



City of Mesa

*Council Chambers
57 E. First Street*

City Council

Meeting Agenda - Final

Monday, February 24, 2020

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 Mark Freeman - District 1

Councilmember Jeremy Whittaker - District 2

Councilmember Francisco Heredia - District 3

Councilmember Jennifer Duff - District 4

Councilmember David Luna - District 5

Councilmember Kevin Thompson - District 6

Mayor's Welcome**Roll Call**

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

Invocation by Pastor Tom Damante with Christ's Church of the Valley.**Pledge of Allegiance****Awards, Recognitions and Announcements****1 Take action on all consent agenda items.****Items on the Consent Agenda**

***2** [20-0221](#) Approval of minutes of previous meetings as written.

3 Take action on the following liquor license applications:

***3-a** [20-0264](#) Village of Elgin Winery

This is a one-day wine festival event to be held on Saturday, March 7, 2020 from 10:00 A.M. to 5:00 P.M. at Sunland Village, 4601 East Dolphin Avenue.

(District 2)

***3-b** [20-0262](#) Village of Elgin Distillery

This is a one-day craft distillery festival event to be held on Saturday, March 7, 2020 from 10:00 A.M. to 5:00 P.M. at Sunland Village, 4601 East Dolphin Avenue.

(District 2)

***3-c** [20-0265](#) Village of Elgin Winery

This is a one-day wine festival event to be held on Saturday, November 21, 2020 from 10:00 A.M. to 5:00 P.M. at Sunland Village, 4601 East Dolphin Avenue.

(District 2)

***3-d** [20-0263](#) Village of Elgin Distillery

This is a one-day craft distillery festival event to be held on Saturday, November 21, 2020 from 10:00 A.M. to 5:00 P.M. at Sunland Village, 4601 East Dolphin Avenue.

(District 2)

***3-e** [20-0213](#) St. Timothy Roman Catholic Parish Mesa

This is a one-day event to be held on Saturday, March 28, 2020 from 7:00 P.M. to 9:00 P.M. at St. Timothy Catholic School, 2520 South Alma School Road. **(District 3)**

***3-f** [20-0214](#) Unit 1 Bravo AOMA

This is a one-day event to be held on Thursday, March 5, 2020 from 5:00 P.M. to 9:00 P.M. at Desert Wind Harley Davidson, 922 South Country Club Drive. **(District 4)**

***3-g** [20-0215](#) Residence Inn by Marriott

A hotel with a bar is requesting a new Series 7 Beer and Wine Bar License for Legacy Hospitality LLC, 10243 East Hampton Avenue - Rupinder Kaur Khangura, agent. There is no existing license at this location. **(District 6)**

***3-h** [20-0216](#) Casa Blanca Bistro

A restaurant that serves breakfast, lunch, and dinner is requesting a new Series 12 Restaurant License for QM Investments Group LLC, 2050 West Guadalupe Road, Suites 9-12; Marco Antonio Quintero Vega, agent. The existing license, held by QM Investments Group LLC, will revert to the State. **(District 3)**

***3-i** [20-0217](#) Culinary Escape

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Culinary Escape LLC, 127 West Main Street - Danielle Marie Tomerlin, agent. The existing license, held by Team Hayes LLC, will revert to the State. **(District 4)**

4 **Take action on the following bingo application:*****4-a** [20-0218](#) Mesa Winners Bingo

Dennis Peterson, manager, 8700 East University Drive. **(District 5)**

5 Take action on the following contracts:

- *5-a** **20-0201** Dollar-Limit Increase to the Term Contract for Aquatic Maintenance Repair Parts for the Parks, Recreation and Community Facilities Department **(Citywide)**

The increase is for the purchase and installation of an ultra-violet treatment (UV) system, a secondary water sanitizing system, for the splash pad at Riverview. A singular treatment system comprised of liquid chlorine is currently being used. Installation of the UV system will be performed prior to the summer, high-usage months.

The Parks, Recreation and Community Facilities Department and Purchasing recommend increasing the dollar-limit with A&M Corsons; Aquatic Environmental Systems; and Diving Board Solutions, LLC; by \$45,000, from \$45,000 to \$90,000 annually, for Year 1 of the term contract, based on estimated requirements.

- *5-b** **20-0202** Three-Year Term Contract with Two Years of Renewal Options for Deceased Animal Collection Services for the Community Services Department **(Citywide)**

This contract will provide a vendor to collect and dispose of deceased animals (up to 150 pounds) that are reported within the City. The contractor is responsible for the proper disposal by cremation or other means in accordance with the standards and methods approved by the Maricopa County Health Department.

The Community Services Department and Purchasing recommend awarding the contract to the lowest, responsive, and responsible bidder, APM/Couts Enterprises, Inc., dba Arizona Pet Mortuary, at \$52,850 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

- *5-c** **20-0204** Dollar-Limit Increase and Contract Extension to the Term Contract for Vehicle Rental Services for the Police Department **(Citywide)**

The existing contract is being extended to May 31, 2020 to complete the bid process. The increase is needed for purchases through the contract extension.

The Police Department and Purchasing recommend authorizing increasing the dollar-limit with Enterprise Leasing Company of Phoenix, LLC, dba Enterprise Rent-A-Car, by \$185,000, from \$450,000 to \$635,000, based on estimated usage. This purchase is funded by Asset Forfeiture RICO Funds.

***5-d** **20-0203** Dollar-Limit Increase to the Five-Year Term Contract for Motorola and Kenwood Radio Equipment, Parts, Network and Services for the Mesa Fire and Medical Department **(Citywide)**

On December 9, 2019, Council approved this contract for the Information Technology Department to purchase Motorola and Kenwood equipment, repairs, and services for various City departments on an as-needed basis. The addition of the Mesa Fire and Medical Department to the contract, and the associated dollar-limit increase, will allow the Department to utilize existing Motorola and Kenwood cooperative contracts to purchase radio equipment for any new emergency response vehicles, additional equipment, repairs and services, as needed.

The Mesa Fire and Medical Department and Purchasing recommend increasing the dollar-limit using the State of Arizona and Maricopa County cooperative contracts with Motorola Solutions, Inc.; Durham Communications, Inc.; and JVCKenwood USA Corporation; by \$300,000, from \$400,000 to \$700,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

***5-e** **20-0219** Three-Year Term Contract with Two Years of Renewal Options for a Driving Safety Solution (Addition) for the Environmental Management and Sustainability Department **(Citywide)**

In 2013, Environmental Management and Sustainability began piloting DVR systems in 4 collection vehicles. The pilot has been successful and the system has proven to be a valuable tool in many instances. This purchase will provide a camera and DVR system, including installation services, for the City's refuse collection fleet of 57 vehicles. The system monitors and records the activity in and around the vehicle as it is being operated, which provides helpful documentation in matters of disputes, public safety, and claims of damage to persons and/or property. In addition, the system will enhance the Department's safety program and will help to provide better customer service.

An evaluation committee recommends awarding the contract to the single, responsive, and responsible proposal from Mountain Regional Equipment Solutions, Inc., Year 1 and initial purchase, at \$445,000, based on estimated requirements; and Years 2 and 3, at \$50,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index. This purchase is funded by the Capital Enterprise Fund - Solid Waste Sub Fund.

- *5-f** [20-0205](#) Three-Year Term Contract with Two Years of Renewal Options for Water Meter Equipment and Parts for the Water Resources Department **(Citywide)**

This contract will provide replacement measurement equipment and parts for water meters.

An evaluation committee recommends awarding the contract to the qualified, responsive, and responsible proposals from Dana Kepner Company, Inc.; and Zenner Performance Meters, Inc.; at \$50,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

6 Take action on the following resolutions:

- *6-a** [20-0179](#) Calling the Primary Election for August 4, 2020; designating election dates; and providing the last date for candidates to file nomination papers. **(Citywide)**
- *6-b** [19-0944](#) Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with the Arizona Board of Regents, on behalf of Arizona State University, for the shared use of information technology related services and equipment. **(Citywide)**
- *6-c** [20-0092](#) Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with the Town of Queen Creek regarding a natural gas line extension at Queen Creek and Signal Butte Roads to support a new fire station at 20155 South Signal Butte Road. **(Town of Queen Creek)**
- *6-d** [20-0206](#) Approving and authorizing the City Manager to enter into a grant agreement with the Hickey Family Foundation to accept \$175,000 for overtime, equipment, and training for the Police Department to combat domestic minor sex trafficking, and to comply with the requirements set forth in the award notice. **(Citywide)**
- *6-e** [20-0208](#) Extinguishing a portion of a public utility and facilities easement located at 1330 South Crismon Road, to allow for the construction of a soccer field; requested by the property owner. **(District 6)**

7 Introduction of the following ordinances and setting March 2, 2020 as the date of the public hearing on these ordinances:

- *7-a** [20-0249](#) Repealing Mesa City Code Title 3, Chapter 3 (“Utility Departments”) and replacing it with a new Title 3, Chapter 3 titled “Water Resources, Energy Resources, and Environmental Management & Sustainability Departments.” The new language includes the creation of a Utility Assistance Program, the permitted uses for the utility system revenues, and the permitted transfer of Utility Funds, primarily for Public Safety. **(Citywide)**

- *7-b** [20-0172](#) ZON19-00710 (**District 6**) Within the 7000 to 7600 blocks of East Guadalupe Road (south side) and within the 2800 through 3100 blocks of South Sossaman Road (west side). Located south of Guadalupe Road and west of Sossaman Road. Rezone from NC-PAD to RS-6-PAD (6.7± acres); and major modification of an existing PAD (213.7± acres). This request will allow for the development of a single-residence subdivision. Sean Lake, Pew & Lake, PLC, applicant; B & K Land & Investment Co., 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 ordinances:

- *8-a** [20-0220](#) 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** [20-0142](#) 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 subdivision plats:

- *9-a** [20-0198](#) "Eastmark DU 3/4 North Phase 5 MDR" (**District 6**) Located within the 9200 to 9500 blocks of East Warner Road (south side); the 4400 to 4700 blocks of South Ellsworth Road (east side); and the 4400 to 4600 blocks of South Inspirian Parkway (west side). Located north of Ray Road on the east side of Ellsworth Road (±71.6 acres). DMB Mesa Proving Grounds, LLC, developer; Joseph R. Davis, Sunrise Engineering, surveyor.

- *9-b** [20-0199](#) "La Mira" (**District 6**) Located within the 10800 to 11100 blocks of East Williams Field Road (north side); within the 5600 to 6000 blocks of South Signal Butte Road (east side); and within the 10800 to 11100 blocks of the East Galveston Street alignment (south side). Located on the northeast corner of Signal Butte Road and Williams Field Road (±106 acres). Taylor Morrison/Arizona, Inc., developer. Brian J. Diehl, Wood Patel & Associates, Inc., surveyor.

- *9-c [20-0197](#) "2836 S. Signal Butte Road" (**District 6**) Located within the 2800 block of South Signal Butte Road (west side) and within the 10700 block of East Guadalupe Road (south side). Located on the southwest corner of Guadalupe and Signal Butte Roads (±4.8 acres). GB-SB, LLC, developer; David S. Klein, Superior Surveying, Inc., surveyor.

Items not on the Consent Agenda

10 Conduct a public hearing and take action on the following ordinance adopting modified terms/rates/fees/charges on City-owned non-residential water utility services:

- 10-a [20-0222](#) Conduct a public hearing on modifications to terms/rates/fees/charges of City-owned non-residential water utility services.

- 10-b [20-0035](#) An ordinance modifying terms/rates/fees/charges for non-residential water utility services. (**Citywide**)

11 Conduct a public hearing and take action on the following annexation cases, minor General Plan amendments, and zoning cases, and take action on the following development agreements, all related to the Hawes Crossing development:

- 11-a [20-0223](#) Conduct a public hearing on annexation cases ANX18-00788 and ANX19-00420, minor General Plan amendments ZON19-00754 and ZON19-00755, and zoning cases ZON17-00606 and ZON17-00607.

- 11-b [20-0118](#) ANX18-00788 (**District 6**) Ordinance. 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.

- 11-c [20-0119](#) ANX19-00420 (**District 6**) Ordinance. 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.

- 11-d** [20-0104](#) ZON19-00754 (**District 6**) Resolution. The 7700 through 8400 blocks of East Elliot Road (south side), the 3700 through 4000 blocks of the South 80th Street alignment (both sides), the 3700 through 4000 blocks of South Hawes Road (west side), the 8400 through 8600 blocks of East Warner Road (north side), the 4200 through 4400 blocks of the South Hawes Road alignment (east side), and the 8100 through 8400 blocks of East Warner Road (south side) (280± acres). Minor General Plan Amendment. This request will change the General Plan character designation for the area from Mixed Use Activity/Employment to Neighborhood. Jordan Rose, Rose Law Group, applicant; multiple property owners.

Staff Recommendation: Adoption

P&Z Board Recommendation: Adoption (Vote: 3-2)

- 11-e** [20-0105](#) ZON19-00755 (**District 6**) Resolution. The 4000 through 4400 blocks of South Hawes Road (west side) and the 8000 through 8400 blocks of East Warner Road (north side) (115± acres). Minor General Plan Amendment. This request will change the General Plan character designation for the area from Mixed Use Activity/Employment to Neighborhood. Jordan Rose, Rose Law Group, applicant; State of Arizona, owner.

Staff Recommendation: Adoption

P&Z Board Recommendation: Adoption (Vote: 3-2)

- 11-f** [20-0101](#) ZON17-00606 (**District 6**) Ordinance. 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)

- 11-g** [20-0103](#) ZON17-00607 (**District 6**) Ordinance. 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)

- 11-h** [20-0191](#) A resolution approving and authorizing the City Manager to enter into a Development Agreement with multiple property owners for the development of a mixed-use project known as Hawes Crossing on approximately 536 acres of land in the Inner Loop District and part of zoning case ZON17-00606. The Development Agreement will, among other things, provide for: i) zoning entitlements; ii) limitations on development; iii) prohibited land uses; iv) phasing of the project; v) construction of parks, trails and open space; vi) open space landscape buffer and utility easement; vii) infrastructure improvements; and viii) compatibility with Phoenix-Mesa Gateway Airport. (**District 6**)
- 11-i** [20-0192](#) A resolution approving and authorizing the City Manager to enter into a Development Agreement with the State of Arizona (by and through the State Land Commissioner and the Arizona State Land Department) for the development of a mixed-use project known as Hawes Crossing on approximately 595 acres of State land in the Inner Loop District and part of zoning case ZON17-00607. The Development Agreement will, among other things, provide for: i) zoning entitlements; ii) limitations on development; iii) prohibited land uses; iv) phasing of the project; v) construction of a community park, other parks, trails and open space; v) infrastructure improvements, and vi) compatibility with Phoenix-Mesa Gateway Airport. (**District 6**)

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

13 **Adjournment.¹**

¹ Prior to adjournment, at this Council meeting, the City Council may vote to go into executive session for legal advice on any item listed on this agenda pursuant to A.R.S. §38-431.03(A)(3); this notice is given pursuant to A.R.S. §38-431.02 to the members of the City Council and the public.