



COUNCIL MINUTES

August 30, 2021

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on August 30, 2021, at 6:00 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.

Invocation by Pastor Tony Frazee with Gateway Bible Church

Pledge of Allegiance was led by Mayor Giles.

Awards, Recognitions and Announcements.

Mayor Giles announced the Maricopa Association of Governments (MAG) passed a resolution to recognize September 1, 2021, as Second Responders Day. He explained second responders are those in the public and private sectors that help us recover from crises and put our lives back together during times of emergencies. He added second responders are outreach workers, family resource advocates, housing specialists, case workers, counselors and many more. He recognized many City of Mesa employees are second responders and personally wanted to express thanks for all of their endless support and hard work, especially this past year when called upon to help navigate the fallout of COVID-19. He stated this proclamation is in recognition of all second responders and their contributions to Mesa.

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 Thompson, seconded by Councilmember Freeman, 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 August 23, 2021, Study Session, and the August 23, 2021, Regular Council meeting.

3. Take action on the following liquor license applications:

*3-a. Cultural Coalition Inc.

This is a one-day event to be held on Saturday, October 2, 2021, from 4:00 P.M. to 10:00 P.M. at Mesa Riverview Park, 2100 West Rio Salado Parkway. **(District 1)**

*3-b. East Valley Children's Theatre

This is a one-day event to be held on Saturday, September 18, 2021, from 6:30 P.M. to 9:00 P.M. at East Valley Children's Theatre, 4501 East Main Street. **(District 2)**

*3-c. Sweet Adelines International

This is a one-day event to be held on Saturday, October 23, 2021, from 4:00 P.M. to 11:00 P.M. at Navajo Event Center Activity Complex, 2233 North 56th Street. **(District 5)**

*3-d. Mr. Pancho Mexican Food

A restaurant that serves breakfast, lunch and dinner is requesting a new Series 12 Restaurant License for Mr. Pancho Mexican Food LLC, 1040 East Main Street; Theresa June Morse, agent. There is no existing license at this location. **(District 4)**

*3-e. Tacos Lupe

A restaurant that serves breakfast, lunch and dinner is requesting a new Series 12 Restaurant License for Tacos Lupe LLC, 1352 East Broadway Road; Melissa Antoinette Martinez, agent. There is no existing license at this location. **(District 4)**

4. Take action on the following contracts:

*4-a. Use of a Cooperative Contract with an initial term of 55-Months and Two Years of Renewal Options for Fire Equipment and Supplies for the Mesa Fire and Medical Department. **(Citywide)**

Mesa Fire and Medical Department uses multiple vendors to supply many different manufacturers products to upfit, equip, and supply the Fire Department with essential

products to fulfill many different responsibilities to the citizens of Mesa. This contract will provide all types of equipment and supply needs that are not otherwise covered under an existing contract.

The Mesa Fire and Medical Department and Purchasing recommend authorizing the purchase using the Omnia Partners contract led by Port of Portland with Safeware, Inc., at \$550,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

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

This purchase is part of the City's Lifecycle Management Program to replace aging hardware that has reached its end of life. The result of this purchase is a highly available storage platform that provides improved performance, lower operating costs, using less space and power, while providing a platform that safeguards critical data and applications.

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 \$218,196.44. This purchase is funded by the Department of Innovation and Technology Lifecycle Program budget.

- *4-c. Three-Year Term Contract with Two Years of Renewal Options for Rotork and Halogen Actuators for the Water Resources and Parks, Recreation and Community Facilities Departments. **(Citywide)**

This contract will provide Rotork and Halogen actuators, parts, maintenance, and repair services needed to maintain critical water, wastewater, and recreational aquatic facilities infrastructure.

An evaluation committee recommends awarding the contract to the responsive and responsible proposals from Chemical Feeding Technologies Inc. and TW Associates, dba MISCOwater, at \$305,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

- *4-d. Three-Year Term Contract with Two Years of Renewal Options for Roofing Repair and Installation Service for the Parks, Recreation and Community Facilities (PRCF) Department. **(Citywide)**

This contract will provide a prequalified vendors to complete repairs to extend the life of roofing on City buildings and for budgeted lifecycle roofing work. PRCF will obtain multiple quotes or bids from the awarded vendors depending on the size of the job.

An evaluation committee recommends awarding the contract to the responsive and responsible proposals from Foam Experts Roofing, Inc. (a Mesa business); Progressive Services, Inc., dba Progressive Roofing; and Sprayfoam Southwest, Inc., dba Global Roofing Group, at \$500,000 annually, based on estimated usage.

- *4-e. Three-Year Term Contract with Two Years of Renewal Options for Storm Drain Pump and Maintenance Repair for the Transportation and Parks, Recreation and Community Facilities Departments. **(Citywide)**

The City performs maintenance, repairs, and emergency repairs on its storm drain pumps. This vendor will provide pump maintenance used to support pump inspections, maintenance, and repairs.

An evaluation committee recommends awarding the contract to the highest scored proposal from RediPump, LLC, at \$700,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

- *4-f. Use of a Cooperative Contract with an initial term of 29-Months and Two Years of Renewal Options for AUMA, Limitorque, and Rexa Rotary Actuators for the Water Resources Department. **(Citywide)**

This contract will provide rotary actuators, parts and maintenance services for the City's water reclamation and treatment facilities.

The Water Resources Department and Purchasing recommend authorizing the purchase using the City of Tempe cooperative contracts with Instrumentation & Control and IPT Holdings, LLC, dba Integrated Process Technologies, at \$225,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

- *4-g. Purchase of Furniture (Additions) for the Studios at Mesa City Center. **(District 4)**

This purchase will provide furniture for the Studios @ Mesa City Center first floor public areas included in Phase 1 of the project. The furniture includes chairs, couches, benches, stools, desks, tables, and other fixtures throughout the first floor and lobby. The Studios @ Mesa City Center is designed to provide a flexible ecosystem that allows for world-class industry leaders, budding entrepreneurs, and cutting-edge academic insight to empower modern workforce development and to be a startup pipeline that fuels the economy of today and tomorrow.

The Engineering Department and Purchasing recommend authorizing the purchase using the State of Arizona cooperative contract with Goodmans Interior Structures, at \$258,171.73.

- *4-h. Purchase of Workforce TeleStaff Software Licenses (Additions) for the Department of Innovation Technology. **(Citywide)**

This purchase will provide Workforce TeleStaff Software Licenses from Kronos. TeleStaff is a specialized scheduling tool developed to meet the unique needs of public safety organizations. The first phase will be to purchase 840 licenses to perform a proof-of-concept assessment to confirm requirements, scope assumptions, and timeline for a new implementation of TeleStaff. If the requirements can be achieved, a second phase will be scoped for the full solution implementation.

The Department of Innovation Technology, the Office of ERP Management, and Purchasing recommend awarding the contract to the sole source vendor, UKG (Ultimate Kronos Group), at \$135,595.69, based on estimated requirements.

5. Take action on the following resolutions:

- *5-a. 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, 2021, through September 30, 2022, for overtime and other authorized expenses for Mesa Police Department personnel assigned to the task forces. **(Citywide)** – Resolution No. 11720
- *5-b. Approving and authorizing the City Manager to enter into a funding agreement with Valley Metro Rail, Inc., for the current light rail operations in the City of Mesa. The estimated cost of service for operations, maintenance and facility landscaping of the existing light rail line for fiscal year 2021/22 is \$13,981,000. Coronavirus Relief and Recovery Supplemental Appropriations Act (CRRSAA) and American Rescue Plan (ARP) funding provide \$7,291,000 to offset costs. In addition, the City anticipates receiving \$2,196,000 in light rail fares, advertising, preventive maintenance grants and Arizona Lottery Funds for a net impact to the City's General Fund of \$4,494,000. **(Districts 3 and 4)** – Resolution No. 11721
- *5-c. Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with the Regional Public Transportation Authority (RPTA) for fixed-route bus, paratransit and RideChoice, services. The estimated cost of transit services for FY 2021/22 is \$24,120,253. Regional funds, Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) and American Rescue Plan (ARP) funding provide \$21,840,663 for the services and the City's General Fund covers the remaining \$2,279,590. **(Citywide)** – Resolution No. 11722
- *5-d. Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with Maricopa County to accept \$5,500,000 in U.S. Department of Treasury Emergency Rental Assistance (ERA1) grant funding for the City to provide rental assistance to eligible Mesa residents and Mesa-based County islands impacted by COVID-19 and for program-related administrative expenses. **(Citywide)** – Resolution No. 11723
- *5-e. **ZON21-00388 (District 4)** Within the 300 block of North Stapley Drive (west side) and within the 1100 block of East University Drive (south side). Located on the southwest corner of Stapley Drive and University Drive (.70± acres). Site Plan Review. This request will allow for a drive-thru coffee shop. Tim Rasnake, Archion Architecture and Interiors, LC, applicant; Jaswinder Singh - Surinder K. Singh, owner. – Resolution No. 11724

Staff Recommendation: Approval with conditions

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

6. Introduction of the following ordinance and setting September 13, 2021, as the date of the public hearing on the ordinance:

- *6-a. **See: Items not on the Consent Agenda.**

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

*7-a. Amending Title 2, Chapter 21 (Economic Development Advisory Board), Sections 1 and 2 of the Mesa City Code to increase the number of ex officio non-voting members on the Economic Advisory Board. **(Citywide)** – Ordinance No. 5637

*7-b. **ZON21-00293 (District 1)** Within the 1900 block of East McKellips Road (north side). Located west of Gilbert Road on the north side of McKellips Road (0.2± acres). Rezone from Agriculture (AG) to Limited Commercial (LC). This request will allow commercial uses on the property. Sean Lake, Pew & Lake, PLC, applicant; Orange Tree Marketplace II, owner. – Ordinance No. 5638

Staff Recommendation: Approval with conditions

P&Z Board Recommendation: Approval with conditions (Vote: 5-0)

*7-c. **ZON20-00585 (District 5)** Within the 7300 block of East Southern Avenue (north side) and within the 1100 block of South Rowen (east side). Located west of Sossaman Road on the north side of Southern Avenue (1.77± acres). Rezone from Limited Commercial with a Planned Area Development overlay (LC-PAD) to Multiple Residence 2 with a Planned Area Development overlay (RM-2-PAD-PAD). This request will allow for the development of attached single residences. Jared Malone, Associated Architects, applicant; Cardon Hiatt Investments, LLC & CB Equity, LLC, owner. – Ordinance No. 5639

Staff Recommendation: Approval with conditions

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

*7-d. **ZON20-00700 (District 5)** Within the 8100 block of East Brown Road (south side). Located west of the 202 Red Mountain Freeway on the south side of Brown Road (3.21± acres). Rezoning from RS-9 to RM-2-PAD; and Site Plan Review. This request will allow for the development of attached single residences. Zach Collins, applicant; Thrive Development, LLC, owner. – Ordinance No. 5640

Staff Recommendation: Approval with conditions

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

*7-e. **ZON20-00792 (District 6)** Within the 6600 block of South Mountain Road (east side). Located west of Meridian Road and north of Pecos Road (5.17± acres). Rezone from Agricultural (AG) to General Industrial (GI). This request will allow industrial uses on the property. Shaine Alleman, Tiffany & Bosco, P.A., applicant; Sonoran Desert Property Holdings, LLC, owner. – Ordinance No. 5641

Staff Recommendation: Approval with conditions

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

*7-f. **ZON21-00394 (District 6)** Within the 7600 to 7800 block of east Warner Road (south side) and within the 4400 to 4700 block of the South Sossaman Road alignment (east side). Located east of the Sossaman Road alignment on the south side of Warner Road

(101.7± acres). Rezone from Light Industrial (LI) and Agricultural (AG) to Light Industrial with a Planned Area Development (LI-PAD) overlay; and Site Plan Review. This request will allow for the development of an industrial business park. Wendy Riddell, Berry Riddell LLC, applicant; Gateway Business Park LLC/Tonto Corp., owner. – Ordinance No. 5642

Staff Recommendation: Approval with conditions

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

*7-g. **See: Items not on the Consent Agenda.**

Items not on the Consent Agenda.

6. Introduction of the following ordinance and setting September 13, 2021, as the date of the public hearing on the ordinance:

*6-a. Amending Title 5 of the Mesa City Code (Business Regulations) by repealing Chapter 12 entitled “Massage Establishment Operations” and replacing it in its entirety with a new Chapter 12 entitled “Massage and Bodywork Establishment Operations” governing the licensing of massage establishments and bodywork establishments. **(Citywide)**

Kathleen Winn, a Mesa resident, expressed her appreciation to the Mesa City Council for their work with the Mesa Police Department to update the ordinance regarding the fight against sex trafficking and sexual exploitation.

Mayor Giles commented he hopes the City of Mesa can get the message out about broadening of the ordinance, liabilities, and responsibilities for business owners.

It was moved by Councilmember Freeman, seconded by Councilmember Spilsbury, that Agenda Item 6-a be introduced, setting September 13, 2021, as the date of the public hearing.

Upon tabulation of votes, it showed:

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

NAYS – None

Carried unanimously.

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

7-g. **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. – Ordinance No. 5643

Staff Recommendation: Approval with conditions

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

Councilmember Freeman noted it is time to move forward with this project and stated the City has a 41-year lease adjacent to the property. He pointed out it is important for economic development in this area for the Class A office spaces and businesses to have housing in this specific area.

Councilmember Heredia stated the City should build out the areas along the light rail to leverage opportunities and quality developments. He expressed support for this development to ensure residents are getting quality housing.

It was moved by Councilmember Heredia, seconded by Councilmember Thompson, that Ordinance No. 5643 be adopted.

Upon tabulation of votes, it showed:

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

NAYS – None

Carried unanimously.

8. Items from citizens present.

Melonee Clark, a Mesa resident, submitted comments to be read stating that 14 years ago the City of Mesa received \$200,000 from the developer for curbing and sidewalks, which were never completed. She mentioned Councilmember Thompson indicated the City will complete the sidewalk once funding is available; however, the funding was provided by the developer and the City has failed to complete the project in more than a decade. She requested that the City complete the project.

9. Adjournment.

Without objection, the Regular Council Meeting adjourned at 6:19 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 30th day of August 2021. I further certify that the meeting was duly called and held and that a quorum was present.

DEE ANN MICKELSEN, CITY CLERK