



COUNCIL MINUTES

September 19, 2022

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on September 19, 2022, at 5:45 p.m.

COUNCIL PRESENT

Jennifer Duff
Mark Freeman
Francisco Heredia*
David Luna
Julie Spilsbury
Kevin Thompson

COUNCIL ABSENT

John Giles

OFFICERS PRESENT

Scott Butler
Holly Moseley
Jim Smith

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

Vice Mayor's Welcome.

Vice Mayor Duff conducted a roll call.

Moment of silence and Pledge of Allegiance was led by Vice Mayor Duff.

There were no awards, recognitions, or announcements.

1. Take action on all consent agenda items.

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

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

Upon tabulation of votes, it showed:

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

NAYS – None

ABSENT – Giles

Vice Mayor Duff declared the motion carried unanimously by those present.

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

Minutes from the August 25 and August 29, 2022, Study Sessions; and the September 12, 2022, Regular Council meeting.

3. Take action on the following liquor license applications:

*3-a. A Stepping Stone Foundation

This is a one-day event to be held on Saturday, October 8, 2022, from 5:00 P.M. to 9:00 P.M. at 254 West Broadway Road. **(District 4)**

*3-b. Pizza Hut #35852

A restaurant that serves lunch and dinner is requesting a new Series 7 Beer and Wine Bar License for Hot Pizzas LLC, 2056 East Baseline Road; Theresa June Morse, agent. The existing Series 10 Beer & Wine Store License held by Hot Pizzas LLC will revert to the State. **(District 4)**

4. Take action on the following contracts:

*4-a. Use of a Cooperative Contract for an Increase for Equipment Lifts for the Fleet Services Department. **(Citywide)**

On June 6, 2022, Council approved the purchase of six mobile equipment lifts with Mohawk Lifts, LLC, at \$70,981.70. The final cost of the purchased lifts was \$78,654.59. This increase will also provide for the purchase and installation of one additional, two-post above ground lift.

The Fleet Services Department and Purchasing recommend authorizing the increase using the State of Arizona cooperative contract with Mohawk Lifts, LLC, by \$29,028.42, from \$70,981.70 to \$100,010.12.

*4-b. Three-Year Term Contract with Two Years of Renewal Options for Graphic Design Services for the Arts & Culture Department. **(Citywide)**

The contracted firm will manage the design of all marketing collateral for Mesa Arts Center and support the brand effort to expand its reach and awareness in the community and will also support the creation of marketing materials for the i.d.e.a. Museum and Arizona Museum of Natural History. The firm will assist with concept creation for major community events and marketing collateral creation including print ads, brochures, flyers, posters, digital art, mailers, window clings, and more.

An evaluation committee recommends awarding the contract to the highest scored proposal from Hackett Advertising Public Relations Interactive, dba HAPI, at \$180,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

*4-c. Dollar-Limit Increase for Security Window Tinting for the Mesa Municipal Court Building. **(Citywide)**

In August 2022, the Court received a grant award for \$30,774, for FY 2023, for additional court security improvements. The Court is requesting to increase the dollar-limit threshold to match the grant award and grant funds to tint more windows on the south-facing windows of the Court building.

The Municipal Court Department and Purchasing recommend increasing the dollar-limit with DiLorenzo Enterprises, Inc., dba Deluxe Detail and Tint (a Mesa business), by \$30,774, from \$32,490 to \$63,264, plus tax. This purchase is grant funded by Arizona Supreme Court - Administrative Offices of the Courts

5. Take action on the following resolutions:

- *5-a. Approving and authorizing the City Manager to enter into a Project Agreement with the Maricopa Association of Governments for reimbursement under the Arterial Life Cycle Program for the Elliot Road: Eastern Maricopa Floodway to Ellsworth Road Project. The total project cost is estimated at \$24,592,406. The City is eligible for reimbursement up to \$12,728,194 and is responsible for the remaining project cost, at approximately \$11,864,212. **(District 6)** – Resolution No. 11936
- *5-b. Approving and authorizing the City Manager to enter into a Project Agreement with the Maricopa Association of Governments for reimbursement under the Arterial Life Cycle Program for the Ellsworth Road: Germann Road to Ray Road Project. The total project cost is estimated at \$15,836,007.84. The City is eligible for reimbursement up to \$2,362,333, and is responsible for the remaining project cost, at approximately \$13,473,674.84. **(District 6)** – Resolution No. 11937
- *5-c. Approving and authorizing the City Manager to enter into a five-year Memorandum of Agreement with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) for reimbursement for overtime and other costs for Mesa Police Officers working as members of a Joint Operation/Task Force. **(Citywide)** – Resolution No. 11938
- *5-d. Approving and authorizing the City Manager to enter into a Memorandum of Understanding and Cost Reimbursement Agreement with the Federal Bureau of Investigation Greater Phoenix Area Child Exploitation and Human Trafficking Task Force and accept up to \$100,000 per year for overtime for Mesa Police Department personnel assigned to the task force. **(Citywide)** – Resolution No. 11939
- *5-e. 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 and utility payment and related assistance to eligible Mesa residents and Mesa-based County islands impacted by COVID-19 and for program-related administrative expenses. **(Citywide)** – Resolution No. 11940
- *5-f. ZON22-00051 **(District 4)** Within the 1600 block of South Stapley Drive (east side). Located south of the US 60 Superstition Freeway on the east side of Stapley Drive (1.5± acres). Site Plan Modification. This request will allow for the development of a restaurant. Yelena Fiester, GreenbergFarrow, applicant; DSW MESA GRAND/SPECTRUM LLC, owner. – Resolution No. 11941

Staff Recommendation: Approval with conditions

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

- *5-g. ZON22-00437 (**District 6**) Within the 9300 to 9600 blocks of East Germann Road (north side). Located east of Ellsworth Road on the north side of Germann Road (38± acres). Site Plan Review. This request will allow for an industrial warehouse and office development. – Resolution No. 11942

Staff Recommendation: Approval with conditions

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

- *5-h. ZON22-00535 (**District 1**) Within the 3900 block of East Oasis Circle (north side), and within the 2800 to 2900 blocks of North Norwalk (west side). Located north of McDowell Road and west of Greenfield Road (0.50± acres). Site Plan Review. This request will allow for an industrial development. Greg Hitchens, applicant; JBN Holdings, owner. – Resolution No. 11943

Staff Recommendation: Approval with conditions

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

- *5-i. ZON22-00593 (**District 2**) Within the 4100 block of East Valley Auto Drive (west side). Located west of Greenfield Road and north of Baseline Road (2.5± acres). Site Plan Review. This request will allow for an industrial warehouse and office development with contractors' storage yards. Paul Almond, Almond ADG Architects, applicant; Bigelow, Bradley/Jamie, owner. – Resolution No. 11944

Staff Recommendation: Approval with conditions

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

6. Take action on the following resolution and introduction of the following ordinance relating to the City of Mesa Personnel Rules, and setting October 3, 2022 as the date of the public hearing on the ordinance:

- *6-a. Resolution declaring the document filed with the City Clerk and entitled "City of Mesa Personnel Rules" effective November 2, 2022, to be a public record and providing availability of the documents for public use and inspection. (**Citywide**) – Resolution No. 11945
- *6-b. Ordinance repealing the existing Personnel Rules applicable to City of Mesa employees and adopting new Personnel Rules. (**Citywide**)

7. Introduction of the following ordinances and setting October 3, 2022 as the date of the public hearing on these ordinances:

- *7-a. ZON21-00966 (**District 2**) Within the 6100 block of East Main Street (south side). Located east of Recker Road on the south side of Main Street (4.5± acres). Rezone from Limited Commercial (LC) to Multiple Residence 3 with a 'U' designation and a Planned Area Development overlay (RM-3U-PAD) and Site Plan Review. This request will allow

for a multiple residence development. David Bohn, The BFH Group, applicant; BFH HOLDINGS LLC, owner.

Staff Recommendation: Approval with conditions

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

- *7-b. ZON22-00436 (**District 5**) Within the 10500 block of East Hampton Avenue (north side) and within the 1300 block of South 105th Place (west side). Located west of Signal Butte Road and south of Southern Avenue (2+ acres). Rezone from Limited Commercial with a Planned Area Development Overlay (LC-PAD) to Multiple Residence 3 with a Planned Area Development Overlay (RM-3-PAD-PAD) and Site Plan Review. This request will allow for a multiple residence development. Shaine T. Alleman, Tiffany & Bosco, P.A., applicant; Signal Butte BFC, LLC., owner.

Staff Recommendation: Approval with conditions

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

8. Adopting the following Notice of Intention and setting December 1, 2022 as the date of the public hearing:

- *8-a Notice of Intention to adjust utility rates.

Items not on the Consent Agenda.

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

- 9-a. Public hearing prior to the release of the petition for signatures for the proposed annexation case ANX22-00608, located north of Elliot Road on the east side of Sossaman Road (0.5± acres). This request has been initiated by the applicant, Pew & Lake, PLC, for the owner, TLC Foundation LP. (**District 6**)

Vice Mayor Duff announced that this was the time and place for the public hearing regarding proposed annexation case ANX22-00608.

There being no citizens wishing to speak on this issue, the Vice Mayor declared the public hearing closed and the annexation will come before Council at a future meeting.

10. Items from citizens present.

Robert Williams, a Mesa resident, referenced a letter received from the owners of Windsor Mobile Home Park at 150 South Windsor in Mesa. He remarked the letter is declaring an increase of \$50 per month beginning January 1, 2023, for those who sign a one-year lease. He noted the lease only guarantees rent will not be raised until the end of the year. He added if the one-year lease is not signed, an additional \$35 per month will be added. He expressed concerns for senior citizens on a fixed income, noting this is an exorbitant amount of rent for those on a limited income and the prices seniors face today. He requested Council to consider a rent control ordinance based on the Phoenix Metro cost-of-living index which is fair and equitable and would give senior citizens a better chance of managing their finances on their limited income and prevent homelessness.

11. Adjournment.

Without objection, the Regular Council Meeting adjourned at 5:57 p.m.

JENNIFER DUFF, VICE MAYOR

ATTEST:

HOLLY MOSELEY, 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 19th day of September 2022. I further certify that the meeting was duly called and held and that a quorum was present.

HOLLY MOSELEY, CITY CLERK

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