



COUNCIL MINUTES

May 3, 2021

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on May 3, 2021 at 5:57 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

(*Councilmembers participated in meeting through the use of video conference equipment.)

Mayor's Welcome.

Mayor Giles conducted a roll call.

Invocation by Reverend Jen Lambert with Red Mountain United Methodist 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 Heredia, seconded by Councilmember Freeman, that the consent agenda items be approved.

Upon tabulation of votes, it showed:

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

Carried unanimously.

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

Minutes from the February 25, 2021 Study Session, the March 4, 2021 Strategic Planning Session, and the April 19, 2021 Regular Council meeting.

3. Take action on the following contracts:

*3-a. Unit 1 Bravo AOMA

This is a one-day event to be held on Thursday, May 06, 2021 from 5:00 P.M. to 9:00 P.M. at Desert Wind Harley Davidson, 922 South Country Club Drive. **(District 4)**

*3-b. Unit 1 Bravo AOMA

This is a one-day event to be held on Thursday, May 20, 2021 from 5:00 P.M. to 9:00 P.M. at Desert Wind Harley Davidson, 922 South Country Club Drive. **(District 4)**

*3-c. Cider Corps

A brewery is requesting a new Series 01 In-State Producer License for Cider Corps LLC, 31 South Robson, Suite 103; Jeffrey Craig Miller, agent. The existing Series 13 In-State Farm Winery License held by Cider Corps LLC will revert to the State. **(District 4)**

*3-d. Blue 32 Sports Grill

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Blue 32 of Chandler LLC, 2028 North Gilbert Road; Stephen Jon Conrad, agent. There is no existing license at this location. **(District 1)**

*3-e. Morning Glory

A restaurant that serves breakfast and lunch is requesting a new Series 12 Restaurant License for Morning Glory Restaurant LLC, 4545 East McKellips Road, Suite 108; Eusebia Ambrocio Lopez, agent. There is no existing license at this location. **(District 5)**

*3-f. Mr Brews Taphouse Mesa

A restaurant that serves lunch and dinner is requesting a new Series 12G Restaurant License with growler privileges for Rocky Point North LLC, 1113 South Signal Butte Road, Suite 106; John Edward Milleson, agent. There is no existing license at this location. **(District 6)**

*3-g. Valero #303

A convenience store is requesting a new Series 10 Beer and Wine Store License for Magna Solution LLC, 4360 East Broadway Road; Vaneet Sapra, agent. The existing

Series 10 Beer and Wine Store License, held by Sapra Enterprises LLC, will revert to the State. **(District 2)**

4. Take action on the following contracts:

- *4-a. One-Year Renewal to the Term Contract for Parts and Services to Support the Closed-Circuit TV System for Various City Facilities. **(Citywide)**

This contract provides parts and services to support the closed-circuit TV (CCTV) projects throughout City facilities and allows the Police Department to manage and maintain all CCTV systems in good working order.

City staff and Purchasing recommend authorizing the renewal using the State of Arizona cooperative contract with Corporate Technology Solutions, at \$150,000 annually, based on estimated usage.

- *4-b. Dollar-Limit Increase to the Term Contract for Flooring Products and Services for the Parks, Recreation and Community Facilities Department. **(Citywide)**

This contract provides for the supervision, labor, equipment, materials, tools, and transportation necessary for the installation, repair or replacement of various flooring systems maintained by the Parks, Recreation and Community Facilities Department - Facilities Maintenance. The dollar-limit increase is for completing the Mesa Arts Center flooring replacement project prior to the Mesa Arts Center reopening this September.

The Parks, Recreation and Community Facilities Department and Purchasing recommend increasing the dollar-limit using the 1GPA cooperative contract with Continental Flooring Company; Diversified Flooring Services-Phoenix LLC; Resource Arizona, LLC, dba, InteriorWorx Commercial Flooring; and Wholesale Floors LLC, by \$600,000 for Year 3, from \$500,000 to \$1,100,000.

- *4-c. Purchase of PSTRax Modules (Additions) for the Mesa Fire and Medical Department (MFMD) (Sole Source). **(Citywide)**

PSTRax offers six modules for asset management - Vehicles, SCBA, PPE, Critical Assets, Stations and Controlled Substances. Each module can be tailored to MFMD needs and modules can be added as needed. This system will allow MFMD to better manage multiple operational areas benefiting from a cost savings.

Currently, MFMD utilizes two of the modules to manage radios and turnouts. The Department will be adding a vehicle module and pay a one-time implementation fee of \$18,300 using allocated FY 2021 funds, and then purchase the vehicle module licensing using allocated FY 2022 funds. The department intends to purchase additional modules (SCBA, PPE, etc.), if the funding is available in FY 2022. MFMD will also renew the annual licensing fee of \$11,275 in FY 2022 for the two modules they currently have.

The Mesa Fire and Medical Department and Purchasing recommend awarding the sole source contract to Station Automation, Inc., dba PSTRax, at \$50,000, based on estimated requirements.

- *4-d. Purchase of Three Rapidly Deployable Camera System Kits (Additions) for the Mesa Police Department (Sole Source). **(Citywide)**

Currently, the Department utilizes the KTAC deployable camera system that was purchased in 2016 with seven camera kits. The cameras feed into a receiver that can decode the encrypted signals from all the cameras simultaneously and then separate each camera feed to display them onto multiple screens in a command center setting. These kits are deployed from a tripod for emergencies and events of large gatherings such as sporting events, holiday events, protests, etc. The same KTAC camera system is also utilized by Phoenix, MCSO, Tempe, and Scottsdale; therefore, can be shared by the agencies to construct a much larger system, should one be needed.

City staff and Purchasing recommend awarding the contract to the sole source vendor, KTAC Communications, at \$102,885. This purchase is fully grant funded by the Arizona Department of Homeland Security.

- *4-e. Two-Year Term Contract with a One Year Renewal Option for Four Remote Observation Platforms (Additions) for the Mesa Police Department. **(Citywide)**

This contract will provide remote observation platforms with cameras that are entirely solar and can be positioned in any part of the City with short notice. They provide the ability for one officer to have a visual on many areas at one time. This equipment will be used to increase police presence in multiple places, monitor high crime areas, and help identify a significant event versus an innocuous gathering. The recorded video will assist in researching crimes and providing evidentiary information. The Police Department has requested the initial purchase of four systems. The Department has requested the annual contract amount for additional systems should funding be identified.

An evaluation committee recommends awarding the highest scored proposal response from Air Comm Corporation, dba Air Comm, at \$300,000 annually, with an annual increase allowance of up to 5%, or the adjusted Producer Price Index.

- *4-f. Purchase of a Portable X-Ray System (Replacement) for the Mesa Police Department (Sole Source). **(Citywide)**

X-ray systems are the primary tool for the bomb technician for examining suspicious devices. This system is versatile x-ray equipment with the ability to scan small items, and when used with a mosaic system (multiple x-ray plates), it can be used to scan larger items and devices.

City staff and Purchasing recommend awarding the contract to the sole source vendor, Scanna MSC, Inc., at \$30,547.11. This purchase is grant funded by the Arizona Department of Homeland Security (\$30,000) and by the Police Department operating budget (\$547.11).

- *4-g. Dollar-Limit Increase to the Term Contract for Emergency Vehicle Equipment and Installation Services for the Fleet Services Department. **(Citywide)**

The contract provides for the purchase and installation of emergency vehicle equipment and lighting, and an established hourly labor rate. The dollar-limit increase is needed for refurbishing/repairing older Police vehicles that are now remaining in the fleet longer.

The Fleet Services Department and Purchasing recommend increasing the dollar-limit with Kenco, OR LLC, dba LSH Lights (Primary); and Arizona Emergency Products (Secondary), by \$50,000 for Year 3, from \$1,000,000 to \$1,050,000.

- *4-h. Award of Two Additional Vendors to the Term Contract for Heavy Duty Truck, Construction, Industrial Fleet and Equipment Parts, Services and Accessories for the Fleet Services Department. **(Citywide)**

The City currently utilizes the Maricopa County cooperative contract with six vendors including Drake Truck Bodies, LLC, dba Drake Equipment of Arizona; Empire Southwest, Inc., dba Empire Truck and Trailer; Kenz & Leslie of Arizona, Inc.; Lubrication Equipment & Supply Company; Sanderson Ford; and Titan Machinery, Inc. Fleet Services requires the services of these two additional vendors. Their services are necessary as the department currently does not have any service contracts with either vendor.

The Fleet Services Department and Purchasing recommend awarding additional vendors using the Maricopa County cooperative contract with Freightliner of Arizona, LLC, dba Velocity Truck Centers, and W.W. Williams, dba Auto Safety House, at \$500,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

- *4-i. Purchase and Installation of 19 Methane Detection Sensors (Replacements) for the Fleet Services Department (Sole Source). **(Citywide)**

Fleet Services' gas detection system was originally purchased and installed in 2016 by Benson Systems. The manufacturer's recommendation is to replace the sensors after five-years to prevent outages and to ensure the safety of personnel and equipment.

The Fleet Services Department and Purchasing recommend awarding the contract to the sole source vendor, Benson Systems, at \$85,366.40.

- *4-j. Purchase of High Availability Data Storage (Replacement) for the Department of Innovation and Technology. **(Citywide)**

Several of the City's data storage backup appliances have reached the serviceable end of life and need to be replaced. The requested devices are state of the art technology that will provide supportable and sustainable high availability data storage into the future.

The Department of Innovation and Technology and Purchasing recommend authorizing the purchase using the Mohave cooperative contract and the lowest quoted vendor, iT1 Source, LLC, at \$273,708.78. This purchase is funded by the Department of Innovation and Technology Lifecycle Program Budget.

- *4-k. Three-Year Term Contract with Two Years of Renewal Options for Pipelogix Software, Hardware, Support, and Services for the Water Resources Department. **(Citywide)**

Water Resources field staff currently process sewer inspection data using a computer installed in their sewer camera truck. This purchase for additional software licensing would allow office staff to process the data, allowing the sewer camera truck and field staff to focus efforts on data collection. It will also provide support services not previously available that could be utilized to improve efficiency and performance of coding pipe and manhole defects.

An evaluation committee recommends awarding the contract to the highest scored proposal from PipeLogix, Inc., at \$125,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

*4-l. Purchase of One Vactor Truck (Addition) for the Transportation Department. **(Citywide)**

The additional vactor truck will be used to support maintenance in the Transportation Department's storm drain and right-of-way work groups. It will be used to clean the City's approximately 10,000 storm drain catch basins, 400 dry wells, 34 pump stations, 509 retention basins, lateral lines, and culverts.

The Fleet Services and Transportation Departments and Purchasing recommend authorizing the purchase using the Sourcewell cooperative contract with Norwood Equipment, at \$490,603.70. This purchase is funded by the Environmental Compliance Fee.

*4-m. Three-Year Term Contract with Two Years of Renewal Options for Industrial and Non-Industrial Electrical and Process/SCADA Equipment, Parts, Supplies and Services for various Citywide Departments. **(Citywide)**

This contract will provide electrical process/SCADA controls, equipment, parts, supplies and tools to be used to maintain critical electrical infrastructure for water and wastewater sites for the Water Resources Department. Other departments may also use this contract for their purchases of electrical equipment, parts and supplies.

An evaluation committee recommends awarding the contract to the qualified proposals from Consolidated Electrical Distributors, dba Arizona Electrical Supply (a Mesa business); Elliott Electric Supply; Graybar Electric Company, Inc.; and Wesco, at \$2,740,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

*4-n. 16" Water Main - Signal Butte Road, Pecos Road to Germann Road Project. **(District 6)**

This project will install a new 16" water pipe between Pecos Road and Germann Road, in advance of the construction of the future Signal Butte Road. The project will also include installation of associated items such as valves, hydrants, corrosion protection, and connections to existing water pipes.

Staff recommends awarding the contract for this project to the lowest, responsible bidder, Revolution Industrial LLC, in the amount of \$1,325,704, and authorizing a change order allowance in the amount of \$132,570 (10%), for a total award of \$1,458,274. This project is funded by utility funds.

*4-o. Water Meter Vault Rehabilitations - Phase 12. **(Districts 2, 3, 4, 5 and 6)**

This is an ongoing improvement project in Water Resources to replace aging commercial water meter assemblies (WMAs) that are at the end of their service life. The project scope includes rehabilitation of 14 WMAs at 9 sites in the City. The existing WMAs located in underground vaults will be removed/abandoned and re-constructed above ground. The new WMAs will range in size from a dual 2-inch assembly to a single 4-inch, 6-inch or 8-inch assembly.

Staff recommends awarding the contract for this project to the lowest, responsive/responsible bidder, Fishel Construction Company, in the amount of \$1,061,000, and authorizing a change order allowance in the amount of \$106,100 (10%), for a total award of \$1,167,100. This project is funded by utility funds.

5. Take action on the following resolutions:

- *5-a. Approving and authorizing the City Manager to enter into a Coronavirus Response and Relief Supplemental Appropriations Act Grant Agreement with the Federal Aviation Administration in the amount of \$23,000. The funds will be used as reimbursement of eligible expenses incurred by Falcon Field Airport during the COVID-19 pandemic. **(Citywide)** – Resolution No. 11664
- *5-b. Approving and authorizing the City Manager to enter into a Grant Agreement with the City of Tucson to accept \$30,000 in grant funds under the East Valley Drug Enforcement Task Force Program to be used for overtime and supplies for the Police Department's Organized Crime Section. **(Citywide)** – Resolution No. 11665
- *5-c. Approving and authorizing the City Manager to enter into an Intergovernmental Agreement (IGA) with Superstition Fire & Medical District to provide mutual back-up ambulance services. This IGA will allow City of Mesa Fire and Medical Department and Superstition Fire & Medical District to provide back-up ambulance services across Certificate of Necessity boundaries between the two cities, upon request, when additional ambulances may be needed in each service area. **(Citywide)** – Resolution No. 11666
- *5-d. Approving and authorizing the City Manager to enter into a Project Agreement with Maricopa Association of Governments for an Arterial Life Cycle Program Project on Val Vista Drive between the U.S. 60 and Pueblo Avenue that defines the regional reimbursement schedule for the project. **(District 2)** – Resolution No. 11667
- *5-e. Extinguishing a temporary retention easement on Lot 9 on the plat of Mesa Automotive Center II, 565 East Auto Center Drive, to accommodate the commercial development Metro Mesa; requested by the property owner. **(District 3)** – Resolution No. 11668
- *5-f. Extinguishing two drainage easements located east of South Ellsworth Road and south of East Point Twenty-Two Boulevard to accommodate the development of Eastmark Commercial Core; requested by the property owner. **(District 6)** – Resolution No. 11669

6. Introduction of the following ordinances and setting May 17, 2021 as the date of public hearing on these ordinances:

- *6-a. Amending Title 5 of the Mesa City Code (Business Regulations) by adding a new Chapter 4, entitled "Mobile Food Vendors", enacting reasonable regulations and licensing requirements on mobile food vendors and mobile food units operating in Mesa. **(Citywide)**
- *6-b. Amending Title 5 of the Mesa City Code (Business Regulations) by repealing Chapter 8, entitled "Peddlers, Solicitors, and Transient Merchants," in its entirety and replacing it with a new Chapter 8, entitled "Peddlers and Solicitors," clarifying the regulations and licensing requirements for peddlers and solicitors operating in Mesa including

amendments to the processes for applications, violations, revocations and suspensions, and appeals. **(Citywide)**

- *6-c. Amending Title 5 of the Mesa City Code (Business Regulations) by repealing Chapter 1, entitled "Special Event License," in its entirety and replacing it with a new Chapter 1, entitled "Special Events," clarifying the regulations and licensing requirements for special events in Mesa including amendments to the processes for applications, revocations, and appeals. **(Citywide)**

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

- *7-a. ZON20-00877 **(District 1)** Within the 2400 block of North Old Gilbert Road (east side) and within the 2000 block of East Hermosa Vista Drive (north side). Located south of the 202 Red Mountain Freeway and east of Gilbert Road (4.55± acres). Rezoning from RS-35 to RS-15-BIZ. This request will allow for the development of a single residence subdivision. Jared Cox, Vista Design Group, LLC, applicant; Brent /Deborah Berge, owner. – Ordinance No. 5619

Staff Recommendation: Approval with conditions

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

- *7-b. Amending Mesa City Code Title 10, Chapter 8, Section 1 entitled "Refusal to Furnish Information or Sign Citation" to clarify that civil traffic violators are required to provide full name and date of birth to a citing officer. **(Citywide)**. – Ordinance No. 5620

8. Take action on the following subdivision plats:

- *8-a. "Crismon Commons" **(District 6)** Within the 1700 block of South Crismon Road (west side). Located north of Baseline Road on the west side of Crismon Road (11.9± acres). OMPC Unit Owners Association, developer; Jason A. Segneri, Survey Innovation Group, Inc., surveyor.
- *8-b. "Tapestry at Destination" **(District 6)** Within the 11000 to 11200 blocks of East Williams Field Road (south side) and within the 6000 to 6200 blocks of South Mountain Road (west side) (38.2± acres). Rescal Destination Gateway 145, LLC, developer; Raymond Munoz, EPS Group, surveyor.

Items not on the Consent Agenda.

9. Conduct a public hearing on the following annexation case:

- 9-a. Public hearing prior to the release of the petition for signatures for the proposed annexation case ANX21-00095, located north of McDowell Road and west of Lehi Road (41.5± acres). This request has been initiated by the applicant, Sean Lake, Pew and Lake, P.L.C. for the owner, Cemex USA Construction Materials, Inc. **(District 1)**

Mayor Giles announced that this was the time and place for a public hearing regarding proposed annexation case ANX21-0095.

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

10. Items from citizens present.

George Papa, a Mesa resident, provided details on a police incident that occurred six years ago where a young man was shot by a Mesa police officer and was subsequently charged with a crime he allegedly did not commit. He commented that the police officer who appeared before the grand jury gave false testimony and admitted to such roughly a year later. He remarked a complaint has been filed with the Mesa Police Department (PD), which has been ignored. He stated he would like to call attention to the situation and asked that an investigation be conducted so the young man can be freed from prison and returned to his family.

Mayor Giles informed Mr. Papa a member of the Mesa PD will be in touch.

Mark Low, a Mesa resident, submitted comments to be read that questioned the City of Mesa's continued mask and distancing restrictions considering the Governor's termination of the emergency order. He mentioned the science and data is missing that proves wearing masks and locking down is necessary. He asked for the citation within the U.S. Constitution or the Arizona Constitution that gives Mesa the legal authority to require masks and lockdown the citizens.

11. Adjournment.

Without objection, the Regular Council Meeting adjourned at 6:15 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 3rd day of May 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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