



COUNCIL MINUTES

June 5, 2023

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on May 15, 2023, at 5:48 p.m.

COUNCIL PRESENT

John Giles
Francisco Heredia
Jennifer Duff
Mark Freeman
Alicia Goforth
Julie Spilsbury

COUNCIL ABSENT

Scott Somers

OFFICERS PRESENT

Christopher Brady
Holly Moseley
Jim Smith

Mayor's Welcome.

Mayor Giles conducted a roll call.

Mayor Giles excused Councilmember Somers from the entire meeting.

Invocation by Pastor Jose Luis Amaya with Iglesia de Cristo Elim Betel Church.

Pledge of Allegiance was led by Mayor Giles.

Awards, recognitions, and announcements.

Mayor Giles introduced Colin Williams with the American Red Cross, who was present to recognize the Red Mountain Multigenerational Center and the Red Mountain Mesa Library for their outstanding success in facilitating blood drives.

Mr. Williams acknowledged and presented premier blood drive partner certificates to Recreation Coordinator Tina Royer and Librarian Melissa McCallister for organizing blood drives for Red Cross.

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

Upon tabulation of votes, it showed:

AYES – Giles–Heredia–Duff–Freeman–Goforth–Spilsbury

NAYS – None

ABSENT – Somers

Mayor Giles declared the motion carried unanimously by those present.

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

Minutes from the April 17, and May 1, 2023, Study Sessions; and May 15, 2023, Regular Council meeting.

3. Take action on the following liquor license applications:

*3-a. Icho Izakaya

A restaurant that serves dinner is requesting a new Series 12 Restaurant License for Yuan Sheng Group LLC, 1911 West Broadway Road Suite 10 - Christine Marie Chen, agent. There is no existing license at this location. **(District 3)**

*3-b. Circle K Store #9577

A convenience store is requesting a new Series 10 Beer and Wine Store License for Circle K Stores Inc., 10744 East Elliot Road - Maria Danielle Burgess, agent. There is no existing license at this location. **(District 6)**

4. Take action on the following contracts:

*4-a. Use of a Cooperative Contract for the Purchase of Four Pumper Trucks (Three Additions and One Replacement) and One Ladder Truck (Replacement) for the Mesa Fire and Medical Department. **(Citywide)**

Three of the additional pumper trucks are for new Fire Stations 222, 223, and 224. One pumper and one ladder truck have met replacement criteria.

The Mesa Fire and Medical Department and Purchasing recommend authorizing the purchase using the Sourcewell cooperative contract with H&E Equipment Services, Inc./E-One for \$6,169,935.40. This purchase is funded by 2018 and 2022 Public Safety Bonds.

*4-b. Dollar Limit Increase to the Term Contract with Two Years of Renewal Options for Bronze Water Service Valves, Fittings, and Hydrants for the Materials and Supply Warehouse (for the Water Resources Department). **(Citywide)**

The dollar limit increase is due to the annual usage increasing, vendor price increases, and significant lead times which necessitates larger purchases to keep up with demand.

The Business Services and Water Resources Departments and Purchasing recommend increasing the dollar limit with Arizona Water Works Supply; Core and Main LP; Dana Kepner Co. Inc.; Ferguson Enterprises LLC dba Ferguson Waterworks; and Fortiline

Waterworks Inc. (a Mesa business) by \$855,000, from \$751,000 to \$1,606,000 annually, with an annual increase allowance of up to 5% or the adjusted Producer Price Index.

- *4-c. Purchase of a New Television Studio Set (Replacement) for Mesa Channel 11 as requested by the Public Information and Communications Department (Competition not Practical or Advantageous) (Single Quote). **(Citywide)**

The purchase will update the Mesa Channel 11 studio to provide a flexible configuration that increases studio production output and offers a modern look suitable for digital content creation. The new multipurpose set that replaces a decades-old design includes mobile components enabling multiple uses ranging from anchor desk updates, one-person messages, and virtual presentations to moderated forums. Screens, panels and set lighting will be compatible with 4K resolution, allowing for superior quality video and incorporating visual aids.

The Public Information and Communications Department and Purchasing recommend awarding the contract to the single, qualified respondent, FXDesignGroup (FDG) for \$185,361.66.

- *4-d. Use of a Cooperative Contract for the Purchase of One Rear Load Refuse Truck (Replacement) for the Transportation Department. **(Citywide)**

This purchase for a new 25-Yard Rear Load Refuse Truck that will support the Transportation Department's citywide debris clean-up program, which is related to a Council initiative. The current 18-yard rear loader does not meet the department's needs as it is not designed for the type of material encountered and it has a limited carrying capacity which results in increased trips to the landfill.

The Fleet Services and Transportation Departments and Purchasing recommend authorizing the purchase using the State of Arizona cooperative contract with Rush Truck Center for \$371,894.94, based on estimated requirements. This purchase is funded by the Local Streets Fund.

5. Take action on the following resolutions:

- *5-a. Extinguishing a 30-foot and 15-foot drainage easement and public utility easement and a 3-foot and 8-foot public utility easement, located at 6539 East McKellips Road, to accommodate for the development of a new daycare center; requested by the developer. **(District 5)** – Resolution No. 12042
- *5-b. Adopting a pension funding policy and accepting the employer's share of assets and liabilities under the Public Safety Personnel Retirement System as required by A.R.S. §38-863.01. **(Citywide)** – Resolution No. 12043
- *5-c. Designating the Chief Fiscal Officer with the authority to submit the City's 2023/2024 fiscal year Expenditure Limitation Report to the Arizona Auditor General on behalf of the City Council, as required by state statute. **(Citywide)** – Resolution No. 12044
- *5-d. Approving and authorizing the City Manager to enter into agreements with the Salt River Project Agricultural Improvement and Power District for the supply of firm renewable energy, the cost share for biomass power production based on forest thinning, and associated environmental benefits. **(Citywide)** – Resolution No. 12045

- *5-e. Approving and authorizing the City Manager to enter a new 10-year Intergovernmental Agreement with Maricopa County Department of Emergency Management, effective July 1, 2023, to continue regional emergency operations management and disaster services, as required by Arizona state statute. The City's FY 2023/24 cost for the services is \$35,911.08, which is calculated by a population-based formula. **(Citywide)** – Resolution No. 12046

6. Introduction of the following ordinances and setting June 19, 2023, as the date of the public hearing on these ordinances:

- *6-a. Modifying and updating terms for the Electric Residential - Economy eligibility criteria. – Introduced Ordinance No. 5788
- *6-b. Amending Table 1 in Title 5 (Business Regulations), Chapter 17 of the Mesa City Code, entitled Mesa Development Impact Fees, by removing the Wastewater Impact Fee from the table so as to confirm the discontinuation of this fee. **(Citywide)** – Introduced Ordinance No. 5789
- *6-c. ANX23-00318 **(District 1)** Annexation of a portion of the county right-of-way on Val Vista Drive from Thomas Road to approximately 1800 feet south to the northern edge of the South Canal (3.95± acres). – Introduced Ordinance No. 5790

7. Introduction of the following annexation and zoning ordinances relating to the proposed development "The Block", and setting June 19, 2023 as the date of the public hearing on these ordinances:

- *7-a. ANX22-00922 **(District 6)** Annexing property located south of East Elliot Road on the west side of South Sossaman Road (272± acres). Initiated by the applicant, Sean Lake, Pew & Lake PLC, for the owners, B & K Land and Investment Company LLP. – Introduced Ordinance No. 5791
- *7-b. ZON22-00921 "The Block" **(District 6)** Within the 7100 to 7600 blocks of East Elliot Road (south side) and within the 3600 to 4200 blocks of South Sossaman Road (west side). Located west of Sossaman Road on the south side of Elliot Road (272± acres). Rezone from Agriculture (AG) to Light Industrial with a Planned Area Development Overlay (LI-PAD) and Site Plan Review. This request will allow for the development of an industrial business park. Pew & Lake PLC, applicant; B & K Land and Investment Company LLP, owner. – Introduced Ordinance No. 5792

Staff Recommendation: Approval with conditions

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

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

- *8-a. Amending Title 6 (Police Regulations), Chapter 10 (Public Park Regulations), Section 4 (Prohibited Activities and Restrictions) of the Mesa City Code to include prohibitions and restrictions related to marijuana in parks. **(Citywide)** – Ordinance No. 5783
- *8-b. ZON22-01097 "Pi" **(District 2)** Within the 4100 block of East Main Street. Located east of Val Vista Drive on the north side of Main Street (4± acres). Rezone from Limited

Commercial (LC) to Multiple Residence-4 with a Planned Area Development overlay (RM-4-PAD) and Site Plan Review. This request will allow for a multiple residence development. Tim Boyle, Atmosphere Architects, applicant; Dolly Varden LLC., owner. – Ordinance No. 5784

Staff Recommendation: Approval with conditions

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

- *8-c. ZON22-01176 “Anton-Mesa Fiesta” (**District 3**) Within the 1300 block of South Alma School Road (east side), within the 1000 to 1200 blocks of West Grove Avenue (south side), within the 1400 block of South Westwood, and within the 1000 to 1200 blocks of West Holmes Avenue (north side). Located east of Alma School Road and south of Southern Avenue (16.5± acres). Rezone from Limited Commercial with a Planned Area Development overlay (LC-PAD) to Limited Commercial (LC) with a new Planned Area Development overlay PAD, Council Use Permit (CUP), and Site Plan Review to allow for a multiple residence development. – Ordinance No. 5785

This request will replace the existing PAD with a new PAD, which will establish unique development standards and allow the project to be constructed in two phases. Benjamin Graff, Quarles & Brady, LLP, applicant; HV & Canal LLC, owner.

Staff Recommendation: Approval with conditions

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

To be continued to a future Council meeting.

- *8-d. ZON22-01175 "Take 5 @ Broadway" (**District 2**) Within the 2600 block of East Broadway Road. Located west of Lindsay Road on the south side of Broadway Road (0.3 ± acres). Major Site Plan Modification and amending the conditions of approval on case Z88-032. This request will allow for a minor automobile/vehicle repair facility. Jesse Macias, M3 Design LLC, applicant; BL Investors LLC, owner. – Ordinance No. 5786

Staff Recommendation: Approval with conditions

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

9. Take action on the following subdivision plat:

- *9-a. SUB22-00881 “Replat of Lot 2 of Crismon Business Park” (**District 5**) Within the 10000 to 10200 blocks of East Southern Avenue (south side). Located east of the Crismon Road alignment on the south side of Southern Avenue (1.6± acres). V.J. Crismon LLC, developer; Michael Thompson, Helix Engineering LLC, surveyor.

Items not on the Consent Agenda

10. Conduct a public hearing and take action on the following resolution relating to the proposed Five-Year Capital Improvement Program for fiscal years ending 2024-2028:

- 10-a. Conduct a public hearing.

10-b. Resolution approving the Five-Year Capital Improvement Program for fiscal years ending 2024-2028. **(Citywide)** – Resolution No. 12047

Mayor Giles announced that this was the time and place for a public hearing regarding the proposed Five-Year Capital Improvement Program (CIP) for fiscal years ending 2024-2028 and taking action on the resolution adopting the Five-Year CIP Program.

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

It was moved by Councilmember Freeman, seconded by Vice Mayor Heredia, that Resolution No. 12047 be adopted.

Upon tabulation of votes, it showed:

AYES – Giles–Heredia–Duff–Freeman–Goforth–Spilsbury

NAYS – None

ABSENT – Somers

Mayor Giles declared the motion carried unanimously by those present.

11. Items from citizens present.

Howard Giemsoe, a Mesa resident, spoke in opposition to the Vision Zero Road Safety Action Plan.

Verl Farnsworth, a Mesa resident, discussed claims made against Councilmembers and requested that a statement he drafted be signed and returned to him.

Ralph Barnhart, a Mesa resident, reported multiple vehicle break-ins over the last year at Quail Run Dog Park and requested the City install security cameras at the dog park.

Gary Cherms, a Mesa resident, presented the Mayor and Council with a POW flag on behalf of the American Legion and Sons of the American Legion. He commented that the legion would be happy to participate in upcoming flag ceremonies held by the City.

12. Adjournment.

Without objection, the Regular Council Meeting adjourned at 6:13 p.m.

ATTEST:





HOLLY MOSELEY, CITY CLERK



JOHN GILES, MAYOR

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 5th day of June 2023. I further certify that the meeting was duly called and held and that a quorum was present.



HOLLY MOSELEY, CITY CLERK

la/abg

