



# COUNCIL MINUTES

February 10, 2020

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on February 10, 2020 at 5:45 p.m.

## COUNCIL PRESENT

John Giles  
Mark Freeman  
Jennifer Duff  
Francisco Heredia  
Kevin Thompson  
Jeremy Whittaker

## COUNCIL ABSENT

David Luna

## OFFICERS PRESENT

Christopher Brady  
Dee Ann Mickelsen  
Jim Smith

Mayor Giles excused Councilmember Luna from the entire meeting.

Mayor's Welcome.

Invocation by Reverend Derrick Elliott with Desert Heritage Church.

Pledge of Allegiance was led by Vice Mayor Freeman.

Awards, Recognitions and Announcements.

Councilmember Duff highlighted the 100<sup>th</sup> anniversary of the women's right to vote on February 14, 2020. She stated although women's suffrage was approved in November 1912, it took approximately 40 more years for women of color to gain the right to vote.

Mayor Giles explained the month of February is Black History Month and encouraged citizens to become more knowledgeable about black heritage and to honor the many black leaders who have contributed to the progress of our nation. He introduced Roy Tatum, President of the National Association for the Advancement of Colored People (NAACP), Travis Cutright, President of the National Forum for Black Public Administrators Central Arizona Chapter (NFBPA) and City of Mesa Department Director, and Ron Williams, Vice-Chairman of the Mesa Human Relations Advisory Board.

Mr. Tatum stated he has encouraged others to learn about the contributions of African Americans in society.

Mr. Cutright thanked City Council, staff, NFBPA members and friends for showing support and understanding the importance of Black History. He acknowledged the City of Mesa as one of two cities in Arizona to hold a Gold Association membership of the NFBPA.

Mr. Williams thanked Mayor, Council and members of the Office of Diversity for allowing him to serve on Mesa's Human Relations Advisory Board.

1. Take action on all consent agenda items.

All items listed with an asterisk (\*) will be considered as a group by the City Council and will be enacted with one motion. There will be no separate discussion of these items unless a Councilmember or citizen requests, in which event the item will be removed from the consent agenda and considered as a separate item. If a citizen wants an item removed from the consent agenda, a blue card must be completed and given to the City Clerk prior to the Council's vote on the consent agenda.

It was moved by Vice Mayor Freeman, seconded by Councilmember Heredia, that the consent agenda items be approved.

Upon tabulation of votes, it showed:

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

NAYS – None

ABSENT – Luna

Mayor Giles declared the motion carried unanimously by those present.

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

Minutes from the January 9, 2020 Study Session and January 27, 2020 Regular Council meeting.

3. Take action on the following liquor license applications:

\*3-a. Ultimate Imaginations Inc.

This is a one-day event to be held on Saturday, March 14, 2020 from 1:00 P.M. to 7:00 P.M. for Ultimate Imaginations Inc. on Macdonald, from Main Street to 1st Street, and on Pepper Place, from Center Street to Robson. **(District 4)**

\*3-b. Ultimate Imaginations Inc.

This is a one-day event to be held on Saturday, February 22, 2020 from 10:00 A.M. to 5:00 P.M. for Ultimate Imaginations Inc. on Macdonald, from Main Street to 1st Street, and on Pepper Place, from Center Street to Robson. **(District 4)**

\*3-c. St. Bridget Roman Catholic Parish

This is a one-day event to be held on Saturday, February 22, 2020 from 5:30 P.M. to 8:30 P.M. at St. Bridget Catholic Church, 2213 North Lindsay Road. **(District 1)**

\*3-d. Asian Chamber of Commerce Inc.

This is a one-day event to be held on Saturday, February 29, 2020 from 5:30 P.M. to 11:59 P.M. at Arizona International Marketplace, 1920 West Broadway Road. **(District 3)**

\*3-e. Easy Spirits LLC

A liquor distribution warehouse is requesting a new Series 4 Wholesaler License for Easy Spirits LLC, 35 North Alma School Road, Suite 204 – Carolee Rodriguez, agent. There is no existing license at this location. **(District 4)**

\*3-f. Family Dollar Store #25218

A general retail store is requesting a new Series 10 Beer and Wine Store License for Family Dollar Inc., 865 South Dobson Road - Michael Jackson Gohn, agent. There is no existing license at this location. **(District 3)**

\*3-g. GoPuff

A liquor delivery store is requesting a new Series 10 Beer and Wine Store License for GB License LLC, 225 South Hibbert, Suite 101 - Andrea Dahlman Lewkowitz, agent. There is no existing license at this location. **(District 4)**

\*3-h. GoPuff

A liquor delivery store is requesting a new Series 10 Beer and Wine Store License for GB License LLC, 7427 East Hampton Avenue, Suite 133 – Andrea Dahlman Lewkowitz, agent. There is no existing license at this location. **(District 6)**

\*3-i. Pollos Lachuya

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Pollos Lachuya LLC, 2706 East University Drive, Suite 11 - Angel S. Ochoa Bojorquez, agent. There is no existing license at this location. **(District 1)**

\*3-j. Stratum

A restaurant that serves breakfast, lunch, and dinner is requesting a new Series 12 Restaurant License for Trivents Entertainment Group LLC, 1455 South Stapley Drive, Suite 11 - Angela Rose Marie Prestinario, agent. There is no existing license at this location. **(District 4)**

\*3-k. Taste of Peru

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Llama Land LLC, 1245 West Guadalupe Road, Suite B7-8 - Jared Michael Repinski, agent. There is no existing license at this location. **(District 3)**

4. Take action on the following bingo application:

\*4-a. Disabled American Veterans - Chapter 8

Michael Crowe, Manager, 2024 East University Drive. **(District 1)**

5. Take action on the following contracts:

- \*5-a. One-Year Term Contract with Four Years of Renewal Options for Locks, Door Hardware, and Other Related Parts for Citywide Departments as requested by the Parks, Recreation and Community Facilities Department. **(Citywide)**

This contract provides locks, door hardware, and other parts to be used when performing repairs and replacements at City facilities.

The Parks, Recreation and Community Facilities Department and Purchasing recommend authorizing the purchase using the State of Arizona cooperative contract with Intermountain Lock and Security, at \$75,000 annually, based on estimated usage.

- \*5-b. See: **Items not on the Consent Agenda**

- \*5-c. Purchase of Air Lifting Bags and Control Kits (Replacements) for the Mesa Fire and Medical Department (Single Response). **(Citywide)**

This purchase will provide air lifting bags used for extrications on responses. All existing air lifting bags are nearing end of life and require replacement.

The Mesa Fire and Medical Department and Purchasing recommend authorizing the purchase from the single, responsive, and responsible bidder, L. N. Curtis & Sons, at \$63,500, based on estimated requirements. This purchase is funded by the Capital General Fund.

- \*5-d. Three-Year Term Contract with Two Years of Renewal Options for Compound Cold Water Meters and Related Parts and Services for the Water Resources Department. **(Citywide)**

This contract will provide qualified manufacturers and their authorized resellers to furnish compound cold water meters, equipment, and parts for existing meters.

An evaluation committee recommends awarding the contract to the highest-scored proposals from Badger Meter, Inc.; and Fortiline Waterworks, Inc. (a Mesa business); at \$40,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

- \*5-e. One-Year Renewal with a One-Year Renewal Option to the Term Contract for Class 800 Commercial Gas Meters for the Materials and Supply Warehouse (for the Energy Resources Department). **(Citywide)**

This contract provides large capacity rotary gas meters used to monitor the volume of customer gas usage for the purpose of billing high demand commercial services.

The Business Services and Energy Resources Departments and Purchasing recommend authorizing the renewal with Western Gas Technologies, at \$238,700 annually, with an annual increase allowance of up to 5%, or the adjusted Producer Price Index.

6. Take action on the following resolutions:

- \*6-a. Approving and authorizing the City Manager to enter into an Airport Development Reimbursable Grant Agreement with the Arizona Department of Transportation (ADOT) Multimodal Planning Division Aeronautics Group for rehabilitation of the Higley Ramp-East at Falcon Field Airport. The total estimated cost for this project is \$800,000, with ADOT paying 90% (\$720,000). The remaining 10% (\$80,000) is the responsibility of the City and is funded by the Falcon Field Airport Enterprise Fund. **(District 5)** – Resolution No. 11453
- \*6-b. Approving and authorizing the City Manager to enter into a Communications License with Crown Castle Fiber LLC. The License will allow Crown Castle Fiber to construct and maintain a communications network in the public rights-of-way. **(Citywide)** – Resolution No. 11454

7. Introduction of the following ordinances relating to the Hawes Crossing development, and setting February 24, 2020 as the date of the public hearing on these ordinances:

- \*7-a. **ANX18-00788 (District 6)** Annexing property located south of Elliot Road and west of Ellsworth Road and adopting comparable zoning (319.9± acres). Initiated by the applicant, Jordan Rose, Rose Law Group, for the owners.
- \*7-b. **ANX19-00420 (District 6)** 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.
- \*7-c. **ZON17-00606 (District 6)** Within the 3200 through 4000 blocks of South Hawes Road (west side), the 3200 through 3600 blocks of South 80th 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.

Staff Recommendation: Approval with conditions

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

- \*7-d. **ZON17-00607 (District 6)** 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.

Staff Recommendation: Approval with conditions

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

8. Introduction of the following ordinances and setting February 24, 2020 as the date of the public hearing on these ordinances:

\*8-a. Amending Title 1, Chapter 31 of the Mesa City Code, entitled "City Auditor" by adding language related to an annual audit plan, auditing standards, and a public records exemption for auditor working papers and files. **(Citywide)**

\*8-b. **ZON19-00834 (District 4)** 1102 East University Drive (0.46± acres). Located west of Stapley Drive on the north side of University Drive. Rezone from RM-4 to NC. This request will allow for the expansion of existing personal services (hair salons) within an existing building. Nicole Posten-Thompson, On-Pointe Architecture, applicant; 1102 E University LLC, owner.

Staff Recommendation: Approval with conditions

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

9. Take action on the following resolution declaring terms/rates/fees/charges to be a public record and available to the public, and introducing the following ordinances to modify City-owned non-residential water utility services terms/rates/fees/charges and setting February 24, 2020 as the date of the public hearing on this ordinance:

\*9-a. A resolution declaring proposed terms/rates/fees/charges for water utility services to be a public record. **(Citywide)** – Resolution No. 11455

\*9-b. See: **Items not on the Consent Agenda**

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

10-a. Amending Title 11, the Zoning Ordinance, of the Mesa City Code, by adding Chapter 15: Leisure and Recreation Zone District to Article 2: Base Zone; and by adding the Leisure and Recreation Base Zone to Chapter 3: Designation of Zoning Districts, Zoning Map, and Boundaries to Article 1: Introductory Provisions. **(Citywide)** – Ordinance No. 5554

This amendment allows for entitled property to be zoned specifically for either public or private recreational uses as a stand-alone unique zoning district, geared towards parks and open space recreational uses.

Staff Recommendation: Approval

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

**Items not on the Consent Agenda.**

5. Take action on the following contracts:

5-b. Purchase of Four Emergency Response Vehicles and One Medical Response Vehicle (All Additions) for the Mesa Fire and Medical Department. **(Citywide)**

The four ambulances will provide life-saving transportation capabilities. The Medical Response Unit (MRU) will respond to all medical emergencies relieving wear and tear on larger emergency response vehicles. On May 20, 2019, Council ratified an emergency purchase of five truck chassis, due to issues in the vehicle supply chain. The new emergency medical vehicles will be shipped to Horton, the body manufacturer, to be installed on the chassis that the City purchased.

The Mesa Fire and Medical Department and Purchasing recommend authorizing the purchase using the Houston-Galveston Area Council (H-GAC) cooperative contract with Professional Sales & Service, L.C., at \$1,304,964.10, based on estimated requirements. This purchase is funded by the Ambulance Transport Fund.

In response to a question from Carey Davis, a Mesa resident, Fire Chief Mary Cameli stated there will be new personnel hired to staff new Emergency Response Vehicles and Medical Response Vehicles, for a total of five new medical response vehicles.

In response to a question from Mayor Giles, Fire Chief Cameli explained the vehicles can transport patients to the hospitals and stated the City will be reimbursed for those calls.

In response to a question from Vice Mayor Freeman, Fire Chief Cameli confirmed each emergency vehicle is staffed with two employees.

It was moved by Vice Mayor Freeman, seconded by Councilmember Heredia, that the purchase of Four Emergency Response Vehicles and One Medical Response Vehicle be approved.

Upon tabulation of votes, it showed:

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

NAYS – None

ABSENT – Luna

Mayor Giles declared the motion carried unanimously by those present.

9. Take action on the following resolution declaring terms/rates/fees/charges to be a public record and available to the public, and introducing the following ordinances to modify City-owned non-residential water utility services terms/rates/fees/charges and setting February 24, 2020 as the date of the public hearing on this ordinance:

9-b. An ordinance modifying terms/rates/fees/charges for non-residential water utility services. **(Citywide)**

Verl Farnsworth, a Mesa resident, commented on increased costs for non-residential water utility services.

City Manager Christopher Brady explained the ordinance modification was intended for commercial utility customers that use higher volumes of water

Mr. Farnsworth expressed concern regarding tax increases for Mesa residents on water utility rate modifications.

Mayor Giles explained in 1945 City Council abolished the primary property tax and purchased utilities services. He added that Council chose to finance city services through utility revenues, leaving one of the largest cities in the country without a primary property tax.

In response to a question from Vice Mayor Freeman, Mr. Brady explained there is a special rate used for large end users that has not been adjusted since being established. He commented adjusting utility rates to stay consistent with residential water users is to ensure commercial users are not paying less than residential.

In response to a question from Councilmember Whittaker regarding Homeowners Association (HOA) water meter rates, Mr. Brady stated if a commercial meter is used for non-residential purposes the HOA could be impacted.

It was moved by Vice Mayor Freeman, seconded by Councilmember Heredia, that introduction of the ordinance modifying terms/rates/fees/charges for non-residential water utility services be approved.

Upon tabulation of votes, it showed:

AYES – Giles-Freeman-Duff-Heredia-Thompson  
NAYS – Whittaker  
ABSENT – Luna

Mayor Giles declared the motion carried by majority vote of those present.

11. Items from citizens present:

Verl Farnsworth, a Mesa resident, commented he supported the proposal made at the State of the City regarding tuition funding for Mesa’s higher education program. He however does not support the Council using public funds for this purpose.

12. 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 10<sup>th</sup> day of February 2020. I further certify that the meeting was duly called and held and that a quorum was present.

---

DEE ANN MICKELSEN, CITY CLERK