



City of Mesa

*Council Chambers
57 E. First Street*

City Council

Meeting Agenda - Final

Monday, August 27, 2018

5:45 PM

CITIZEN PARTICIPATION

All citizens are permitted and encouraged to speak on agenda items including and preceding "Items from citizens present." If you are interested in speaking on such an agenda item, please fill out a blue card in the back of the room and give it to the City Clerk. When the Council considers the item, you will be called to the podium to provide your comments.

The City of Mesa is committed to making its public meetings accessible to persons with disabilities. For special accommodations, please contact the City Manager's Office at (480) 644-3333 or AzRelay 7-1-1 at least 48 hours in advance of the meeting.

Si necesita asistencia o traducción en español, favor de llamar al menos 48 horas antes de la reunión al 480-644-2767.

CONSENT AGENDA

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.

Mayor John Giles

Vice Mayor David Luna - District 5

Councilmember Mark Freeman - District 1

Councilmember Jeremy Whittaker - District 2

Councilmember Francisco Heredia - District 3

Councilmember Chris Glover - District 4

Councilmember Kevin Thompson - District 6

Mayor's Welcome**Roll Call**

(City Council members participate in person or by telephone conference call.)

Invocation by Pastor Drew Arliskas with Mountain Vista Bible Church.

Pledge of Allegiance**Awards, Recognitions and Announcements****1 Take action on all consent agenda items.****Items on the Consent Agenda**

***2** [18-0992](#) Approval of minutes of previous meetings as written.

3 Take action on the following liquor license applications:

***3-a** [18-0975](#) Palace Nail Lounge

A nail salon is requesting a new Series 7 Beer & Wine Bar License for Paris Nail Lounge LLC, 1940 West Rio Salado Parkway, Suite 101 - Hien Van Tran, agent. There is no existing license at this location. **(District 1)**

***3-b** [18-0976](#) Time Out Sports Bar & Grill

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant license for Time Out Bar & Grill LLC, 1762 South Greenfield Road, Suite 111 - Jeannie Katherine Symonds, agent. The existing license held by Fat Willy's Greenfield LLC, will revert to the State. **(District 2)**

4 Take action on the following contracts:

- *4-a** **18-0971** One-Year Renewal to the Term Contract for Rigging and Over-Hire Stage Hand Services for the Mesa Arts Center as requested by the Arts & Culture Department **(Citywide)**

This contractor serves as the Mesa Arts Center's in-house rigging provider and is responsible for fly-rail operations, weight loading operations, high rigging, and low rigging. These services are required to perform certain aspects of theater operations.

The Arts & Culture Department and Purchasing recommend authorizing the renewal with Rhino Arizona, LLC, at \$100,000, based on estimated usage.

- *4-b** **18-0965** One-Year Renewal to the Term Contract for Auctioneering Services for the Fleet Services, Police, and Business Services Departments **(Citywide)**

The auctioneer disposes of surplus City vehicles, equipment, firearms and other surplus property, as needed, to maximize the City's return of surplus sales and minimize operational costs.

The Fleet Services, Police, and Business Services Departments, and Purchasing recommend authorizing the renewal with The Public Group, LLC and Sierra Auction Management, Inc. This contract provides revenue to the City and there is no cost to the City.

- *4-c** **18-0967** One-Year Renewal to the Term Contract for Network Equipment for the Mesa Public Libraries as requested by the Library Services Department **(Citywide)**

Some of the existing wired network connectivity equipment in the libraries is at end of life and maintenance support. The Universal Service Schools and Libraries Program (E-Rate Program) helps fund high-speed Internet access and telecommunications. In 2017, Council approved the purchase of network equipment for the Mesa Public Libraries at \$256,464.42 through the program. This is an ongoing project for Library Services and Information Technology and more time is required to complete it.

The Library Services Department and Purchasing recommend authorizing the renewal with Sentinel Technologies, Inc., through the E-Rate Program. No additional funds are requested at this time.

- *4-d** **18-0966** One-Year Renewal to the Term Contract for Audio-Visual Services for the Mesa Convention Center as requested by the Parks, Recreation and Community Facilities Department **(Citywide)**

This contract provides audio-visual services to Mesa Convention Center clients. The City collects the money from exhibitors and event coordinators and then issues a payment to settle with the concessionaire.

The Parks, Recreation and Community Facilities Department and Purchasing recommend authorizing the renewal with JLG Enterprises, Inc., dba Premier Audio Visual (a Mesa business), at \$160,000, based on estimated usage.

- *4-e** **18-0972** One-Year Renewal to the Term Contract for Fabrication and Installation of Park Signs for the Parks, Recreation and Community Facilities (PRCF) Department **(Citywide)**

This contract provides a contractor to fabricate and install new standard identification and rules signs at City parks and facilities in a phased approach. The new signs update the look and wording to create a more modern and consistent message. Changes in the City Code pertaining to park regulations have been incorporated and standardized across all PRCF facilities. The old signs are removed at the time of new sign installation.

The Parks, Recreation and Community Facilities Department and Purchasing recommend authorizing the renewal with Sierra Signs & Service, Inc. (a Mesa business), at \$467,000 annually, based on estimated usage.

- *4-f** **18-0963** Purchase of One Replacement Automated Side Loading Refuse Truck for the Environmental Management and Sustainability Department **(Citywide)**

This purchase will provide a heavy-duty automated side loading refuse truck to support daily solid waste operations. The refuse truck that is being replaced has met established replacement criteria and will be either traded, auctioned, sold, or deployed for special uses as part of the ongoing vehicle replacement program.

The Fleet Services, and Environmental Management and Sustainability Departments, and Purchasing recommend authorizing the purchase from the existing contract with Rush Truck Centers of Arizona, dba Rush Truck Center Phoenix, at \$379,820.77. This purchase is funded by the Capital Enterprise Fund.

- *4-g** **18-0964** Purchase of Four Replacement CNG Powered Heavy-Duty Front-Loading Refuse Trucks for the Environmental Management and Sustainability Department **(Citywide)**

This purchase will provide CNG powered front-end loader refuse trucks for Mesa's commercial accounts. The four refuse trucks that are being replaced have met established replacement criteria and will be either traded, auctioned, sold, or deployed for special uses as part of the ongoing vehicle replacement program.

The Fleet Services, and Environmental Management and Sustainability Departments, and Purchasing recommend authorizing the purchase from the existing contract with Rush Truck Centers of Arizona, dba Rush Truck Center Phoenix, at \$1,475,985.44. This purchase is funded by the Utility Replacement Extension and Renewal Fund, and Capital Enterprise Fund.

- *4-h** **18-0968** Dollar-Limit Increase to the Term Contract for LED Roadway Fixtures (GE Brand) for the Materials and Supply Warehouse (for the Transportation Department) **(Citywide)**

This contract provides for the maintenance and replacement of over 38,000 streetlights utilizing GE Evolve roadway luminaires for the City's local, collector and major roadways. In addition to regular maintenance, the Transportation Department is currently in the process of replacing over 500 streetlight poles because of rust, traffic accidents and spot improvements. Each replacement will require a new light-emitting diode (LED) fixture. Transportation has requested this increase to allow the City to continue repairs on a large number of streetlights while the City works to rebid the contract.

The Business Services and Transportation Departments and Purchasing recommend increasing the dollar-limit with WESCO Distribution, by \$104,500, from \$284,693 to \$389,193 annually, for Year 2 of the contract term. The increase is funded by Lifecycle Program Funding.

- *4-i** **[18-0969](#)** Dollar-Limit Increase to the Term Contract for Herbicide Application and Landscaping Services for the Transportation Department **(Citywide)**

This contract provides vegetation management services in the City's rights-of-way and storm drainage easements. Transportation's need for herbicide application has increased every year since 2015, from 500,000 square yards to 827,756 square yards, to date. The increase is needed for the increased volume usage.

The Transportation Department and Purchasing recommend increasing the dollar-limit with Basin Tree Service & Pest Control, Inc., dba United Right of Way, by \$60,000, from \$300,000 to \$360,000 annually, for Years 4 and 5 of the contract term, based on estimated usage.

5 Take action on the following resolutions:

- *5-a** **[18-0988](#)** Approving and authorizing the City Manager to enter into the First Amendment to the Intergovernmental Agreement concerning the Greenfield Water Reclamation Plant (GWRP) with the Towns of Queen Creek and Gilbert, and a Lease Agreement with the Town of Gilbert regarding certain property surrounding the GWRP. **(Citywide)**
- *5-b** **[18-0982](#)** Extinguishing a 20-foot public utilities and facilities easement and two drainage easements located at 5139 East Indigo Street to accommodate the development of a new storage facility; requested by the property owner. **(District 5)**
- *5-c** **[18-0983](#)** Extinguishing a public utilities and facilities easement located in the 200 block of East Main Street to accommodate the development of the GRID Project; requested by the developer. **(District 4)**
- *5-d** **[18-0989](#)** Extinguishing a drainage easement located at 1723 N Banning to accommodate the development of a warehouse facility; requested by the property owner. **(District 5)**
- *5-e** **[18-0999](#)** Supporting the Salt River Agricultural Improvement and Power District's proposed Southeast Power Link Project, and the associated Application for a Certificate of Environmental Compatibility filed with the Arizona Power Plant and Transmission Line Siting Committee. **(District 6)**

6 Take action on the following resolutions relating to the property located on South Udall, between Main Street and First Avenue.

- *6-a** [18-0993](#) Vacating a portion of South Udall right-of-way, between Main Street and First Avenue. **(District 4)**

This abandonment is to facilitate the development of a mixed-use project on private property for residential and commercial development.

- *6-b** [18-0994](#) Approving and authorizing the City Manager to enter into a Permanent Public Right-of-Way and Utility Easement and Underground Parking Structure Agreement with Suburban Land Reserve, Inc. to accept an easement over a portion of South Udall between Main Street and First Avenue. **(District 4)**

This easement will allow for construction and maintenance of public roadway improvements on and above an underground parking structure developed on the abandoned portion of South Udall.

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

- *7-a** [18-0878](#) ZON18-00149 **(District 6)** The 9800 through 9900 blocks of East Hampton Avenue (south side) and the 1400 block of South Crismon Road (west side). Located at the northwest corner of US-60 and Crismon Road (15± acres). Rezoning from PEP-PAD-CUP to PEP-PAD. This request will allow for an office and commercial development. Gilmore Planning and Landscape Architecture, applicant; Crismon Superstition Partners, owner.

Staff Recommendation: Approval with conditions

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

- *7-b** [18-0890](#) ZON18-00171 **(District 6)** The 8200 to 8400 blocks of East Baseline Road (north side). Located west of South Channing (Hawes Road) alignment on the north side of Baseline Road (54± acres). Rezoning 1.6± acres from RM-4 to RSL-2.5-PAD, incorporating the acreage into the approved 52.4± acres Baseline Mixed-Use PAD (Z14-021 and ZON18-00169); and Site Plan Review. This request will allow for the incorporation of additional acreage into an existing PAD to allow for the development of a residential small-lot subdivision. Woodside Homes, applicant; Baseline Mesa, LLC, and NSHE POWELL LLC, owner.

Staff Recommendation: Approval with conditions

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

- *7-c** **18-0891** ZON18-00310 (**District 3**) The 1700 to 1900 blocks of South Horne (west side), the 1700 to 1900 blocks of South Hobson (east side), and the 600 to 800 blocks of Auto Center Drive (south side). Located north of Baseline Road and east of Mesa Drive (22± acres). Rezoning from LI and LI-PAD to LI-PAD; and Site Plan Review. This request will allow for the development of an industrial park. Jeff McCall, McCall and Associates Architects, Inc., applicant; Puppyfeathers Limited Partnership, owner.

Staff Recommendation: Approval with conditions

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

- *7-d** **18-0879** ZON18-00221 (**District 1**) The 1100 block of North Miller Street (east side) and the 1000 block of East Brown Road (south side). Located on the south side of Brown Road and west of Stapley Drive (0.2± acres). Rezoning from OC to RS-9-BIZ; and Site Plan Review. This request will allow for the development of a single-family residence. Richard Corrow, applicant; NICHA, LLC, owner.

Staff Recommendation: Approval with conditions

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

- *7-e** **18-0894** ZON18-00359 (**District 4**) The 1100 block of South Stapley Drive (east side). Located east of Stapley Drive and north of Southern Avenue (1.6± acres). Rezoning from LC to RM-2-PAD; and Site Plan Review. This request will allow for the development of an attached single-residence development. Dane Astle, Edifice Architecture, applicant; Stapley & Southern Partners, LLC, owner.

Staff Recommendation: Approval with conditions

P&Z Board Recommendation: Approval with conditions (Vote: 5-1)

- *7-f** **18-0895** ZON18-00360 (**District 2**) The 3100 block of East Broadway Road (south side). Located east of Lindsay Road on the south side of Broadway Road (3.1± acres). Rezoning from RS-9 to RM-2-PAD; and Site Plan Review. This request will allow for the development of an attached single-residence development. Dane Astle, Edifice Architect, applicant; David and Carla Weaver, owner.

Staff Recommendation: Approval with conditions

P&Z Board Recommendation: Approval with conditions (Vote: 5-1)

- *7-g** **18-0892** ZON18-00335 (**District 5**) 6606 East McKellips Road. Located west of Power Road on the north side of McKellips Road (1± acres). Rezoning (removal of condition of approval); and Site Plan Modification. This request will remove condition #10 from the original zoning approval to allow restaurant uses; and modification of the approved site plan to add a drive-thru. Alfred Patterson, Bar Napkin Productions, applicant; Travis Hackett, Rielly Red Mountain LLC/H J Red Mountain, ETAL, owner.

Staff Recommendation: Approval with conditions

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

8 Discuss, receive public comment, and take action on the following ordinance, and take action on the following resolution relating to the development known as Eastmark:

- *8-a** **18-0918** ZON18-00121 (**District 6**) The 3600 to 5200 blocks of South Ellsworth Road (east side), the 9200 to 10800 blocks of East Elliot Road (south side), and the 3600 to 6000 blocks of the South Signal Butte Road alignment (west side). Located south of Elliot Road between Ellsworth Road and Signal Butte Road (3200± acres). Major Amendment to the Eastmark Community Plan. This request will make changes that impact Development Units (“DUs”) 1, 2, 3, and 4 related to Land Use Groups, the Land Use Budget, refinements to the DU character descriptions, and corresponding modifications to various sections of the Community Plan including the removal of the requirement for a non-potable water master plan. DMB Mesa Proving Grounds, LLC, applicant; DMB Mesa Proving Grounds, LLC, owner.

Staff Recommendation: Approval with conditions

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

- *8-b** **18-0981** Approving and authorizing the City Manager to enter into a Fourth Amendment to the Mesa Proving Grounds Pre-Annexation and Development Agreement with DMB Mesa Proving Grounds LLC, relating to the construction of, and reimbursement for, public infrastructure for, and the provision of City services to, the Eastmark development. (**District 6**)

9 Discuss, receive public comment, and take action on the following ordinances, and take action on the following resolution relating to changes to Title 5 of the Mesa City Code and the associated Business Services Department fees:

- *9-a** [18-0761](#) Repealing and replacing, in its entirety, the existing Mesa City Code Title 5 (Business Regulations), Chapter 7 entitled “Auctioneers, Pawnbrokers, Scrap Metal Dealers, and Secondhand Dealers” for the simplification and modification of requirements related to the operation and licensing of auctioneers, pawnbrokers, scrap metal dealers, and secondhand dealers in the City of Mesa. **(Citywide)**
- *9-b** [18-0760](#) Amending Title 5 of the Mesa City Code (Business Regulations) by adopting a new Chapter 22 entitled “Automated Kiosks” requiring the license and regulation of automated kiosks in the City of Mesa. **(Citywide)**
- *9-c** [18-0702](#) Modifying fees and charges for the Business Services Department **(Citywide)**

10 Take action on the following subdivision plats:

- *10-a** [18-0973](#) “Mesa Temple District” **(District 4)** The 0 block of South Mesa Drive (east side), the 400 block of East Main Street (south side), the 0 block of South Udall (both sides), and the 0 block of South LeSueur (west side). Located at the southeast corner of Main Street and Mesa Drive. 1 lot T5MSF, 1 lot T5MSF and T5MSF-HD, and 1 T4N-HD lot (6 ± acres). Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints, developer; Robert A. Johnston, Higart Wilson, surveyor.
- *10-b** [18-0977](#) “Parcel A Final Plat B for Ray Road Commerce Center North” **(District 6)** The 7100 to 7300 blocks of East Ray Road (north side). Located east of Power Road on the north side of Ray Road (32.4± acres). Phx-Mesa Gateway Airport 193, LLC, developer; Richard E. Jones, XCL Engineering, LLC, surveyor.

Items not on the Consent Agenda

11 Conduct a public hearing on the following annexation case:

- 11-a** [18-0957](#) Public Hearing prior to the release of the petition for signatures for annexation case ANX18-00302, located south of Thomas Road and west of Hawes Road (13.7± acres). The request is initiated by the applicant, Alexandra Schuchter, Diversified Partners, LLC, for the owner, Berge Revocable Trust. **(District 5)**

12 Items from citizens present. (Maximum of three speakers for three minutes per speaker).

13 Adjournment.

The Council may vote to hold an executive session for the purposes of obtaining legal advice from the City Attorney (A.R.S. §38-431.03A(3)) or to discuss and instruct the City Attorney regarding the City's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation. (A.R.S. §38-431.03A(4))