



# COUNCIL MINUTES

April 20, 2020

The City Council of the City of Mesa met in a Regular Council Meeting via virtual format streamed into the lower level meeting room of the Council Chambers, 57 East 1st Street, on April 20, 2020 at 5:45 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  
Agnes Goodwine  
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:

- Titan Solar – Donated over 1,000 masks to Public Safety Departments
- Magellan Health Care – Donated 2,000 units of hand sanitizer to Public Safety Departments
- Santander – Donated a New Refrigerated Truck to Mesa United Food Bank
- Just-In Time Moving & Storage – Collected and Distributed Food for Mesa United Food Bank

Mayor Giles stated citizens that would like to acknowledge an outstanding business or organization that is helping the community during the pandemic can send an email to [Mayor@MesaAZ.gov](mailto:Mayor@MesaAZ.gov).

Mayor Giles announced Arbor Day is on April 24<sup>th</sup> and this year will mark Mesa's 10<sup>th</sup> anniversary as a Tree City USA community. He introduced and presented the Arbor Day Proclamation to Lori Jones, SRP Maintenance Services Manager. He commented Salt River

Project (SRP) has partnered with Mesa to plant over 600 new trees along the streets and in the parks and schools through the Right Tree, Right Place Program.

Ms. Jones stated the Right Tree, Right Place Program came about three years ago as a pilot program with the City of Phoenix to identify trees that have been planted in the wrong place and are encroaching on overhead powerlines. She advised for every tree removed, three new trees are planted.

Mayor Giles announced with Arbor Day and the 50<sup>th</sup> anniversary of Earth Day coming up, the City of Mesa has posted 50 ways to celebrate at [www.mesaaz.gov/residents/sustainability/earth-day/earth-day-events](http://www.mesaaz.gov/residents/sustainability/earth-day/earth-day-events). He encouraged residents to share their celebrations on social media.

Mayor Giles reported April 19<sup>th</sup> to 25<sup>th</sup> is National Volunteer week. He advised there are more than 77 million volunteers in the United States who give their time and talents to help in their communities. He mentioned COVID-19 has changed the way we volunteer but has not prevented people from volunteering. He introduced and presented Mesa Volunteer Program Coordinator Bethany Freeland the Volunteer Week Proclamation.

Ms. Freeland stated many City of Mesa departments rely on the contributions of volunteers to bring added value to many City programs. She added in 2019 over 9,000 volunteers donated more than 180,000 hours to the City of Mesa's programs and events. She reported even during the pandemic volunteers are stepping up to help support those struggling in the community.

Ms. Freeland described the Adopt-A-Grandparent Program that assists individuals over age 60 who are at high risk and need to stay home. She explained many volunteers have repurposed themselves to support new needs that have arisen during this pandemic like sewing masks for first responders. She emphasized citizens who are healthy and would like to volunteer can visit [www.mesaaz.gov/residents/volunteer](http://www.mesaaz.gov/residents/volunteer) to find opportunities. She thanked Mayor Giles and the Councilmembers for their continued support of volunteers and volunteer programs.

Mayor Giles thanked Ms. Freeland and staff for their volunteer coordination and the implementation of the Adopt-A-Grandparent Program. He encouraged volunteers or individuals in need to visit [www.mesaaz.gov/residents/adopt-a-grandparent-program](http://www.mesaaz.gov/residents/adopt-a-grandparent-program).

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 Luna, seconded by Councilmember Thompson, 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 12, March 19, April 6, 2020 Study Sessions and April 6, 2020 Regular Council meeting.

3. Take action on the following liquor license applications:

\*3-a. Vektor Vodka

A liquor distribution warehouse is requesting a new Series 4 Wholesaler License for Drink Vektor LLC, 1661 North Quail - Tyler Sean Stone, agent. There is no existing license at this location. **(District 5)**

\*3-b. Zugoi Sushi

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Zugoi Sushi Corporation, 6813 East Main Street – Jeong Ae Shin, agent. There is no existing license at this location. **(District 5)**

4. Take action on the following contracts:

\*4-a. Ratifying an Emergency Purchase of Retread Tires for the Materials and Supply Warehouse (for Environmental Management and Sustainability). **(Citywide)**

This emergency purchase provided for 96 retread tires for Solid Waste refuse trucks for essential operations. In anticipation and response of a potential shortage of these tires due to COVID-19 and manufacturing shutdowns, these retread tires were purchased for stock inventory by Materials and Supply.

The Business Services Department and Purchasing recommend ratifying the purchase from the contract with Border Recapping, LLC, at \$29,172.96.

\*4-b. Ratifying an Emergency Increase to the Term Contract for Tire Maintenance and Repair Services for the Fleet Services Department. **(Citywide)**

This contract provides tire maintenance and repair services on all wheeled equipment for the City's fleet of approximately 1,600 units. Fleet Services had pending invoices for March and the dollar-limit increase was necessary to process payments through 3/31/2020, the contract expiration.

The Fleet Services Department and Purchasing recommend increasing the dollar-limit with Jack's Tire & Oil Management Company, Inc., by \$27,000, from \$425,000 to \$452,000 for Year 5, the final year of the contract.

\*4-c. Ratifying a Contract Amendment to the Term Contract for Tires for the Materials and Supply Warehouse (for the Fleet Services and Mesa Fire and Medical Departments). **(Citywide)**

Due to the current COVID-19 climate, vendors have informed the City that manufacturing of tires is being shut down, which could create a shortage of tires. The current vendor, Redburn, is not able to supply the full amount and type of tires the City

will potentially need. Materials and Supply and Fleet Services determined using a secondary tire vendor would keep ahead of this situation.

The Business Services Department and Purchasing recommend ratifying a contract amendment to Mesa's use of the NASPO/State of Arizona cooperative contract, adding the vendor, Purcell Tire Company (a Mesa business); and increasing the dollar-limit by \$150,000, from \$150,000 to \$300,000 for Year 2, based on estimated usage.

- \*4-d. Ratifying an Emergency Increase to the Term Contract for Emergency Medical Supplies and Pharmaceuticals for the Mesa Fire and Medical Department. **(Citywide)**

This dollar-limit increase was to procure medical supplies in response to COVID-19. Mesa Fire and Medical requested additional funds to continue through the rest of the term for future needs of the department.

The Mesa Fire and Medical Department and Purchasing recommend increasing the dollar-limit with Bound Tree Medical, LLC, by \$150,000, from \$535,000 to \$685,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

- \*4-e. Purchase of Fire Station Alerting System Equipment for Recommissioned Fire Stations 2201 and 2202 for the Mesa Fire and Medical Department (Sole Source). **(Citywide)**

To maintain interoperability with the Valley's two dispatch centers (Mesa and Phoenix) and their client Fire Departments, the Mesa Fire and Medical Department (MFMD) needs to use the same station alerting system (Phoenix G2) that is used by these entities. This project involves installing the G2 station alerting packages in Fire Station 2201 (recommissioned for ambulance deployment) and Station 2202 (recommissioned for Battalion 204 quarters).

The Mesa Fire and Medical Department, Department of Innovation and Technology, and Purchasing recommend authorizing the purchase with US Digital Designs, at \$79,107.15, based on estimated requirements. This purchase is funded by General Fund Capital.

- \*4-f. One-Year Renewal with a One-Year Renewal Option to the Term Contract for Gas Masks and Canisters for the Police Department. **(Citywide)**

This contract provides gas masks for the Police Department to replace those that have met the end of their service life, as a result of repeated use and/or exposure to the elements. It also provides for canisters as they reach their expiration date and need to be replaced.

The Police Department and Purchasing recommend authorizing the renewal with Mallory Safety & Supply LLC, at \$100,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

- \*4-g. 14-Month Term Contract with Three Years of Renewal Options for an Interview Rooms Camera Solution (Replacement) for the Police Department. **(Citywide)**

The Police Department's interview room recording solution was implemented in 2010 and updated technology is needed. The Axon interview room product is recommended

because it uses Evidence.com for storage and cameras that are of a current standard high definition format. It is also recommended because the product will interface with the Department's current Axon products, which will create efficiencies for the users when searching for case footage, as well as for administrative functions, because of familiarity with current Axon products.

The Police Department and Purchasing recommend authorizing the purchase using the City of Tempe cooperative contract with Axon Enterprise, at \$256,000 for Year 1 and \$100,000 for Year 2, based on estimated requirements. For the initial purchase, \$95,000 will be funded from City IT Application Lifecycle Funds and \$111,094.94 from FY18 JAG grant funds.

- \*4-h. Award Additional Vendors to the Three-Year Term Contract with Two Years of Renewal Options for Safety Shoes for Various City Departments as requested by the Human Resources Department. **(Citywide)**

This contract provides a Qualified Vendors List to provide safety shoes for City of Mesa employees. The City is responsible for ensuring employees who are, or expected to be, exposed to certain workplace hazards are provided proper personal protective equipment (PPE) in order to avoid on the job injury and/or illness. There are more than 1,000 employees in over 80 job titles that require safety shoes.

An evaluation committee recommends awarding the contract to the qualified respondents: Boot Barn (a Mesa business); Lehigh Outfitters, LLC (a Mesa business); Matlick Enterprises, dba United Fire Equipment Company; Skaggs Companies Inc., dba Skaggs Public Safety Uniforms (a Mesa business); and Universal Procurement Inc., dba Universal Police Supply Company; at \$150,000 Annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

- \*4-i. One-Year Renewal with a One-Year Renewal Option to the Term Contract for Light Duty Automotive Body Repair Services for the Fleet Services Department. **(Citywide)**

This contract provides a qualified vendor list of automotive body repair firms to provide non-exclusive repair service for the City's fleet of approximately 1,400 light duty vehicles. The qualified vendors are given an opportunity to provide an itemized quote for each repair and the repair work is awarded to the lowest, most responsive, responsible repair estimate submitted.

The Fleet Services Department and Purchasing recommend authorizing the renewal with Caliber Bodyworks of Arizona, Inc., dba Caliber Collision Mesa-East Main St.; East Valley Collision LLC; LP's Body & Paint Center LLC; and 2nd GEN LLC, dba Maaco Collision Repair & Auto Painting (all Mesa businesses); at \$400,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

- \*4-j. Three-Year Term Contract with Two Years of Renewal Options for the Performance Cooling Water Treatment Program for the Parks, Recreation and Community Facilities Department. **(Citywide)**

This contract will provide monthly water treatment services at all City buildings that are equipped with chillers and/or boilers. Water treatment prevents microbial growth in the chilled water systems used to provide air conditioning. Microbial growth in these systems

would cause them to deteriorate exponentially faster and would cause a public safety hazard.

An evaluation committee recommends awarding the contract to the highest-scored proposal from Water & Energy Systems Technology, Inc. (a Mesa business), at \$54,200 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

- \*4-k. 16-Month Renewal to the Term Contract for Supplemental Computers, Ruggedized Laptops and Tablets for various City Departments as requested by the Department of Innovation and Technology. **(Citywide)**

This contract provides supplemental purchases of computer equipment outside the normal cycle replacement program for customer departments to meet their current and future technology needs. Purchases are made on an as-needed basis. The contract amount is based on previous technology purchase requests from City departments and the contract will now include Microsoft products.

The Innovation and Technology Department and Purchasing recommend renewing the contract through July 31, 2021, using the State of Arizona cooperative contracts with Dell Marketing LP; Apple Computer, Inc.; Panasonic Solutions; and Microsoft Corporation; at \$400,000, based on estimated usage.

5. Take action on the following resolutions:

- \*5-a. Authorizing and supporting the submittal of a grant application by Save the Family Foundation of Arizona to the Ak-Chin Indian Community in the amount of \$50,000 and authorizing the City Manager to accept and administer subsequent awarded funds as a pass-through grant. – Resolution No. 11474
- \*5-b. Authorizing and supporting the submittal of a grant application by Child Crisis Arizona to the Ak-Chin Indian Community in the amount of \$10,000 and authorizing the City Manager to accept and administer subsequent awarded funds as a pass-through grant. – Resolution No. 11475
- \*5-c. Authorizing and supporting the submittal of a grant application by the Mesa Arts Center to the Tohono Ak-Chin Indian Community in the amount of \$7,500 and authorizing the City Manager to accept and administer subsequent awarded funds. The funds will be used for the Mesa Arts Center's *Project Lit: Igniting Literacy Through the Arts*. **(Citywide)** – Resolution No. 11476
- \*5-d. Authorizing and supporting the submittal of a grant application by Arizona State University Foundation to the Fort McDowell Yavapai 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. 11477
- \*5-e. Authorizing and supporting the submittal of a grant application by Child Crisis Arizona to the Fort McDowell Yavapai Nation in the amount of \$10,000 and authorizing the City Manager to accept and administer subsequent awarded funds as a pass-through grant. – Resolution No. 11478

- \*5-f. Authorizing and supporting the submittal of a grant application by Gene Lewis Boxing Club to the Fort McDowell Yavapai Nation in the amount of \$7,500 and authorizing the City Manager to accept and administer subsequent awarded funds as a pass-through grant. – Resolution No. 11479
- \*5-g. Authorizing and supporting the submittal of a grant application by the i.d.e.a. Museum to the Fort McDowell Yavapai Nation in the amount of \$20,000 and authorizing the City Manager to accept and administer subsequent awarded funds. The funds will be used for the i.d.e.a. Museum's *Providing Artful Experiences for Kids and Adults with Autism Spectrum Disorder* initiative. **(Citywide)** – Resolution No. 11480
- \*5-h. Authorizing and supporting the submittal of a grant application by Junior Achievement of Arizona to the Fort McDowell Yavapai Nation in the amount of \$10,000 and authorizing the City Manager to accept and administer subsequent awarded funds as a pass-through grant. – Resolution No. 11481
- \*5-i. Authorizing and supporting the submittal of a grant application by the Mesa Arts Center to the Fort McDowell Yavapai Nation in the amount of \$7,500 and authorizing the City Manager to accept and administer subsequent awarded funds. The funds will be used for the Mesa Arts Center's *Project Lit: Igniting Literacy Through the Arts* initiative. **(Citywide)** – Resolution No. 11482
- \*5-j. Authorizing and supporting the submittal of a grant application by Save the Family Foundation of Arizona to the Fort McDowell Yavapai Nation in the amount of \$10,000 and authorizing the City Manager to accept and administer subsequent awarded funds as a pass-through grant. – Resolution No. 11483
- \*5-k. Authorizing and supporting the submittal of a grant application by the Mesa Police Department to the Fort McDowell Yavapai Nation in the amount of \$96,000 and authorizing the City Manager to accept and administer subsequent awarded funds. The funds will be used for the Mesa Police Department's Youth Development Unit. **(Citywide)** – Resolution No. 11484
- \*5-l. Approving and authorizing the City Manager to accept, expend, and distribute grant funds from the U.S. Department of Housing and Urban Development, Continuum of Care Shelter Plus Care Grant, in the amount of \$99,788. The City partners with Save the Family in the Continuum of Care Shelter Plus Care Program by providing rental assistance and related administrative services (funded by this grant), and case work and supported services that are funded through Save the Family. **(Citywide)** – Resolution No. 11485
- \*5-m. Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with the Arizona Department of Transportation to identify and define the responsibilities for design, construction, and future maintenance of the City of Mesa Shared-Use Pathway (SUP) along the US 60 ADOT Right of Way, between the Consolidated Canal and Eastern Canal. The City is not committing any funding with this agreement. **(District 2)** – Resolution No. 11486
- \*5-n. Setting May 18, 2020 as the date of the public hearing to review the proposed FY 2020/2021 annual assessments for the Mesa Town Center Improvement District No. 228. The proposed final assessments do not include any rate increases. **(District 4)** – Resolution No. 11487

6. Introduction of the following ordinances and setting May 4, 2020 as the date of the public hearing on these ordinances:

- \*6-a. **ZON19-00687 (District 5)** Within the 1800 block of North Val Vista Drive (east side). Located south of McKellips Road on the east side of Val Vista Drive (3.47 ± acres). Rezoning from RS-35 to RS-35 BIZ. This request will allow for the development of a single-residence subdivision. Welker Development Resources, applicant; Sikora Holdings LLC, owner.

Staff Recommendation: Approval with conditions

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

- \*6-b. **ZON19-00706 (District 5)** Within the 2400 to 2500 blocks of North Val Vista Drive (east side). Located south of McDowell Road on the east side of Val Vista Drive (5 ± acres). Rezoning from RS-35 to RS-35 PAD. This request will allow for the development of a single-residence subdivision. Eric DeRoche, applicant; NuSash Investments, owner.

Staff Recommendation: Approval with conditions

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

- \*6-c. **ZON19-00960 (District 6)** Within the 7100 to 7300 blocks of East Baseline Road (south side). Located east of Power Road on the south side of Baseline Road (1.7 ± acres). Modification of an approved PAD; and Site Plan Modification. This request will allow for the development of a medical office building and a future pad site. Woods Associates Architects LLC, applicant; Sarsar Khamis George, owner.

Staff Recommendation: Approval with conditions

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

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

- \*7-a. **ZON19-00935 (District 3)** 20.68± acres of the property is located within the 1800 to 2000 blocks of South Hobson (east side); the 600 to 800 blocks of East Baseline Road (north side); and the 1900 to 2000 blocks of South Horne (west side), and 4.5± acres of the property is located within the 500 block of East Auto Center Drive (south side); and within the 1700 to 1900 blocks of South Hobson (west side). Rezoning from LI and LI-PAD to LI-PAD; and Site Plan Review (overall 25.18± acres). This request will establish the Metro East Valley PAD and allow for an industrial development. Jeff McCall, McCall & Associates, applicant; Puppyfeathers, LLLP, owner. – Ordinance No. 5561

Staff Recommendation: Approval with conditions

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

- \*7-b. **ZON19-00919 (District 5)** Within the 7600 block of East University Drive (south side) and within the 300 block of North Sossaman Road (east side). Located on the southeast corner of University Drive and Sossaman Road (1.7± acres). Rezone from RS-9 to RSL-3.0-BIZ. This request will allow for the development of a small-lot single-residence



subdivision. Jared Malone, Associated Architects, applicant; Lavigna Investments Corporation, owner. – Ordinance No. 5562

Staff Recommendation: Approval with conditions

P&Z Board Recommendation: Approval with conditions (Vote: 4-0)

- \*7-c. Amending Section 10-4-6 of the Mesa City Code to establish a speed limit of 30 mph on Everton Terrace from Elliot Road to a point 2,290 feet south of Elliot Road, as recommended by the Transportation Advisory Board. **(District 6)** – Ordinance No. 5563

8. 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:

- \*8-a. Conduct a public hearing on minor General Plan amendment case ZON19-00954. **(District 5)**

**For continuance to the May 18, 2020 City Council meeting.**

- \*8-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 May 18, 2020 City Council meeting.**

- \*8-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 May 18, 2020 City Council meeting.**

- \*8-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 May 18, 2020 City Council meeting.**

9. Take action on the following subdivision plat:

- \*9-a. "SWC CRISMON ROAD & HAMPTON AVE" (**District 6**) Located within the 9800 to 10000 blocks of East Hampton Avenue (south side) and within the 1400 to 1600 blocks of South Crismon Road (west side). Located at the northwest corner of the US-60 Superstition Freeway and Crismon Road (12.82±acres). Virtua Crismon Mesa Owner, LLC, developer; Jason A. Segneri, Survey Innovation Group Inc., surveyor.

**Items not on the Consent Agenda.**

10. Conduct a public hearing and take action on the following annexation cases, minor General Plan amendments, and zoning cases, and take action on the following development agreements, all related to the Hawes Crossing development:

- 10-a. Conduct a public hearing on annexation cases ANX18-00788 and ANX19-00420, minor General Plan amendments ZON19-00754 and ZON19-00755, and zoning cases ZON17-00606 and ZON17-00607.

Mayor Giles declared this is the time for the public hearing regarding annexation cases ANX18-00788 and ANX19-00420, minor General Plan amendments ZON19-00754 and ZON19-00755, and zoning cases ZON17-00606 and ZON17-00607, and to take public comment on Items 10-b through 10-i.

The following citizens indicated support for Agenda Items 10-a through 10-i:

- Jacob Rijlaarsdam, a Mesa resident
- Corinne Lemons, a Queen Creek resident
- Christopher Norton, a Mesa resident
- Sharon Brown, a Mesa resident
- James Archambault, a Mesa resident
- Sherry Ramsey, a Mesa resident
- Georgette Sharon
- Joshua Mounts, a Mesa resident
- David McKelvey, a Mesa resident
- Cassandra Wood, a Mesa resident
- Michel Fluhr
- Linda Rijlaarsdam, a Mesa resident
- Anja Rijlaarsdam, a Mesa resident
- Clint Collom, a Mesa resident
- Kristin LeBaron, a Utah resident
- William Pierce, a Mesa resident
- Barbara Pierce, a Mesa resident
- Brian Brockman
- Mark Ipson, a Sun City resident
- Weston White, a Mesa resident

The following citizens submitted comment cards to be read in support of Agenda Items 10-a through 10-i:

- Damien Binch, a Mesa resident
- Heather Diepstraten, a Mesa resident
- Wayne Carr, a Mesa resident
- Jedidiah Young, a Mesa resident
- Casey Landreth, a Mesa resident
- Scott Bartlett, a Mesa resident
- Lori Rogers, a Mesa resident
- John Kazarian, a Mesa resident
- Molly Pierce, a Mesa resident

- John Gosney, a Mesa resident
- Raul Farfan, a Mesa resident
- Shelly Callaway, a Mesa resident
- Andrea Hendrickson, a Mesa resident
- David Gottwig, a Mesa resident
- Bonnie Klassen, a Mesa resident
- Grant Klassen, a Mesa resident
- Marisa Shaffery, a Mesa resident
- Valerie Farfan, a Mesa resident
- Rusty Lewellen, a Mesa resident
- Chris Lewellen, a Mesa resident
- Darrell Fultz, a Mesa resident
- Mark Rogers, a Mesa resident
- Ron Harris, a Mesa resident
- Kandi Salceda, a Mesa resident
- Chris Udall, a Mesa resident
- Mark Nielsen, a Mesa resident
- Willow Seward, a Mesa resident
- Marilyn Risko, a Mesa resident
- Karen Acosta, a Mesa resident
- Sarah Van Cleave, a Mesa resident
- Cory Pettengill, a Mesa resident
- Warren Brown, a Mesa resident
- Wyatt Seward, a Mesa resident
- Shelly Seward, a Mesa resident
- Lee Hendrickson, a Mesa resident
- Billy Maynard, a Mesa resident
- Perry Hunsaker, a Mesa resident
- Brenda Hunsaker, a Mesa resident
- Alan Macdonald, a Utah resident
- Peter Van Rijn, a Mesa resident
- Kim Robinson, a Chandler resident
- Colton & Sarah Hellums-Robinson, Queen Creek residents
- James & Keaghan Walker, Queen Creek residents
- Brian & Karsynn Black, Mesa residents
- James & Helen Wagner, Queen Creek residents
- Robert Macdonald, a Gilbert resident
- Marci Macdonald-Stevens, a Texas resident
- Darla Huff, a Mesa resident
- Shital Patel, a Mesa resident
- Vikas Patel, a Mesa resident
- Meaghan Hulihee, a Mesa resident
- Jody Van Rijn, a Mesa resident
- Jean Macdonald-Paul, a Missouri resident
- Keith Macdonald, a Mesa resident
- Heather Mecham, a Gilbert resident
- Jennifer Pershing, a Tucson resident
- Gwen Gunn, a Mesa resident
- Kathleen Celso, a Mesa resident
- Gene & Lara Bateman, Mesa residents
- Greg Guglielmino, a Gilbert resident
- Bonnie Miller, a Mesa resident
- Sherry Stewart, a Mesa resident
- Gary Smith, a Mesa resident
- Kathie Grissom, a Gilbert resident
- Todd Grissom, a Gilbert resident
- Shelbie Grissom, a Mesa resident
- Christian Clausen, a Mesa resident
- Victor Riches, a Mesa resident
- Jim Boyle, Sr., a Mesa resident
- Jordan Crabtree, a Queen Creek resident
- Thomas Crabtree, a Queen Creek resident
- Lou Huff, a Mesa resident
- Mary Oertle, a Mesa resident
- Alexandra Boyle, a Mesa resident

- Courtney Everhart, a Mesa resident
- Chelsea White, a Mesa resident
- Clint Schuler, a Mesa resident
- Amy Baxley, a Mesa resident
- Cheska Price, a Mesa resident
- Brenna Saurey, a Mesa resident

The speakers offered a series of comments including, but not limited to, the following:

- Enrichment of the neighborhood
- In favor of farms moving because of the smell and flies
- Health issues
- Positive impact on family life
- Strong community support to rezone
- Mesa needs more residential neighborhoods
- Benefits the community and surrounding communities
- Progress of area and growth
- Create a legacy for Mesa
- Brings jobs
- Supports public schools
- Increases home values and improves the quality of life
- In favor of light commercial for shopping and restaurants
- Increased revenue for Mesa
- Technology Corridor is the highest and best use of the land
- Location too valuable not to rezone
- Proposed zoning shows initiative and forward thinking towards future progress and planning
- Supports growth and prosperity for all involved

The following citizens indicated opposition to Agenda Items 10-a through 10-i:

- Ardith Hoodenpyle, a Mesa resident
- Kevin Beeson, a Mesa resident
- Daniel McKinnon, a Mesa resident
- Doni Mullins, a Mesa resident
- Tina Martin, a Mesa resident
- Roxanne Artman, a Mesa resident
- Chris Price, a Mesa resident
- Peter Edmunds, a Mesa resident
- Rebecca Brimhall, a Mesa resident
- Jeanne Radysh-Oury, a Mesa resident

The following citizens submitted comment cards to be read in opposition of Agenda Items 10-a through 10-i:

- Alan Haynie, a Mesa resident
- Tristan Niehans, a Mesa resident
- Dennis Brimhall, a Mesa resident
- Andrea Marshall, a Mesa resident
- Rich Dalton, a Mesa resident

- Christopher Schmitt, a Mesa resident
- Trevor Merrill, a Mesa resident
- Erin Merrill, a Mesa resident
- Shannon King, a Mesa resident
- Dackota Johnson, a Mesa resident
- Dale Cluff, a Mesa resident
- HoneyLyn Terry, a Mesa resident
- Charles Terry, a Mesa resident
- Jonathan Henriquez, a Mesa resident
- Jay Douglas, a Mesa resident

The speakers offered a series of comments including, but not limited to, the following:

- Rezoning not compatible with Boulder Creek Community
- Does not preserve quality of life
- Negatively impacts property values
- Increased traffic
- Decreased safety for children
- Density is not compatible

Bruce Artman, a Mesa resident, stated he opposes Item 10 because it includes too much high-density housing which will greatly increase the traffic. He remarked there will be a negative impact on the comparative values of existing homes. He mentioned in the last year the area surrounding Boulder Creek has been inundated with high-density housing and the current rezoning plan will add more. He agreed the dairies are a nuisance and that is the main reason why there is support for the rezoning. He suggested in the spirit of compromise that only 109 acres of the 514 to be zoned as RS-6. He indicated the current plan has no mention of amenities and that he would like to propose that the continuation of the western canal bicycle trail be included as a requirement of any new development.

Johnetta Davis, a Mesa resident, spoke in opposition to Item 10, stating her concern is for Boulder Creek Elementary School and the traffic congestion that will be generated, placing the schoolchildren at risk for accidents and harm. She added decisions need to be made with safety as a priority and asked Council to reject the proposed zoning.

Molly Pierce, a Mesa resident, indicated support of Item 10 due to Mesa having a unique opportunity to expand the current horizon to become legacy worthy. She stated the opinion that allowing more homes and new businesses will help Mesa grow. She requested Council pass the item to create a better city.

Ralph Pew, a Mesa resident, expressed support for the Hawes Crossing project. He advised the plan unites the property owners and property owner interests into one masterplan that will sustain the jobs and housing proposed. He encouraged Council to adopt Item 10 because it will provide a cohesive development for the City of Mesa.

Jordan Rose, Attorney with Jordan Law Group, thanked the City of Mesa staff for their work on the project that has spanned the last four years and consists of 17 families and 52 entities. She advised she has never been involved on a project with so much support.

Ms. Rose displayed a PowerPoint presentation. **(See Attachment 1)**

Ms. Rose stated the dairies are at a crossroads and need to decide whether to put additional money into their farms and remain at those locations for the next 20 to 30 years, or plan for the

future generations and allow the land to be used for mixed-use development. (See Page 2 of Attachment 1)

Ms. Rose presented photographs of the surrounding area that depicts the current land uses. (See Page 3 of Attachment 1)

Ms. Rose explained during this process there have been 29 different land plans. She compared the land plan in 2016 that consisted of 17% employment and 83% residential, to the current land plan that is 56% employment and 44% residential. She reviewed the recent changes to the plan that include no standalone residential within 200 feet of Elliot Road and a 30-foot utility corridor designation. She advised the property south of Boulder Creek is zoned RS-6, which mirrors the Boulder Creek subdivision. She mentioned RS-6 represents approximately 7.26 units per acre and RSL-2.5 represents approximately 9.5 units per acre. (See Pages 5 through 9 of Attachment 1)

Ms. Rose highlighted the blue dots represent Boulder Creek residents who signed a petition in support of the project and the red dots represent residents in opposition. She detailed that many Boulder Creek residents wrote letters in support of the project and she read one of the comments. (See Pages 10 and 11 of Attachment 1)

Ms. Rose summarized there are over 700 signatures in support of the project and is a great example of community participation and partnership. She added Mesa hired private planners and economic development consultants to plan the land; and also worked with the airport, who is not in opposition to the project. (See Pages 12 and 13 of Attachment 1)

Ms. Rose pointed out with the passage of the annexation case, Mesa will be in control of 979 acres of land that is currently State land. She thanked everyone that has been involved in the planning of this innovative opportunity.

James Boyle, a Mesa resident, shared his background as a dairy farmer in Mesa and other cities in the Valley. He stated his goal when moving on to a new location is to leave a lasting legacy behind and he believes this plan does that. He stressed the landowners in the County land have other options that may not be in Mesa's best interest.

Natascha Ovando-Karadsheh, a Mesa resident, business owner and Chair of the Economic Development Advisory Board, spoke on behalf of the Board to express opposition to the Hawes Crossing project. She commented that the Board is chartered to advise Mesa City Council on matters pertaining to economic development and the Board is opposed to this project due to the fact that the project places residential uses next to significant SRP transmission lines which is not consistent with the City's vision for economic growth in the Elliot Tech Corridor. She reported the future growth of the Phoenix-Mesa Gateway Airport will be impinged by the additional housing in the flight path. She commented the project does not have a master developer to guarantee a cohesive development. She added that by zoning residential, there are lost opportunities to attract future businesses to the area.

Councilmember Thompson stated in 1998 residents of Mesa supported a Charter Amendment that broke the City into Districts to have one representative over each District. He commented since taking office, every decision he has made on projects within District 6 has been with the long-term betterment of District 6 in mind and with the promise of creating economic opportunities for residents.

Councilmember Thompson commented that since 2015 Mesa has generated over \$5 billion in capital investments from businesses moving into District 6 and over \$40 million in non-residential impact fees. He mentioned the Elliot Road Corridor started with previous Councils seeing the benefit of investing in infrastructure and pushing back against residential encroachment on the airport, and he has continued to build on that vision while working on a vision for the rest of District 6, like the Technology Corridor, the Heavy Industrial Corridor, the SR24 Corridor and the Ray Road Corridor. He explained he has said no to many projects because they did not fit into his vision of promoting quality development, promoting economic development, and protecting the Phoenix-Mesa Gateway Airport.

Councilmember Thompson quoted a May 2014 Arizona Republic article about Falcon Field and mentioned that residential encroachment took over Falcon Field and caused them to shift a good portion of their flight operations to Gateway Airport. He stated the project at Recker Road and Thomas Road is being continued so that Boeing can negotiate their ability to survive in Mesa. He described the business that plans to bring 12 F-16 fighter jets to Gateway Airport to support daily military training and the possibility of adding two more carriers to Gateway, alluding to the complaints that will be received from neighboring communities.

Councilmember Thompson summarized the words of Gateway Airport Director J. Brian O'Neill who stated there are impacts to the community and to the airport with residential encroachments which may necessitate modifications to the flight patterns and restrictions on the airport. He mentioned SkyBridge also has concerns and is not supportive of the project. He added does Mesa really want to hinder the bright future of the airport by restricting growth?

Councilmember Thompson pointed out that it has been said that that more than 50% of the land is carved out as employment, but there is no guarantee what the land will be zoned for after the sale. He discussed the language of the agenda item not being a minor general plan amendment but a major deviation from what the voters approved.

Councilmember Thompson indicated that a yes vote will not eliminate the smell, flies, and unsightly storage; and that Arizona Farms, the largest dairy, is not part of the project. He stated there is no requirement for the dairies to mitigate the organics and leech ponds, so the smell and flies will remain until a developer comes and removes them.

Councilmember Thompson commented Public Safety has not kept pace with Mesa's growth. He remarked the largest beat in Mesa is typically staffed with one patrol officer depending on their callouts, vacations, and training. He questioned with no plan for a new school, where will the children funnel to attend school?

Councilmember Thompson stated he is hopeful Council has the vision to understand the impact that residential encroachment will have on the success of the Gateway Airport and will take a stand and vote against Hawes Crossing. He indicated Council is at a crossroads for protecting the airport and the investment made by past Councils. He invited Council to put aside political donations, endorsements and promises to unite against the encroachment on the region's major economic driver.

Ms. Rose noted the plan is considered a minor plan amendment because the change is to a very small portion of the General Plan. She expressed her understanding that Gateway Airport representatives commented that the residential developments proposed would be in the AOA 3 and any type of residential is permitted there, with no opposition from the airport. She reiterated that the plan involves 17 families and State land coming together to allow Mesa to control the land which is a great upside to the City. She advised the Elliott Pollack study indicates the 56%

non-residential will provide 100,000 jobs. She continued by saying because of the community support and the families coming together with the State land, Mesa has a great opportunity to create a vibrant place that will be used for decades to come.

Planning Director Nana Appiah informed Council that staff utilized data from the 2008 Phoenix-Mesa Gateway Airport study which required a detailed study of the Inner Loop area to be done to determine the allocation of land uses and how that would be compatible with the Gateway Airport operation. He emphasized staff used the Gateway Airport study, the Inner Loop study, the General Plan, and citizen participation to come up with the recommendation before Council.

Mayor Giles shared that over two years ago he made it clear to the applicant that the protection of Gateway Airport was the most important consideration to any land-use decision and remains that way today. He explained at that time the applicant agreed to rethink the land planning, adding that the noise contours around the airport changed and the arbitrary line of the power lines for restricting residential development might be hard to justify. He mentioned prohibiting any residential on over 1,000 acres had not been done anywhere before because it is likely not good City planning.

Mayor Giles described while this section of Mesa, being so close to the airport and freeway, may be perfect for industrial and commercial land use, developing the land exclusively that way may not be realistic. He confirmed the City hired experts to help plan the area and the guiding principles given to the land planners were to protect the viability of the airport and opportunities for employment. He stated at that time the applicants agreed to wait and design a proposal that conformed with the recommendations of the land-use study. He reported the recommendation at the conclusion of the study suggested there are parts of the area that should not be developed as residential; however, there are large areas where residential will not threaten the airport or the potential for large-scale employment. He added any residential needs to have noise attenuation features, aviation easements and deed restrictions.

Mayor Giles recalled back to when Council routinely denied applications to build homes near the airport because the proposals were contrary to the City's Master Plan, City staff recommended denial and the airport opposed those cases. He pointed out that none of those concerns are present with the current case; in fact, this proposal was crafted to be in compliance with the updated Master Plan, has City staff support, and has addressed the operational concerns of the airport. He emphasized the objective is to protect the commercial and industrial assets in the area, create jobs, and have a reasonable amount of housing to support those jobs.

Mayor Giles thanked the applicant for their patience and willingness to change the proposal in order to accomplish the City's goal for the Master Plan.

Carey Davis, a Mesa resident, expressed his opposition to the rezoning because the proposed rezoning is not compatible with the Boulder Creek neighborhood, adding only 35 acres of the 109 acres north of Elliot Road will retain RS-6 zoning. He stated the proposed zoning is more than twice the existing density and does not preserve the quality of life for Boulder Creek. He mentioned the rezoning will negatively impact property values and will increase traffic which will raise the level of risk for school children. He requested the 109 acres be rezoned RS-6 to be consistent with Boulder Creek. He continued by saying the zoning appears to be designed to increase the land value for the Hawes Crossing landowners at the expense of Boulder Creek residents. He remarked that Council should represent the interests of current and future residents. He advised that the high-density housing near the airport will create a future problem for the airport with complaints, which could be avoided with a better planning design. He asked Council to reject the proposed zoning.



Councilmember Thompson stated between Cadence and Eastmark there will be over 10,000 residential units, which does not include any multi-family. He feels there will be plenty of housing in the area to support those seeking jobs.

Mayor Giles stated there being no further citizens wishing to address Council, he declared the public hearing closed.

10-b. **ANX18-00788 (District 6)** Ordinance. Annexing property located south of Elliot Road and west of Ellsworth Road and adopting comparable zoning (319.4± acres). Initiated by the applicant, Jordan Rose, Rose Law Group, for the owners. – Ordinance No. 5564

10-c. **ANX19-00420 (District 6)** Ordinance. Annexing property located south of Elliot Road and west of Ellsworth Road and adopting comparable zoning (659.4± acres). Initiated by the applicant, Jordan Rose, Rose Law Group, for the owner, State of Arizona. – Ordinance No. 5565

10-d. **ZON19-00754 (District 6)** Resolution. The 7700 through 8400 blocks of East Elliot Road (south side), the 3700 through 4000 blocks of the South 80th Street alignment (both sides), the 3700 through 4000 blocks of South Hawes Road (west side), the 8400 through 8600 blocks of East Warner Road (north side), the 4200 through 4400 blocks of the South Hawes Road alignment (east side), and the 8100 through 8400 blocks of East Warner Road (south side) (280± acres). Minor General Plan Amendment. This request will change the General Plan character designation for the area from Mixed Use Activity/Employment to Neighborhood. Jordan Rose, Rose Law Group, applicant; multiple property owners. – Resolution No. 11488

Staff Recommendation: Adoption

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

10-e. **ZON19-00755 (District 6)** Resolution. The 4000 through 4400 blocks of South Hawes Road (west side) and the 8000 through 8400 blocks of East Warner Road (north side) (115± acres). Minor General Plan Amendment. This request will change the General Plan character designation for the area from Mixed Use Activity/Employment to Neighborhood. Jordan Rose, Rose Law Group, applicant; State of Arizona, owner. – Resolution No. 11489

Staff Recommendation: Adoption

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

10-f. **ZON17-00606 (District 6)** Ordinance. Within the 3200 through 4000 blocks of South Hawes Road (west side), the 3200 through 3600 blocks of South 80<sup>th</sup> Street (east side), the 3600 through 4000 blocks of the South 80th Street alignment (east and west sides), the 7700 through 8400 blocks East Elliot Road (south side), the 8100 through 8400 blocks of East Elliot Road (north side), the 8400 through 8800 blocks of East Warner Road (north side), and the 8100 through 8600 blocks of East Warner Road (south side) (540± acres). Rezone from AG and LI to RS-6, RSL-4.0, RSL-2.5, RM-5, GC, and MX with a PAD Overlay. This request will establish the “Hawes Crossing” PAD to guide the future review of specific plans of development. Jordan Rose, Rose Law Group, applicant; multiple property owners. – Ordinance No. 5566

Staff Recommendation: Approval with conditions

P&Z Board Recommendation: Approval with conditions (Vote: 3-2)

- 10-g. **ZON17-00607 (District 6)** Ordinance. Within the 8000 through 8400 blocks of East Warner Road (north side), the 4000 through 4400 blocks of the South Hawes Road alignment (west side), the 8400 through 8800 blocks of East Elliot Road (south side), the 3600 through 4000 blocks of the South Hawes Road alignment (east side), the 8800 through 9200 blocks of East Elliot Road (south side), the 8800 through 9200 blocks of East Warner Road (north side), and the 3600 through 4400 blocks of South Ellsworth Road (west side) (595± acres). Rezone from AG to RSL-4.0, RSL-2.5, RM-5, OC, LC, GC, LI, and MX with a PAD Overlay. This request will establish the 'Hawes Crossing' PAD to guide the future review of specific plans of development. Jordan Rose, Rose Law Group, applicant; State of Arizona, owner. – Ordinance No. 5567

Staff Recommendation: Approval with conditions

P&Z Board Recommendation: Approval with conditions (Vote: 3-2)

- 10-h. A resolution approving and authorizing the City Manager to enter into a Development Agreement with multiple property owners for the development of a mixed-use project known as Hawes Crossing on approximately 536 acres of land in the Inner Loop District and part of zoning case ZON17-00606. The Development Agreement will, among other things, provide for: i) zoning entitlements; ii) limitations on development; iii) prohibited land uses; iv) phasing of the project; v) construction of parks, trails and open space; vi) open space landscape buffer and utility easement; vii) infrastructure improvements; and viii) compatibility with Phoenix-Mesa Gateway Airport. **(District 6)** – Resolution No. 11490
- 10-i. A resolution approving and authorizing the City Manager to enter into a Development Agreement with the State of Arizona (by and through the State Land Commissioner and the Arizona State Land Department) for the development of a mixed-use project known as Hawes Crossing on approximately 595 acres of State land in the Inner Loop District and part of zoning case ZON17-00607. The Development Agreement will, among other things, provide for: i) zoning entitlements; ii) limitations on development; iii) prohibited land uses; iv) phasing of the project; v) construction of a community park, other parks, trails and open space; v) infrastructure improvements; and vi) compatibility with Phoenix-Mesa Gateway Airport. **(District 6)** – Resolution No. 11491

It was moved by Vice Mayor Freeman, seconded by Councilmember Duff, that the annexation cases, minor General Plan amendments, zoning cases and development agreements related to Hawes Crossing be approved.

Upon tabulation of votes, it showed:

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

NAYS – Thompson

Mayor Giles declared the motion passed by majority vote.

11. Items from citizens present.

There were no items from citizens present.

12. Adjournment.

Without objection, the Regular Council Meeting adjourned at 7:03 p.m.

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JOHN GILES, MAYOR

ATTEST:

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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 20<sup>th</sup> day of April 2020. I further certify that the meeting was duly called and held and that a quorum was present.

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DEE ANN MICKELSEN, CITY CLERK

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(Attachment -1)