



COUNCIL MINUTES

October 21, 2019

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on October 21, 2019 at 5:45 p.m.

COUNCIL PRESENT

John Giles
Mark Freeman
Jennifer Duff
Francisco Heredia
Kevin Thompson

COUNCIL ABSENT

David Luna
Jeremy Whittaker

OFFICERS PRESENT

Dee Ann Mickelsen
John Pombier
Jim Smith

Mayor Giles excused Councilmembers Luna and Whittaker from the entire meeting.

Mayor's Welcome.

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

Awards, Recognitions and Announcements.

Historic Preservation Board Chairman Greg Marek presented the City of Mesa the 2019 Historic Preservation Award for Rehabilitation and Restoration. He detailed the efforts taken to save historic neon signs and acknowledged City Manager Christopher Brady, Downtown Transformation Manager Jeff McVay and the Mesa Preservation Foundation for their participation in the process.

Mr. Marek presented Michelle Donovan the 2019 Historic Preservation Award for Rehabilitation and Restoration and Kathy Adams the 2019 Historic Preservation Award for Stewardship for their participation in the façade renovation of the Nile Theater.

Mr. Marek presented Bruce Nelson the 2019 Historic Preservation Award for local preservationist for his achievements in film documentaries about Mesa's history and described his history with Mesa and career accomplishments.

Mr. Marek announced Sandra Apsey will be presented the 2019 Historic Preservation Award for education and outreach at the November 5, 2019, Historic Preservation Board Meeting for her work in researching and documenting minority history in Mesa. He described some of her accomplishments while working in the Mesa Room at the Main Library.

Councilmember Heredia declared Council will be signing a pledge to stop bullying in recognition of National Bullying Prevention Month.

Jessica Behrens, Special Education Instructional Assistant at Mesa Public Schools, stated one out of five students reported being bullied, 43% of students have notified an adult at school about an incident of bullying and 57% of bullying situations end with adult intervention. She described the most helpful things adults can do are listen to the student, check in with them to make sure the bullying stopped and give students advice. She added Mesa Public Schools staff are trained to identify and intervene in bullying situations and the goal is to create a learning environment where students feel welcome and safe.

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 Heredia, that the consent agenda items be approved.

Upon tabulation of votes, it showed:

AYES – Giles-Freeman-Duff-Heredia-Thompson

NAYS – None

ABSENT – Luna- Whittaker

Mayor Giles declared the motion carried unanimously by those present.

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

Minutes from the September 12, 23, 26, 2019 Study Sessions and October 7, 2019 Regular Council meeting.

3. Take action on the following liquor license applications:

*3-a. Mesa Urban Renewal & Arts Lab

This is a two-day event to be held on Friday, November 15, 2019 from 3:00 P.M. to 12:00 A.M. and on Saturday, November 16, 2019 from 10:00 A.M. to 12:00 A.M. on Macdonald, between Main Street and Pepper Place. **(District 4)**

*3-b. Neighborhood Economic Development Corporation

This is a two-day event to be held on Thursday, October 31, 2019 from 9:00 A.M. to 9:00 P.M. and Friday, November 1, 2019 from 9:00 A.M. to 9:00 P.M. at Worth Takeaway, 218 West Main Street. **(District 4)**

*3-c. Queen of Peace Roman Catholic Parish Mesa

This is a one-day event to be held on Sunday, November 24, 2019 from 8:00 A.M. to 8:00 P.M. at Queen of Peace Catholic Church, 141 North Macdonald. **(District 4)**

*3-d. Endgame Bar

A gaming lounge with a bar is requesting a new Series 6 Bar License for Endgame Bar, LLC, 1233 South Alma School Road - Sarah Nicole Bartholomew, agent. There is no existing license at this location. **(District 3)**

*3-e. Meno's Place

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Meno's Place, LLC, 1720 West Southern Avenue, Suite C5 - Hector Manuel Rodriguez, agent. There is no existing license at this location. **(District 3)**

*3-f. Cinemark Mesa 16

A movie theater with a bar is requesting a new Series 7 Beer and Wine Bar License for Cinemark USA Inc., 1051 North Dobson Road - Ryan Witner Anderson, agent. There is no existing license at this location. **(District 1)**

4. Take action on the following contracts:

*4-a. Two-Year Renewal to the Term Contract for 3M Radio Frequency Identification (RFID) Equipment and Maintenance for the Library Services Department. **(Citywide)**

This contract provides labor, parts and equipment modifications to maintain RFID equipment at all four Mesa library branches. This technology is a fast, easy, and efficient way to track, locate, and manage library materials. Contract items include RFID tags, security gates to alert staff when items are not checked out, automated materials handling equipment to sort materials, self-checkout upgrade kits to replace an outdated PC operating system, and workstation equipment to read tags to process materials.

The Library Services Department and Purchasing recommend authorizing the renewal using the Maricopa County cooperative contract with Bibliotheca, LLC, at \$328,000 annually, based on estimated usage.

*4-b. Contract Amendment and Dollar-Limit Increase to the Term Contract for Cellular Phone Equipment, Wireless Voice and Data Service Plan for Citywide Departments (as requested by the Business Services Department). **(Citywide)**

The State of Arizona has extended their contract through 12/31/2019 to work on a new contract. The City needs to extend its contract from 7/1/2019 through 12/31/2019 and dollar-limit increase of \$602,000 for this remaining period.

The Business Services Department and Purchasing recommend extending the contract through 12/31/2019 and increasing the dollar-limit with the WSCA / State of Arizona cooperative contracts with Verizon; and AT&T Mobility, by \$602,000, from \$1,350,000 to \$1,952,000, through the contract extension.

*4-c. Three-Year Term Contract with Two Years of Renewal Options for Auction Services. **(Citywide)**

This contract will provide off-site and online auction services to dispose of surplus City property including vehicles, equipment, firearms, and miscellaneous surplus items for

the City (lead agency) and its cooperative partners, which includes 12 Arizona cities and towns.

An evaluation committee recommends awarding the contract to the highest-scored proposals of each section, Sierra Auction Management, Inc. and The Public Group, LLC, dba Public Surplus.

- *4-d. Three-Year Term Contract with Two Years of Renewal Options for Landscape Irrigation and Sprinkler Supplies for the Materials and Supply Warehouse (for the Parks, Recreation and Community Facilities and Transportation Departments). **(Citywide)**

This contract will provide landscape sprinkler and irrigation supplies, including PVC pipe, fittings, valves, and miscellaneous supplies, on an as-needed basis, for repair, modification and new installation of irrigation systems in landscaped areas maintained by the City, including parks and landscaped medians.

The Business Services Department and Purchasing recommend awarding the contract to the lowest, responsive, and responsible bidders: Sprinkler World of Arizona, Inc.; Ewing Irrigation Products; and Horizon Distributors, Inc.; at \$690,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

- *4-e. Three-Year Term Contract with Two Years of Renewal Options for Cool Deck Resurfacing and Repairs for the Parks, Recreation and Community Facilities Department (Single Response). **(Citywide)**

Each year, it is necessary to replace or refurbish, and seal damaged pool decking material, due to age or heavy use, at the City's aquatic facilities to provide a non-slip surface. This type of work is required for the safety of patrons and to meet Maricopa County requirements.

An evaluation committee recommends awarding the contract to the qualified proposal from FlexGround, LLC, at \$50,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

- *4-f. Dollar-Limit Increase to the Term Contract for Landscape Maintenance Services for Parks, Retention Basins, and Sports Fields - Zone 4 for the Parks, Recreation and Community Facilities Department. **(Citywide)**

This increase is needed for the addition of landscaping maintenance services at the new Eagles Park and Eagles Park - Sport.

The Parks, Recreation and Community Facilities Department and Purchasing recommend increasing the dollar-limit with Mariposa Landscape Arizona, Inc.; by \$135,436.80, from \$1,237,837.42 to \$1,373,274.20 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

- *4-g. One-Year Renewal with a One-Year Renewal Option to the Term Contract for Wire and Cable for the Materials and Supply Warehouse (for Various City Departments). **(Citywide)**

This contract provides a pre-qualified vendor list for wire and cable. The vendors are eligible to competitively quote for wire and cable, as needed.

The Business Services Department and Purchasing recommend authorizing the renewal with Border States Electric; Standard Wire & Cable Co.; Consolidated Electrical Distributors Inc., dba Arizona Electric Supply (a Mesa business); Wesco Distribution; and Anixter; at \$417,000 annually, with an annual increase allowance of up to 5%, or the adjusted Producer Price Index.

*4-h. See: **Items not on the Consent Agenda.**

*4-i. One-Year Renewal with a One-Year Renewal Option to the Term Contract for Ammunition for the Police Department. **(Citywide)**

This contract provides ammunition of all types, including less-lethal products, and related services. Mesa cooperatively solicited this agreement, acting as the lead agency for this contract, and included Gilbert, Maricopa County Community College District, and Maricopa County.

The Police Department and Purchasing recommend authorizing the renewal with Miwall Corporation; San Diego Police Equipment; and North American Energy I, LLC, dba True Shot Gun Club; at \$450,000 annually, with an annual increase allowance of up to 5%, or the adjusted Producer Price Index.

*4-j. Dollar-Limit Increase to the Term Contract (Year 2) with Two Years of Renewal Options for Emergency Pipeline Repair Services for the Water Resources Department. **(Citywide)**

This contract provides for emergency pipeline repair services for both water and wastewater line breaks. The contractors perform challenging emergency on-call maintenance and repairs for underground utility piping. The increase will allow additional emergencies to be addressed and capacity for any large, costly emergency.

The Water Resources Department and Purchasing recommend increasing the dollar-limit for Year 2 by \$300,000, using the City of Scottsdale cooperative contract with Professional Piping Systems, LLC, dba WaCo Contracting; and Achen-Gardner Construction, LLC; from \$200,000 to \$500,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

*4-k. Purchase of Three Heavy-Duty Construction Trucks with Dump Bodies (Replacements) for the Transportation Department as requested by the Fleet Services Department. **(Citywide)**

The three dump trucks will support the department's daily field operations with the capacity to haul dirt, rock, asphalt, and debris and tow heavy equipment to job sites and storm-related emergencies. The vehicles that are being replaced have met established criteria and will be either traded, auctioned, sold, or deployed to special uses, as part of the ongoing vehicle replacement program.

The Fleet Services and Transportation Departments and Purchasing recommend awarding the contract to the lowest, responsive, and responsible bidder, Freightliner of Arizona, at \$638,061.73, based on estimated requirements. This purchase is funded by the Local Streets Fund.

- *4-l. One-Year Term Contract with Two Years of Renewal Options for Traffic Controllers and Cabinets, and Traffic Signal Video Detection Systems for the Transportation Department (Sole Source). **(Citywide)**

This contract will provide equipment, such as traffic signal controllers, controller software, cabinets, and video detection systems for the Transportation Department - ITS Operations. ITS uses these components to protect the public, reduce congestion, and to improve the quality of life. These products fulfill the City's current and anticipated future transportation demands.

The Transportation Department and Purchasing recommend awarding the contract to the sole source vendor, Clark Electric Sales, dba Clark Transportation Solutions, at \$400,000 annually, with an annual increase allowance of up to 5%, or the adjusted Producer Price Index.

- *4-m. Re-Award of the Three-Year Term Contract with Two Years of Renewal Options for Welding Certification and Inspection Services for the Energy Resources Department. **(Citywide)**

On 9/9/2019, Council approved the award to Western Technologies. However, the City learned the bid response was for one person when the Arizona Radiation Regulatory Agency mandates a crew size of two technicians for field radiography activities. Western Technologies would not honor their bid price for two technicians and requested that their bid be withdrawn. Award is recommended to the next low bidder.

The Energy Resources Department and Purchasing recommend awarding the contract to the second lowest, responsive, and responsible bidder, Continental Testing and Engineering, LLC, at \$250,000 annually, with an annual increase allowance of up to 5%, or the adjusted Producer Price Index.

- *4-n. Warner Road Lift Station Project - Construction Manager at Risk (CMAR) and Pre-Construction Services Contract. **(District 6)**

This project will replace existing equipment, reconstruct the lift station, and install a new 10-inch forcemain in a casing that will redirect the wastewater flow from the current discharge location to the East Mesa Interceptor, which will bring the system into conformance with the masterplan and result in greater efficiency in operating the wastewater system.

Staff recommends the selection of Garney Construction as the CMAR for this project and award a Pre-Construction Services contract in the amount of \$61,124.50. This project is funded by the 2014 authorized Water bonds, 2014 Wastewater bonds and 2014 Gas bonds.

5. Take action on the following resolutions:

- *5-a. Approving and authorizing the City Manager to enter into a Subrecipient Agreement with the Arizona Department of Homeland Security for grant funds up to \$180,000 for equipment, training, and planning for the Fire and Medical Department's Rapid Response Team. **(Citywide)** – Resolution No. 11406

- *5-b. Approving and authorizing the City Manager to enter into Task Force Agreements with the Organized Crime Drug Enforcement Task Forces under the Federal Drug Enforcement Administration to accept up to \$50,000 during fiscal year October 1, 2019 through September 30, 2020, for overtime and other authorized expenses for Mesa Police Department personnel assigned to the task forces. **(Citywide)** – Resolution No. 11407
- *5-c. Approving and authorizing the City Manager to enter into a Highway Safety Contract with the Arizona Governor’s Office of Highway Safety to accept \$70,000 in grant funds for the Police Department’s Traffic Division for overtime and employee-related expenses for the Selective Traffic Enforcement Program. **(Citywide)** – Resolution No. 11408
- *5-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 \$125,000 in grant funds for the Police Department’s Traffic Division for overtime and employee-related expenses for DUI/Impaired Driving Enforcement. **(Citywide)** – Resolution No. 11409
- *5-e. Approving and authorizing the City Manager to enter into a Grant Award with the U.S. Department of Justice, Office of Justice Programs, to accept \$280,110 in grant funds from the National Institute of Justice for overtime and equipment for DNA Backlog Reduction for the Police Department’s Forensic Services Division. **(Citywide)** – Resolution No. 11410
- *5-f. Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with Maricopa County and the City of Phoenix for reallocation of grant funds from the Edward Byrne Memorial Justice Assistance Grant (JAG) program to resolve disparity between the County and the Cities as recipients of said funds, under which the City will now receive \$123,883 to be used on or before September 30, 2022. The funds will be used by the Police Department for the continuation of the microfilm conversion project to convert decaying microfilm to PDF. **(Citywide)**. – Resolution No. 11411
- *5-g. Approving and authorizing the City Manager to enter into the Annual Operations Funding Agreement with Valley Metro Rail, Inc., for the current light rail operations in the City of Mesa. The City of Mesa will pay \$12,412,000 for operations and maintenance of the existing light rail line for FY 2019/20. The City anticipates receiving \$2,344,000 in light rail fares, advertising and preventive maintenance, as well as \$1,280,000 in Arizona Lottery Funds, for a net impact to the City’s General Fund of \$8,788,000. **(Districts 3 and 4)** – Resolution No. 11412
- *5-h. Approving and authorizing the City Manager to enter into the Transit Services Amendment to the Master Intergovernmental Agreement with the Regional Public Transportation Authority for fixed bus, Dial-a-Ride and RideChoice, ADA Platinum Pass transit services, and mutual aid in the event of an emergency. The estimated cost of transit services for FY 2019/20 is \$22,177,621. Regional funds and fare revenue provide \$15,759,624 for the services and the City’s General Fund covers the remaining \$6,417,997. **(Citywide)** – Resolution No. 11413

6. Introduction of the following ordinances and setting November 4, 2019 as the date of the public hearing on these ordinances:

- *6-a. ZON19-00444 **(District 5)** Within the 7100 through 7200 blocks of East University Drive and within the 100 through 400 blocks of North Sunvalley Boulevard. Located west of

Sossaman Road, on the south side of University Drive (11± acres). Modification of an approved PAD and associated conditions of approval; and Site Plan Modification. This request will allow amendment to remove a condition of approval limiting the square footage allowed for medical offices. Dorothy Shupe, Sketch Architecture Company, applicant; Baywood Square Owners Association, Arbor 5800, LLC, 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, Kelley Shepherd Holding, LLC, Lodoc Investments, LLC, Branberger Investments, LLC, Bogle Building, LLC, JAI LAXMI, LLC, Faith Edward, LLC, G to G, LLC, owners.

Staff Recommendation: Approval with conditions

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

- *6-b. ZON19-00473 (**District 6**) Within the 3100 block of South Eastridge (east side). Located south of Guadalupe Road and east of Hawes Road (4.2± acres). Rezone from RS-6 to RM-2 PAD; and Site Plan Review. This request will allow for the development of a multi-residence development. Sean Lake, Pew and Lake, P.L.C., applicant; James Render, owner.

Staff Recommendation: Approval with conditions

P&Z Board Recommendation: Denial (Vote: 2-3)

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

- *7-a. ZON19-00365 (**District 6**) Within the 9600 through 9700 blocks of East Hampton Avenue (north side). Located south of Southern Avenue on the west side of Crismon Road (3.8± acres). Rezone from RS-43 to RM-2-PAD; and Site Plan Review. This request will allow for a multiple-residence development. Brennan Ray, Burch & Cracchiolo, applicant; Off Crismon Properties, LLC, owner. – Ordinance No. 5534

Staff Recommendation: Approval with conditions

P&Z Board Recommendation: Approval with conditions (Vote: 4-2)

8. Take action on the following subdivision plats:

- *8-a. “Eastmark - DU 3/4 North Phase 4 MDR” (**District 6**) Within the 4600 through 5000 blocks of South Ellsworth Road (east side) and within the 9200 through 9500 blocks of East Point Twenty-Two Boulevard (north side). Located north of Ray Road on the east side of Ellsworth Road (±56.84 acres). DMB Mesa Proving Grounds, LLC, developer; Joseph R. Davis, Sunrise Engineering, surveyor.

9. Discuss, receive public comment, and take action on the following ordinance:

- *9-a ZON19-00440 (**District 2**) 1728 South Greenfield Road. Located south of the US 60-Superstition Freeway and west of Greenfield Road (7.2± acres). Rezone from Light Industrial (LI) with a Council Use Permit (CUP) to Limited Commercial (LC) with a Council Use Permit for a pawn shop; and Site Plan Review. This request will allow a pawn shop within an existing group commercial center. RKAA Architects, applicant; HH-Greenfield Gateway LLC, owner.

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

For continuance to the November 4, 2019 City Council meeting.

Items not on the Consent Agenda

4. Take action on the following contracts.

- 4-h Ratification of the Emergency Purchase for Preventative Maintenance and Repairs for 31 ReVel Ventilators for the Mesa Fire and Medical Department (Sole Source) **(Citywide)**

The Fire and Medical Department is equipped with ReVel ventilators. The manufacturer of the ventilators requires a specific maintenance schedule to maintain their quality standards. It was necessary to make the purchase prior to the next regularly scheduled City Council meeting due to a back log of repairs.

The Mesa Fire and Medical Department and Purchasing recommend ratifying the purchase with CareFusion 203, Inc., for \$32,394.69.

Carey Davis, a Mesa resident, stated it appears from the backup report for the emergency purchase the manufacturer of the ventilators may have been responsible for the delay in maintenance. He questioned whether the City will be able to recoup any of the money spent on the preventative maintenance work due to the delay caused by the manufacturer.

Fire Chief Mary Cameli admitted there was a delay in receiving the parts from the manufacturer but added Mesa Fire and Medical shared some of the responsibility for the delay due to not scheduling them in a timely manner.

In response to a question from Vice Mayor Freeman, Chief Cameli confirmed there still would have been a cost for preventative maintenance; it would have been stretched out over time rather than all at once.

In response to a question from Mayor Giles, Chief Cameli stated the ventilators were purchased in 2011 with grant dollars in the normal course of business and there is maintenance required every three years. She reported the normal process is sending a few in at a time, but due to the delay with the parts all the ventilators fell out of compliance, which resulted in the need for an emergency purchase for maintenance.

In response to a question from Vice Mayor Freeman regarding the cost of the ventilators, Chief Cameli advised each ventilator costs \$16,000, and the repair and maintenance cost is \$800 to \$900 each.

It was moved by Vice Mayor Freeman, seconded by Councilmember Thompson, that the ratification of the emergency purchase be approved.

Upon tabulation of votes, it showed:

AYES – Giles-Freeman-Duff-Heredia-Thompson

NAYS – None

ABSENT – Luna- Whittaker

Mayor Giles declared the motion carried unanimously by those present.

10. Items from citizens present:

Greg Arnett, a Mesa resident, stated he and his wife love living in downtown Mesa, but expressed their frustration with the parking situation. He recommended revisiting future development projects to add parking to alleviate congestion in the neighborhoods.

Charles Hughes, a Mesa resident, presented Council with an economic analysis regarding the proposed zoning change for the land located on the Northwest corner of Thomas Road and Recker Road. **(See Attachment 1)** He stated opposition to a zoning change as it would jeopardize the economic value of Falcon Field and the Falcon District. He described his opinions on the economic loss over a 20-year period. He concluded by requesting Council keep the zoning at park or low-density use.

11. Adjournment.

Without objection, the Regular Council Meeting adjourned at 6:25 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 21st day of October 2019. I further certify that the meeting was duly called and held and that a quorum was present.

DEE ANN MICKELSEN, CITY CLERK

la (Attachment – 1)

SUBJECT: Do Not Change Zoning for The Land on the NW Corner of Thomas and Recker. Maintain as Park Land:

1. The Park is consistent with the current Master Plan and Falcon District
2. Housing will degrade and jeopardize the economic value of Falcon Field and the Falcon District.

Economic Benefit Analysis from the City of Mesa reports is as follows:

Airport's Annual Benefits w/o Boeing	\$811. M
Airport's Annual Benefits with Boeing	\$6.8 B

There WILL BE a negative impact. Hard to quantify the loss but sensitivity analysis can be used.

Total economic value over 20 years w/o Boeing is \$16.2B and with Boeing is \$136.B

Assume 1% and 10% loss w/o and with Boeing over this 20 year period (in now year dollars, inflation adjusted would be a greater loss).

W/O Boeing	1% loss is	-\$162. M
	10% loss is	-\$1620.M
With Boeing	1% loss is	-\$1.36 B
	10% loss is	-\$13.6 B

Compare these numbers to the one-time gain of \$18M from the land sale and this does not make sense.

Why would we do this after working so hard to ensure the economic benefits of Falcon Field and the Falcon District ?

KEEP THE PARK ZONING AND DON'T DEGRADE WHAT YOU'VE WORKED SO HARD TO BUILD.