



COUNCIL MINUTES

May 20, 2024

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on May 20, 2024, at 6:10 p.m.

COUNCIL PRESENT

John Giles
Francisco Heredia
Jennifer Duff*
Mark Freeman
Scott Somers
Julie Spilsbury

COUNCIL ABSENT

Alicia Goforth

OFFICERS PRESENT

Christopher Brady
Holly Moseley
Jim Smith

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

Mayor's Welcome.

Mayor Giles conducted a roll call.

Mayor Giles excused Councilmember Goforth from the entire meeting.

Invocation by Pastor Ben Druyer with Mesa Baptist Church.

Pledge of Allegiance was led by Mayor Giles.

Awards, recognitions, and announcements.

Mayor Giles recognized the City of Mesa Park Ranger Unit for being awarded the Platinum Excellence Award.

Parks, Recreation and Community Facilities Director Andrea Moore spoke about the duties and actions of the Park Rangers and commended them on their commitment to excellence and park law enforcement.

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

Upon tabulation of votes, it showed:

AYES – Giles–Heredia–Duff–Freeman–Somers–Spilsbury

NAYS – None

ABSENT – Goforth

Mayor Giles declared the motion carried unanimously by those present.

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

Minutes from March 28, 2024, April 1, 2024, Study Sessions, and May 6, 2024, Regular Council meeting.

3. Take action on the following liquor license applications:

*3-a. House of Refuge Inc.

This is a one-day event to be held on Saturday, June 22, 2024, from 6:00 P.M. to 9:30 P.M. at Coulter Infiniti located at 6225 East Test Drive. **(District 6)**

*3-b. Carniceria Los Amigos III

A meat market is requesting a new Series 10 Beer & Wine Store License for Carniceria Los Amigos III LLC, 6102 East Main Street - Maria Monica Gonzalez Vera, agent. There is no existing license at this location. **(District 2)**

*3-c. OSG Café

A restaurant that serves breakfast, lunch, and dinner is requesting a new Series 12 Restaurant License for Tear it up Burgers LLC, 6810 East Main Street - Carlotta Ranae Wheeler, agent. There is no existing license at this location. **(District 2)**

*3-d. Tom's BBQ

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Becerra's BBQ LLC, 5005 East McKellips Road - Victor Manuel Becerra Padilla. The existing license held by RT BBQ Inc. will revert to the State. **(District 2)**

*3-e. Kpot Korean BBQ & Hot Pot

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for KHP Mesa LLC, 1940 West Rio Salado Parkway Suite 103 - 107 - Jing Lin, agent. There is no existing license at this location. **(District 3)**

*3-f. Macayos Mexican Food

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Macayo Restaurant Group LLC, 1920 South Dobson Road - Andrea Dahlman Lewkowitz. The existing license held by Kind Macayo LLC will revert to the State. **(District 3)**

*3-g Asadero El Atascadero

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Asadero El Atascadero LLC, 1038 East Main Street - Brandon Samuel Owen Tasen. The existing license held by Cholulas Hibachi Grill LLC will revert to the State. **(District 4)**

3-h. Macayos Mexican Food

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Macayo Restaurant Group LLC, 6538 East Superstition Boulevard - Andrea Dahlman Lewkowitz. The existing license held by Kind Macayo LLC will revert to the State. **(District 6)**

4. Take action on the following contracts:

*4-a. Public Safety Campus Microgrid - Pre-Construction Services Contract and Construction Manager at Risk (CMAR). **(District 4)**

The CMAR for this services contract will work closely with the project team to develop the project design, review the design for constructability, prepare cost estimates, develop the project schedule, and project phasing plan, and develop the Guaranteed Maximum Price (GMP) for the project.

Staff recommend selecting Ameresco Inc. as the CMAR for this project and awarding them a Pre-Construction Services contract in the amount of \$195,324. This project is funded by Utility Systems Revenue Obligations.

*4-b. Three-Year Term Contract with Two-Year Renewal Options for Fire Department Uniforms for the Mesa Fire and Medical Department (MFMD). **(Citywide)**

This contract provides MFMD members work uniforms such as shirts, hats, outerwear, pants, shorts, dress uniform items, etc. which are worn during their normal daily work activities. All services and supplies are provided to furnish new garments including measuring, tailoring and alterations, screen printing, and embroidering. Department personnel are required to have uniforms as the base layer of their protective ensembles. Uniforms display members' names, rank, and attributes and provide a professional first impression when interacting with the public.

A committee representing MFMD and Procurement Services evaluated responses and recommend awarding the contract to the highest scored, responsive, and responsible proposals from Matlick Enterprises Inc. dba United Fire Equipment Company, Galls Parent Holding LLC dba Galls LLC, and Sling Style Design at \$925,000 annually, with an annual increase allowance of up to 5% or the adjusted Producer Price Index.

*4-c. Dollar Limit Increase to the Term Contract for Faux Trees for Pole Treatments for the Department of Innovation and Technology (Single Bid Response). **(Citywide)**

This contract provides for the modification of City cellular towers to look like faux trees and includes installation, maintenance, repair services, and other related products as needed. The initial purchase is for three installations at Pioneer Park, Reed Skate Park, and Acacia Park. This change is to accommodate design changes to meet Parks, Recreation and Community Facilities' specifications.

The Department of Innovation and Technology and Procurement Services recommends increasing the dollar limit with Cell Trees, Inc. Year 1 by \$371,000, from \$179,000 to \$550,000, and Years 2 and 3 by \$200,000, from \$50,000 to \$250,000 annually, with an annual increase allowance of up to 5% or the adjusted Consumer Price Index.

- *4-d. Purchase of Filter Media for Four Tertiary Filters (Replacement) for the Water Resources Department (Greenfield Water Reclamation Plant Joint Venture fund) (Sole Source). **(Citywide)**

The tertiary filters at the Greenfield Water Reclamation Plant are losing performance as the filter media are reaching the end of their operational life and need to be replaced. These filters have been in constant service since October of 2022.

The Water Department and Procurement Services recommend awarding the contract to the sole source vendor, Aqua-Aerobics Systems, Inc. at \$131,000 based on estimated requirements.

5. Take action on the following resolutions:

- *5-a. Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with Gilbert Unified School District #41 for reimbursement of the salary and benefits of two Mesa Police Officers to perform School Resource Officer duties. **(Citywide)** – Resolution No. 12192
- *5-b. Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with Apache Junction, Chandler, Gilbert, Paradise Valley, Scottsdale, Tempe, and Queen Creek to form the East Valley Critical Incident Response Team (EVCIRT). – Resolution No. 12193
- *5-c. Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with Mesa Unified School District No. 4 for the shared use of City and District facilities and general cooperation. **(Citywide)** – Resolution No. 12194
- *5-d. Approving and authorizing the City Manager to enter into a Cooperative Adaptive Recreation Program Agreement with the Mesa Unified School District No. 4 for cooperative adaptive recreation programs. **(Citywide)** – Resolution No. 12195
- *5-e. Approving and authorizing the City Manager to accept funds of \$11,898,571 for the implementation of the City of Mesa Electric Mobility Charging Hub Network through a grant agreement with the Federal Highway Administration. **(Citywide)** – Resolution No. 12196
- *5-f. Authorizing and supporting the submittal of a grant application by Alice Cooper’s Rock Solid Teen Centers to the Tohono O’odham Nation in the amount of \$40,000 and authorizing the City Manager to accept and administer subsequent awarded funds as a pass-through grant. – Resolution No. 12197
- *5-g. Authorizing and supporting the submittal of a grant application by Child Crisis Arizona to the Tohono O’odham 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. 12198

- *5-h. Authorizing and supporting the submittal of a grant application by Desert Sounds Performing Arts to the Tohono O'odham Nation in the amount of \$17,000 and authorizing the City Manager to accept and administer subsequent awarded funds as a pass-through grant. – Resolution No. 12199
- *5-i. Authorizing and supporting the submittal of a grant application by Gene Lewis Boxing Club to the Tohono O'odham Nation in the amount of \$8,500 and authorizing the City Manager to accept and administer subsequent awarded funds as a pass-through grant. – Resolution No. 12200
- *5-j. Authorizing and supporting the submittal of a grant application by Save the Family Foundation of Arizona to the Tohono O'odham Nation in the amount of \$40,000 and authorizing the City Manager to accept and administer subsequent awarded funds as a pass-through grant. – Resolution No. 12201
- *5-k. Authorizing and supporting the submittal of a grant application by Tooth B.U.D.D.S. Inc. to the Tohono O'odham 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. 12202
- *5-l. Authorizing and supporting the submittal of a grant application by City of Mesa Community Services Department Office of Homeless Solutions to the Tohono O'odham Nation in the amount of \$324,450 and authorizing the City Manager to accept and administer subsequent awarded funds. – Resolution No. 12203
- *5-m. Submitting to the voters at the November 5, 2024, election a question proposing a permanent adjustment of \$148 million to the 1979-80 expenditure base limit that is used to calculate the City's annual expenditure limitation. This will not increase taxes and is estimated to provide expenditure capacity for 30 years. **(Citywide)** (5 votes required) – Resolution No. 12204
- *5-n. Extinguishing a portion of a 20-foot water line easement located at 5341 South Power Road to accommodate construction of a hotel; requested by the property owner. **(District 6)** – Resolution No. 12205
- *5-o. Extinguishing six drainage easements located at 10036 E Germann Road to accommodate development of a manufacturing pad; requested by the property owner. **(District 6)** – Resolution No. 12206

6. Introduction of the following ordinance and setting June 3, 2024, as the date of the public hearing on this ordinance:

- *6-a. ZON23-00796 "Pecos & Mountain." **(District 6)** Within the 11200 block of East Pecos Road (north side). Located west of Meridian Road and north of Pecos Road (2± acres). Major Site Plan Modification and amending the conditions of approval for Case No. Z14-057. This request will allow for an industrial development. Ian Mulich, Pinnacle Design Inc., applicant; High Voltage Holdings, LLC, owner. – Ordinance No. 5856

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. Amending Section 10-4-6 of the Mesa City Code to modify the existing speed limit from 30 mph to 25 mph on North 32nd Street between McKellips Road and McDowell Road as recommended by the Transportation Advisory Board. **(District 1)** – Ordinance No. 5850

*7-b. ZON23-00743 "Central Mesa Reuse Pipeline." **(District 1)** Within the 3600 block of East Thomas Road (north side) and within the 3600 block of North Val Vista Drive (east side). Located east of Val Vista Drive on the north side of Thomas Road (0.8± acres). Rezone from General Industrial (GI) to Public and Semi-Public with a Bonus Intensity Zone overlay (PS-BIZ), Council Use Permit (CUP), and Site Plan Review. This request will allow for the development of a steel reclaimed water storage tank. City of Mesa, owner; Brian Border, City of Mesa, applicant. – Ordinance No. 5851

Staff Recommendation: Approval with conditions

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

*7-c. ZON21-00874 "Cottages on Sossaman." **(District 2)** Within the 100 block of North Sossaman Road (west side). Located north of Main Street and west of Sossaman Road (2.8± acres). Rezone from Limited Commercial (LC) to Multiple Residence-2 with a Planned Area Development Overlay (RM-2-PAD) and Site Plan Review. This request will allow for a multiple residence development. CBJ LAND LLC, owner; Alex Hayes, Withey Morris Baugh PLC, applicant. – Ordinance No. 5852

Staff Recommendation: Approval with conditions

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

*7-d. ZON23-01002 "Whataburger - Power & Broadway." **(District 2)** Within the 300 block of South Power Road (east side) and within the 6800 block of East Broadway Road (north side). Located north of Broadway Road on the east side of Power Road (1± acres). Major Site Plan Modification and amending the conditions of approval for Case No. Z91-038. This request will allow for a restaurant with a drive-thru facility. WNDG LLC, owner; David Cox, applicant. – Ordinance No. 5853

Staff Recommendation: Approval with conditions

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

*7-e. ZON22-00214 "Venture on Country Club." **(District 4)** Within the 1300 to 1500 blocks of South Country Club Drive (west side). Located south of Southern Avenue on the west side of Country Club Drive (3± acres). Rezone from Limited Commercial (LC) to Limited Commercial with a Planned Area Development overlay (LC-PAD), Council Use Permit (CUP), and Site Plan Review. This request will allow for a multiple residence development. Venture on Country Club LLC, owner; Lindsay Schube, Gammage & Burnham PLC, applicant. Ordinance No. 5854

Staff Recommendation: Approval with conditions

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

8. Take action on the following subdivision plats:

- *8-a. SUB23-00327 "The Lofts at Superstition Vistas." **(District 2)** Within the 1100 block of South Rowen (east side) and within the 7300 block of East Southern Avenue (north side). Located west of Sossaman Road on the north side of Southern Avenue (1.8± acres). Lavigna Investments Corporation, developer; Bruce R. Heyse, BRH Surveying, LLC, surveyor.
- *8-b. SUB23-00988 "Avalon Ranch." **(District 6)** Within the 6800 to 7000 blocks of East Elliot Road (south side) and within the 3600 to 3800 blocks of South Power Road (east side). Located south of Elliot Road and east of Power Road (12± acres). Avalon Ranch, LLC, developer; Michael A. Banta, Rick Engineering Company, surveyor.

9. Take action on the following resolution and discuss, receive public comment, and take action on the following ordinance relating to property located west of Ellsworth Road and north of Elliot Road:

- *9-a. Resolution approving and authorizing the City Manager to enter into a Development Agreement with Ellsworth Land LP, a Limited Partnership on approximately 7.5 acres of land located within the 3400 blocks of South Ellsworth Road (west side) and within the 9000-9100 block of East Peterson Avenue (south side) located west of Ellsworth Road and north of Elliot Road, to primarily prohibit residential uses on the property. **(District 6)** – Resolution No. 12207
- *9-b. ZON23-00174 "SWC Ellsworth Rd and Peterson Ave." **(District 6)** Within the 3400 to 3600 blocks of South Ellsworth Road (west side) and within the 9000 to 9200 blocks of East Peterson Avenue (south side). Located north of Elliot Road on the west side of Ellsworth Road (7.5± acres). Rezone from Planned Employment Park with two Planned Area Development overlays (PEP-PAD-PAD) and Limited Commercial with two Planned Area Development overlays (LC-PAD-PAD) to Limited Commercial (LC) and Site Plan Review. This request will allow for a large commercial development. ELLSWORTH LAND LP, owner; Michelle Santoro, Gammage & Burnham PLC, applicant. – Ordinance No. 5855

Staff Recommendation: Approval with conditions

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

10. Take action on and adopt the tentative FY 2024/2025 Budget.

- *10-a. Take action on and adopt the tentative FY 2024/25 Budget.

Items not on the Consent Agenda

11. Conduct a public hearing and take action on the following resolution relating to the annual assessments for the Mesa Town Center Improvement District No 228:

- 11-a. Conduct a public hearing on the annual assessments for the Mesa Town Center Improvement District No. 228.
- 11-b. A resolution approving the 2024 District Assessments for Mesa Town Center Improvement District No. 228. The proposed final assessments do not include any rate increases. **(District 4)** – Resolution No. 12208

It was moved by Councilmember Somers, seconded by Vice Mayor Heredia, that Resolution No. 12208 be adopted.

Upon tabulation of votes, it showed:

AYES – Giles–Heredia–Duff–Freeman–Somers–Spilsbury
NAYS – None
ABSENT – Goforth

Mayor Giles declared the motion carried unanimously by those present.

12. Conduct a public hearing and take action on the following resolution regarding a new General Plan:

- 12-a. Conduct a public hearing on a new City of Mesa general plan - the Moving Forward Together: Tomorrow's Mesa 2050 General Plan.
- 12-b. A resolution adopting and submitting to the voters for ratification at the November 5, 2024, election, the City of Mesa's new general plan - the Moving Forward Together: Tomorrow's Mesa 2050 General Plan - setting forth the comprehensive, long-range plan and policies to guide Mesa's future growth and development. The Mesa 2050 General Plan will not change current zoning or increase taxes. **(Citywide)** (5 votes required) – Resolution No. 12209

The following citizens offered a series of comments in support of Agenda Items 12-a and 12-b.

- Michelle McCroskey, a Mesa resident.
- Marilyn Crosby, a Mesa resident.
- Kara Jones, a Mesa resident.

The following citizens submitted comment cards in support of Agenda Items 12-a and 12-b but did not wish to speak.

- Alan Wirth, a Mesa resident.
- Cynthia Border, a Mesa resident.
- Ann Ebersson, a Mesa resident.
- Judi Martinez, a Mesa resident.
- Stella Neustaedter, a Mesa resident.
- Cole Ebersson, a Mesa resident.

Mayor Giles confirmed that the changes requested by the citizens present are incorporated into this document. He expressed his support for the proposed General Plan and thanked all those involved with creating and making the changes to it.

It was moved by Councilmember Somers, seconded by Vice Mayor Heredia, that Resolution No.12209 be approved.

Upon tabulation of votes, it showed:

AYES – Giles–Heredia–Duff–Freeman–Somers–Spilsbury

NAYS – None

ABSENT – Goforth

Mayor Giles declared the motion carried unanimously by those present.

13. Items from citizens present.

There were no items from citizens present.

14. Adjournment.

Without objection, the Regular Council Meeting adjourned at 6:35 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 20th day of May 2024. I further certify that the meeting was duly called and held and that a quorum was present.



HOLLY MOSELEY, CITY CLERK

sr