



COUNCIL MINUTES

July 8, 2021

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on July 8, 2021, at 5:46 p.m.

COUNCIL PRESENT

Jennifer Duff
Mark Freeman
Francisco Heredia
David Luna
Julie Spilsbury

COUNCIL ABSENT

John Giles
Kevin Thompson

OFFICERS PRESENT

Christopher Brady
Dee Ann Mickelsen
Jim Smith

Vice Mayor Duff excused Mayor Giles and Councilmember Thompson from the entire meeting.

Vice Mayor's Welcome.

Vice Mayor Duff conducted a roll call.

Invocation by Pastor Vance Pascua with Christ's Church of the Valley.

Pledge of Allegiance was led by Vice Mayor Duff.

Awards, Recognitions and Announcements.

Vice Mayor Duff recognized Randy Carter for his 21 years of service on several City of Mesa Boards and Committees. She stated over the years Mr. Carter reviewed over 14,000 land use cases and helped improve and shape the City's urban form.

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 Spilsbury, seconded by Councilmember Freeman, that the consent agenda items be approved.

Upon tabulation of votes, it showed:

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

Vice Mayor Duff declared the motion carried unanimously by those present.

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

Minutes from the July 1, 2021, Regular Council meeting.

3. Take action on the following liquor license applications:

*3-a. One Stop Food Mart & Deli

A convenience store is requesting a new Series 10 Beer and Wine Store License for Sri Sairam Foods LLC, 1620 West University Drive, Suite 1; Anasuya Devi Badri, agent. The existing Series 10 Beer and Wine Store License held by Pro Techno Inc., will revert to the State. **(District 3)**

*3-b. QuikTrip #1433

A convenience store is requesting a new Series 10 Beer and Wine Store License for QuikTrip Corporation, 5215 South Ellsworth Road; Perry Charles Huellmantel, agent. There is no existing license at this location. **(District 6)**

*3-c. Mango Mini Mart

A convenience store is requesting a new Series 10 Beer and Wine Store License for MV4 Enterprises LLC, 760 South Alma School Road; Lauren Kay Merrett, agent. The existing Series 10 Beer and Wine Store License held by Paras Nath LLC will revert to the State. **(District 4)**

4. Take action on the following contracts:

*4-a. One-Year Renewal to the Term Contract for PC Cycle Replacement and Supplemental Computers, Ruggedized Laptops and Tablets for Various City Departments as requested by the Department of Innovation and Technology. **(Citywide)**

This contract provides for the City's PC Cycle Replacement program managed by the Department of Innovation and Technology and provides supplemental purchases of computer equipment for departments as needs are identified.

The Department of Innovation and Technology and Purchasing recommend renewing this contract using the State of Arizona cooperative contracts with Dell Marketing LP, Apple Computer Inc., Panasonic Solutions, and Microsoft Corporation, at \$2,440,000.

*4-b. Three-Year Term Contract with Two Years of Renewal Options for Heating, Ventilation, and Air Conditioning Preventative Maintenance Services for City Facilities for the Parks, Recreation and Community Facilities Department. **(Districts 1, 3, and 4)**

This contract will provide preventative maintenance services for heating, ventilation, and air conditioning (HVAC) equipment and Armstrong pump rebuilding in the following municipal buildings: Arizona Museum of Natural History, Charles K Luster Utilities Building, Communications Building, District Cooling facility, i.d.e.a. Museum, Mesa Arts Center, Mesa City Plaza, Municipal Court, PD Fiesta, PD Headquarters and the Transportation Building.

An evaluation committee recommends awarding the contract to the highest scored proposal from Comfort Systems USA Southwest, Inc., at \$156,400 annually, with an annual increase of up to 5%, or the adjusted Consumer Price Index.

- *4-c. Dollar-Limit Increase to the Term Contract for Police Uniform Badges for the Mesa Police Department. **(Citywide)**

This contract furnishes custom police uniform badges. The department recently increased inventory levels to meet demand. The additional capacity is needed to maintain an adequate stock of each badge and rank on hand.

The Police Department and Purchasing recommend increasing the dollar-limit with Sun Badge Company by \$30,000, from \$55,000 to \$85,000 annually, with an additional increase allowance of up to 5%, or the adjusted Consumer Price Index.

- *4-d. Purchase of Two Replacement Helicopter Cameras and Three New Moving Map Systems for the Mesa Police Department. **(Citywide)**

This purchase will replace two thermal imaging cameras that have become obsolete and provide new moving map systems for use in three police helicopters used by the Air Support Unit to provide video images for day and night missions to assist ground units.

An evaluation committee recommends awarding the contract to the highest scored proposals from Wescam USA, Inc., Churchill Navigation, dba Shotover Systems, and Precision Heli-Support LLC (a Mesa Business), at \$1,254,967.58. The purchase is funded through the Mesa Police Department Operating Budget - Public Safety Sales Tax Funds.

- *4-e. Purchase of a Drone Detection System for the Mesa Police Department. **(Citywide)**

This equipment will be used to detect, locate, track, and mitigate an Unmanned Aircraft System (UAS) threat at sporting events, large gatherings, presidential and dignitary events, key resources, and critical infrastructure. The system can be used independently or in unison with other agencies to cover large areas of an event with multiple high-risk locations.

The Police Department and Purchasing recommend authorizing the purchase using the State of Arizona cooperative contract with Transource Service Corp, at \$112,500. The purchase is funded through a Grant from the Arizona Department of Homeland Security.

- *4-f. Purchase of Two Replacement Technical Search and Rescue Color Cameras for the Mesa Fire and Medical Department (Single Response). **(Citywide)**

These cameras supplement and accelerate investigations to focus on hot points and contrasts in temperatures, helping to locate victims or their thermal signature following natural disasters or other major incidents.

The Fire and Medical Department and Purchasing recommend authorizing the purchase from the single, responsive and responsible bidder, L.N. Curtis and Sons, dba Curtis Tools for Heroes, at \$38,200. The purchase is funded through a grant from the Arizona Department of Homeland Security.

- *4-g. One-Year Renewal with a One-Year Renewal Option to the Term Contract for AC Delco and Motorcraft Vehicle Parts for the Fleet Services Department. **(Citywide)**

This contract provides genuine AC Delco (General Motors) and Motorcraft (Ford) parts for the maintenance and repair of the City's fleet of sedans, light-duty trucks, and vans.

The Fleet Services Department and Purchasing recommend authorizing the renewal with Parts Mart Inc., at \$250,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

- *4-h. Purchase of a Replacement Gas Chromatograph Mass Spectrometer and Related Annual Supplies for the Water Resources Department. **(Citywide)**

This contract will replace the gas chromatograph mass spectrometer used in the Water Resources Compliance Lab and provide on-going annual related supplies. The equipment being replaced is 10 years old and identified in the 2021/2022 replacement cycle. The equipment is used to meet regulatory requirements of the Drinking Water Disinfection By-Products Rule and to analyze for volatile organic compounds in drinking water.

The Water Resources Department and Purchasing recommend authorizing the purchase using the City of Tempe cooperative contract with Agilent Technologies, Inc., at \$114,000.

- *4-i. Hohokam Stadium Repairs - Second Guaranteed Maximum Price (GMP No. 2). **(District 1)**

The scope of work for GMP No. 2 includes replacement of concrete and handrails in lower and upper bowl seating areas, creating ADA accessible paths, improving ADA ramps, repairing/replacing perimeter steel fence panels, and making concrete repairs in the dugout, bullpen, and on the steps, walkways, seating areas and retaining walls.

Staff recommends awarding a construction services contract for this project to W.E. O'Neil Construction in the amount of \$3,115,986 (GMP), and authorizing a change order allowance in the amount of \$311,600 (10%), for total amount of \$3,427,586. This project is funded by the capital budget.

- *4-j. North Center Sports Fields - Construction Manager at Risk (CMAR), Guaranteed Maximum Price (GMP). **(District 1)**

This project scope includes the development of the park with regulation-size LED lighted soccer fields, lighted parking lot, new irrigation system, new restroom/storage building,

and additional landscape and site improvements. In addition, the project will provide improvements to Center Street, adjacent to the park.

Staff recommends awarding a construction services contract to the Construction Manager at Risk, Valley Rain Construction Corp, in the amount of \$8,206,683.18 (GMP), and authorizing a change order allowance in the amount of \$410,334 (5%), for a total amount of \$8,617,017.18. This project is funded by 2018 General Obligation Bonds and proceeds from the sale of the City property.

- *4-k. Northeast Public Safety Facility - Pre-Construction Services and Construction Manager at Risk (CMAR). **(District 5)**

The Northeast Public Safety Facility is proposed to meet the increasing fire, medical and police public safety needs. The facility will accommodate up to two fire crews, one ambulance crew, and one battalion crew to handle the increasing emergency call volume in northeast Mesa, due to the continuous growth in the area. The facility will be located on an eight-acre site on the northeast quadrant of the Power and Brown Roads intersection.

Staff recommends selecting CORE Construction Inc. (a Mesa business), as the CMAR for this project and awarding a pre-construction services contract in the amount of \$196,746. This project is funded by 2018 Public Safety Bonds.

5. Take action on the following resolutions:

- *5-a. Approving and authorizing the City Manager to enter into an Agreement with the Hickey Family Foundation to accept \$188,000 for overtime, equipment, and training for the Police Department to combat domestic minor sex trafficking, and to comply with the requirements set forth in the award notice. **(Citywide)** – Resolution No. 11707
- *5-b. Approving and authorizing the City Manager to enter into a Grant Agreement with the Arizona Criminal Justice Commission to accept up to \$100,000 in grant funds to be used for training and equipment for the Police Department's Forensic Services Division. **(Citywide)** – Resolution No. 11708
- *5-c. Approving and authorizing the City Manager to enter into a Grant Agreement with the Arizona Criminal Justice Commission to accept up to \$13,145 from the U.S. Department of Justice, Office of Justice Programs and up to \$16,730 in state funds to be used for overtime and employee related expenses by the Police Department's Forensic Services Division. **(Citywide)** – Resolution No. 11709
- *5-d. Approving and authorizing the City Manager to enter into an Airport Improvement Program (AIP) Grant Agreement with the Federal Aviation Administration (FAA) for the reconstruction of the Higley Ramp West at Falcon Field Airport. The total estimated cost for this project is \$3,320,343. Should federal funding become available, the estimated amount is \$2.8 million. Airport Enterprise funds will be used for the remaining project costs, estimated at \$520,343. **(District 5)** – Resolution No. 11710
- *5-e. Approving and authorizing the sale of certain City-owned real property at the northwest corner of East Thomas Road and the Loop 202 Red Mountain Freeway (APN: 141-02-002E) to Lehi Land, LLC for the sale price of \$1,700,000, and authorizing the City

Manager to enter into a Development Agreement with Lehi Land, LLC for the development of the property. **(District 1)** – Resolution No. 11711

- *5-f. ZON20-00447 **(District 6)** Within the 10600 block of East Pecos Road (north side) and within the 6700 block of South 222nd Street (east side). Located west of Signal Butte Road on the north side of Pecos Road (4.7± acres). Site Plan Review. This request will allow for the development of an RV storage facility. Adam Baugh, Withey Morris PLC., applicant; Van Co Properties, LLC, owner. – Resolution No. 11712

Staff Recommendation: Approval with conditions

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

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

- *6-a. Amending Chapters 31 and 70 of Title 11, the Zoning Ordinance of the Mesa City Code modifying correctional transitional housing facility development standards and modifying Administrative Use Permit standards. **(Citywide)** – Ordinance No. 5631

Staff Recommendation: Adoption

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

- *6-b. An ordinance amending Title 11 (Zoning Ordinance), Chapter 31 (Standards for Specific Uses and Activities), Section 14 (Group Homes for the Handicapped), of the Mesa City Code by repealing in its entirety the existing 11-31-14 and replacing it with 11-31-14: Community Residences; amending Chapters 4, 5, 6, 8, 31, 32, 58, 64, 86, and 87 of Title 11 Zoning Ordinance, pertaining to Community Residences and other Group Residential Uses; and adopting by reference the additions and deletions in that public record known as “2021 - Amendments to the Tables in Chapters 4, 5, 6, 8, 32, and 58, Title 11 Zoning Ordinance Pertaining to Community Residences and Group Residential Uses.” The amendments include, but are not limited to, removing, modifying and adding definitions to Chapter 86: Use Types and Chapter 87: Definitions; and modifying various land use tables. **(Citywide)** – Ordinance No. 5632

Staff Recommendation: Adoption

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

- *6-c. An ordinance amending Title 11 (Zoning Ordinance), Chapter 31 (Standards for Specific Uses and Activities), Section 34 (Medical Marijuana Facilities), of the Mesa City Code by repealing in its entirety the existing 11-31-34 and replacing it with 11-31-34: Marijuana Facilities; amending Chapters 7, 86, and 87 of Title 11 Zoning Ordinance pertaining to marijuana; and adopting by reference the additions and deletions in that public record known as “2021 - Amendments to Chapter 7, 86, and 87 and Repeal and Replace Chapter 31, Section 34, Title 11 Zoning Ordinance, Pertaining to Marijuana Facilities.” The amendments include, but are not limited to, removing, modifying, and adding definitions to Chapter 86: Use Types and Chapter 87: Definitions; and modifying the land use tables. **(Citywide)** – Ordinance No. 5633

Staff Recommendation: Adoption

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

- *6-d. **ZON19-00832 (District 3)** Within the 1800 block of West Main Street (north side) and within the 100 block of North Dobson Road (east side) and within the 0 to 200 blocks of North Sycamore (west side). Located east of Dobson Road and north of Main Street (21± acres). Modification to the Sycamore Station Smart Growth Community Plan. This request will allow for a mixed-use transit-oriented development. Neil Calfee, Miravista Holdings, LLC, applicant; Dobson Station, LLC; City of Mesa; Pride Ventures, LLC, owners.

Staff Recommendation: Approval with conditions

P&Z Board Recommendation: Approval with conditions (Vote: 6-1)

For continuance to the August 23, 2021, City Council meeting.

- *6-e. **ZON21-00069 (District 6)** Within the 4900 to 5200 blocks of South Power Road (east side) and within 6800 to 7000 blocks of East Ray Road (north side). Located north of Ray Road on the east side of Power Road (overall 41± acres). Modification to an approved Planned Area Development Overlay (PAD); rezoning 1± acre of the 41± acres from Agriculture (AG) to Limited Commercial (LC) PAD; and Site Plan Modification on the 41± acre property. This request will allow the development of a mixed-use development. Jose Pombo, Vivo Development Partners, applicant; Power 202 Mixed Use, LLC, owner. – Ordinance No. 5634

Staff Recommendation: Approval with conditions

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

- *6-f. **ZON21-00177 (District 6)** Within the 10700 block of East Hampton Avenue (south side) and within the 1400 to 1600 block of South Signal Butte Road (west side). Located north of the US60 Superstition Freeway on the west side of Signal Butte Road (15± acres). Site Plan Modification. This request will allow for a mixed-use development. Andrew Call, Thompson Thrift, applicant; Signal Butte Hampton Mesa AZ, LLC and Signal Butte BFC, LLC, owners. – Ordinance No. 5635

Staff Recommendation: Approval with conditions

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

7. Discuss, receive public comment, and take action on the following ordinance, and take action on the following resolution, relating to property on the northwest corner of East Elliot and South Ellsworth Roads:

- *7-a. **ZON21-00224 (District 6)** Within the 8800 to 9100 blocks of East Elliot Road (north side) and within the 8900 to 9100 blocks of East Peterson Avenue (south side). Located west of Ellsworth Road on the north side of Elliot Road (41± acres). Rezone from Limited Commercial (LC) with a Planned Area Development Overlay (PAD) and Planned Employment Park (PEP)-PAD to Light Industrial (LI)-PAD and Site Plan Review. This

request will allow for an industrial development. Taylor Earl, Earl & Curley, PLC, applicant; EL DORADO ELLIOT 128, LLC, owner. – Ordinance No. 5636

Staff Recommendation: Approval with conditions

P&Z Board Recommendation: Approval with conditions (Vote: 4-1)

- *7-b. Approving and authorizing the City Manager to enter into a Development Agreement with El Dorado Elliot 128, LLC, relating to 40.5 +/- acres of property located at the northwest corner of East Elliot Road and South Ellsworth Road for the primary purpose of prohibiting certain land uses. **(District 6)** – Resolution No. 11713

Items not on the Consent Agenda.

8. Items from citizens present.

There were no items from citizens present.

9. Adjournment.

Without objection, the Regular Council Meeting adjourned at 5:58 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 8th day of July 2021. 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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