pass-through grant. – Resolution No. 11504
- *4-d. Authorizing and supporting the submittal of a grant application by Paz de Cristo to the Tohono O'odham Nation in the amount of \$20,000, and authorizing the City Manager to accept and administer subsequent awarded funds as a pass-through grant. – Resolution No. 11505
- *4-e. Extinguishing a temporary turnaround easement located at 5603 South Signal Butte Road, to accommodate the development of the La Mira subdivision; requested by the property owner. **(District 6)** – Resolution No. 11506

- *4-f. Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with the Arizona Department of Transportation (ADOT) authorizing the City's utilization of contracts that have been solicited and established by ADOT procurement for the purchase of PM-10 Certified Street Sweepers. **(Citywide)** – Resolution No. 11507
- *4-g. Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with Maricopa County regarding various water relocations and drainage improvements including modifications to the McDowell Road Storm Drain and Retention Basin, and the relocation of a City waterline on Palm Lane from 78th Street to Hawes Road. **(District 5)** – Resolution No. 11508
- *4-h. Approving and authorizing the City Manager to accept up to \$480,881 from the United States Bureau of Justice Assistance through the Coronavirus Emergency Supplemental Funding Program FY 2020 Formula Grant. Funding will be used for Citywide purchases related to the COVID-19 Pandemic. The final award will be forthcoming in the near future. **(Citywide)** – Resolution No. 11509
- *4-i. Approving and authorizing the City Manager to enter into a Coronavirus Aid, Relief, and Economic Security (CARES) Act Airport Grant Agreement with the Federal Aviation Administration (FAA) in the amount of \$69,000. The funds will be used to reimburse Falcon Field Airport for operating expenses incurred during the COVID-19 public health emergency. **(District 5)** – Resolution No. 11510

5. Introduction of the following ordinances and setting June 1, 2020 as the date of the public hearing on these ordinances:

- *5-a. Modifying rates for residential water utility services. Establishing a 30% discount rate off the water service charge for qualified low-income senior residents. **(Citywide)**
- *5-b. Amending Sections 9-11-3 through 9-11-5 of the Mesa City Code pertaining to Floodplain Regulations and the National Flood Insurance Program, and adopting by reference Floodplain Management Regulations, a Flood Insurance Study, and Flood Insurance Rate Maps. The revisions are to comply with current state and federal floodplain regulations under the National Flood Insurance Program. **(Citywide)**
- *5-c. Amending Chapter 58 of Title 11, the Zoning Ordinance, of the Mesa City Code to remove the limitation that certain land uses in the T5MS Transect Zone are not allowed on the ground floor and to allow certain Land Uses in the T5MS Transect Zone to occupy up to fifty percent of the ground floor if the development meets specific criteria. **(Citywide)**

Staff Recommendation: Approval

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

- *5-d. ZON18-00483 **(District 6)** Within the 4800 to 5000 blocks of South Ellsworth Road (west side). Located on the west side of Ellsworth Road north of Ray Road (74± acres). Rezoning from AG, LI, and PEP-BIZ-PAD to LI-PAD, LC-PAD and RM-4-PAD. This request will allow for a mixed-use development. Jeffery Bllie, Beus, Gilbert, McGroder PLLC, applicant; Sun Belt Land Holdings LP, owner.

Staff Recommendation: Approval with conditions

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

- *5-e. ZON20-00030 (**District 6**) Within the 9500 block of East Southern Avenue (south side) and within the 1200 block of South 96th Street (west side). Located west of Crismon Road on the south side of Southern Avenue (1.6± acres). Rezoning from NC to RM-3 and Site Plan Review. This request will allow for a multi-residence development. Sean Lake, Pew and Lake PLC, applicant; Holualoa Superstition Canyon Land LLC, owner.

Staff Recommendation: Approval with conditions

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

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

- *6-a. ZON20-00024 (**District 4**) Within the 100 to 200 block of East 1st Street (south side) and within the 0 to 100 block of North Hibbert (west side). Located west of Mesa Drive and north of Main Street (1.3± acres). Rezone from T4NF to T5MSF within the Form Based Code Regulating Plan. Marlene Imirzian & Associates Architects, applicant; Rich Van Anda, owner. – Resolution No. 5571

Staff Recommendation: Approval with conditions

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

7. Conduct a public hearing and take action on the following minor General Plan amendment and zoning case, and take action on the development agreement, all related to the property located at the northwest corner of Thomas and Recker Roads.

- *7-a. Conduct a public hearing on minor General Plan amendment case ZON19-00954. (**District 5**)

For continuance to the June 15, 2020 City Council meeting.

- *7-b. ZON19-00954 (**District 5**) Resolution. Within the 5600 to 6000 blocks of East Thomas Road (north side) and within the 3600 to 4000 blocks of North Recker Road (west side). Located north of Thomas Road and west of Recker Road (109.8± acres). Minor General Plan amendment to change the Character Type from Parks to Neighborhood. This request will allow for the development of a single-residence subdivision. Desert Vista 100, LLC, applicant; City of Mesa, owner.

Staff Recommendation: Adoption

P&Z Board Recommendation: Adoption

For continuance to the June 15, 2020 City Council meeting.

- *7-c. ZON19-00806 (**District 5**) Ordinance. Within the 5600 to 6000 blocks of East Thomas Road (north side) and within the 3600 to 4000 blocks of North Recker Road (west side). Located north of Thomas Road and west of Recker Road (109.8± acres). Rezone from

PS to RS-6-PAD and RS-7-PAD. This request will allow for the development of a single-residence subdivision. Desert Vista 100, LLC, applicant; City of Mesa, owner.

Staff Recommendation: Approval with conditions

P&Z Board Recommendation: Approval with conditions

For continuance to the June 15, 2020 City Council meeting.

- *7-d. A resolution approving and authorizing the City Manager to enter into a Development Agreement with Desert Vista 101, LLC, relating to approximately 115 acres of property located at the northwest corner of Thomas Road and Recker Road, for the purpose of developing a single-family residential subdivision and associated improvements. **(District 5)**

For continuance to the June 15, 2020 City Council meeting.

Items not on the Consent Agenda.

8. Conduct a public hearing and take action on the following resolution relating to the annual assessments for the Mesa Town Center Improvement District No 228:

- 8-a. Conduct a public hearing.

Mayor Giles announced that this was the time and place for a public hearing relating to the annual assessments for the Mesa Town Center Improvement District No 228.

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

- 8-b. A resolution approving the 2020 District Assessments for Mesa Town Center Improvement District No. 228. The proposed final assessments do not include any rate increases. **(District 4)**. – Resolution No. 11511

It was moved by Vice Mayor Freeman, seconded by Councilmember Luna, that Resolution No. 11511 be adopted.

Upon tabulation of votes, it showed:

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

Carried unanimously.

9. Conduct a public hearing and take action on the following resolution relating to the proposed Five-Year Capital Improvement Program for fiscal years ending 2021-2025:

- 9-a. Conduct a public hearing.

Mayor Giles announced that this was the time and place for a public hearing regarding the proposed Five-Year Capital Improvement Program for fiscal years ending 2021-2025.

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

9-b. A resolution approving a Five-Year Capital Improvement Program for fiscal years ending 2021-2025. **(Citywide)** – Resolution No. 11512

It was moved by Councilmember Luna, seconded by Councilmember Duff, that Resolution No. 11512 be adopted.

Upon tabulation of votes, it showed:

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

NAYS – Whittaker

Mayor Giles declared the motion carried by majority vote.

9. Items from citizens present.

There were no items from citizens present.

10. Adjournment.

Without objection, the Regular Council Meeting adjourned at 6:27 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 18th day of May 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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