



City of Mesa
Notice of Meeting Agenda - Final
City Council

Monday, August 28, 2023
5:45 PM

Council Chambers
57 East 1st Street

DECORUM: The public is encouraged to attend City Council meetings in person, telephonically, or electronically. All persons attending the City Council meeting are asked to observe the rules of politeness, propriety, decorum, and good conduct. Anyone disrupting the meeting will be asked to leave or will be removed and may not be allowed to return.

PARTICIPATION: Members of the public at the meeting may address the City Council by providing comments on a specific agenda item or during "Items from Citizens Present." **To request to speak, submit a blue speaker card to the City Clerk prior to the start of a meeting.** When called to speak, please step up to the lectern, speak clearly into the microphone, and begin by stating your name and address for the record. To give everyone an opportunity to speak, comments are generally limited to three minutes unless otherwise determined by the Mayor. If you are with a group, please designate a spokesperson.

For agendized items, comments should be relevant to the item being discussed. During "Items from Citizens Present," the speaker may address the City Council on more general issues. Councilmembers are normally not permitted to discuss or take legal action on any matters raised by the public that are not specifically on the agenda.

If you would like handouts distributed to the City Council, please give them to the City Clerk at the time you submit your blue speaker card. Eleven copies of each document is requested.

CONSENT AGENDA: All items listed on the agenda with an asterisk (*) are on the consent agenda which means they will be considered by the City Council as a group, without any separate discussion of these items, unless a Councilmember or citizen requests the item be removed from the consent agenda to be considered separately. To request removal of an item from the consent agenda, please submit a blue speaker card to the City Clerk prior to the start of the meeting.

ACCESSIBILITY: 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.

Servicios en Español: Si necesita asistencia o servicio de interpretación en Español, comuníquese con la Ciudad al menos 48 horas antes de la reunion al 480-644-2767.

For more information regarding City Council meetings, including agendas, approved minutes and ways to participate electronically, please visit <https://www.mesaaz.gov/government/city-council-meetings>.

NOTICE: Pursuant to A.R.S. § 38-431.02, notice is hereby given that the City Council will hold a meeting open to the public at the date and time above. If indicated in the agenda, pursuant to A.R.S. § 38-431.03, the City Council may vote to go into executive session which will not be open to the public. Members of the City Council may appear at the meeting in person, telephonically, or electronically. Children are welcome at City Council meetings, but please remember meetings are video recorded; by allowing your child to attend, you consent to your child being recorded. A.R.S. § 1-602(A)(9).

Mayor John Giles
Vice Mayor Francisco Heredia - District 3
Councilmember Mark Freeman - District 1
Councilmember Julie Spilsbury - District 2
Councilmember Jennifer Duff - District 4
Councilmember Alicia Goforth - District 5
Councilmember Scott Somers - District 6

Mayor's Welcome**Roll Call****Invocation by Pastor Sherman Fort with The Word Church****Pledge of Allegiance****Awards, Recognitions and Announcements****1 Take action on all consent agenda items.****Items on the Consent Agenda**

***2** **23-0779** Approval of minutes of previous meetings as written.

3 Take action on the following liquor license applications:

***3-a** **23-0937** The Greater Cause

This is a one-day event to be held on Saturday, September 16, 2023, from 3:00 P.M. to 10:00 P.M. at Riverview Park located 2060 West Riverview Auto Drive.
(District 3)

***3-b** **23-0939** Grab N Go 406

A convenience store is requesting a new Series 10 Beer and Wine Store License for Sapa Businesses LLC, 406 North Country Club Drive - Vaneet Sapa, agent. The existing license held by Hema LLC will revert to the State.
(District 3)

***3-c** **23-0938** DNA Trading & Service Inc

A liquor distributor is requesting a new Series 4 Wholesaler License for DNA Trading & Service Inc., 325 South Westwood Suite 8 - Yoon Jung Cho, agent. There is no existing license at this location. **(District 4)**

4 Take action on the following contracts:

- *4-a** [23-0936](#) Purchase of a New Audio Console (Replacement) for the Arts and Culture Department (**Citywide**)

This purchase will replace the current audio consoles, accompanying processors, and peripherals at the Mesa Arts Center (MAC) Ikeda and Piper Theaters. This equipment is used for events and live performances. The MAC's current audio consoles are reaching their end of life and repair parts are no longer available.

The Arts and Culture Department - Mesa Arts Center and Purchasing recommend awarding the contract to the lowest, responsive, and responsible bidder, CTI dba Conference Technologies for \$214,305.29. This purchase is funded by the Mesa Arts Center Restoration Fund.

- *4-b** [23-0941](#) Cooperative Contract Use for the Purchase of Two Combination Sewer Vacuum Trucks (One Replacement and One Addition) for the Water Resources Department (**Citywide**)

This equipment will be used to support Wastewater Collection operations and maintenance activities to clean the City's sewer lines by vacuuming fat, oil, grease, grit, and debris that accumulates over time in the system. Ongoing maintenance of the City's sewer lines is necessary to mitigate public safety risks and sanitary sewer overflows. The replacement sewer truck will be replacing a unit that is beyond its useful life.

The Fleet Services and Water Resources Departments, and Purchasing recommend authorizing the purchase using the Sourcewell cooperative contract with AZ Wastewater Industries Inc. for \$1,127,719.54. This purchase is funded by the Utility Replacement Extension and Renewal Fund and Capital Utility Fund.

- *4-c** [23-0942](#) Three-Year Term Contract with Two Years of Renewal Options for Landscaping and Decorative Rock Materials for various City Departments (as requested by the Transportation Department) **(Citywide)**

This contract will provide landscaping and decorative rock materials for the Transportation, Energy Resources, Water Resources, and Parks, Recreation and Community Facilities departments. These departments use the materials throughout the City in their daily operations.

The Transportation, Water Resources, Energy Resources, and Parks, Recreation and Community Facilities Departments and Purchasing recommend awarding the contract to the lowest, responsive, and responsible bidders, Calmat Co. dba Vulcan Materials Co.; Green Dream International LLC; Material Delivery Inc.; and Red Mountain Mining Inc. (a Mesa business) at \$1,902,000 annually, with an annual increase allowance of up to 5%, or the adjusted Producer Price Index.

- *4-d** [23-0940](#) Cooperative Contract Use for the Purchase of Two Heavy-Duty Construction Trucks with Dump Bodies (Additions) for the Transportation Department **(Citywide)**

The two Freightliner dump trucks will be additions to Transportation's Field Operations. One truck will support the new concrete work group and the other truck will support the asphalt work group. The dump trucks have the capacity to haul material and heavy equipment to job sites. Additionally, these trucks are able to respond to storm-related emergencies to deliver equipment and haul sand and debris.

The Transportation and Fleet Services Departments and Purchasing recommend authorizing the purchase using the State of Arizona cooperative contract with Freightliner of Arizona, for \$601,189.62. This purchase is funded by the Local Streets Fund.

***4-e** [23-0943](#) Three-Year Term Contract with Two Years of Renewal Options for Vactor Services for the Transportation and Fleet Services Departments **(Citywide)**

This contract will provide vactor services to assist with maintaining the City's storm drain system. Vactor services remove sediment and debris from the storm drain lines allowing for drainage flow. Storm drain system maintenance is critical for reducing the likelihood of flooding during storms.

The Transportation and Fleet Services Departments and Purchasing recommend awarding the contract to the lowest, responsive, and responsible bidders for each Group, Kary Environmental Services Inc. (a Mesa business) and Pipeline Video Inspection LLC dba AIMS Companies at \$661,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

5 **Take action on the following resolutions:**

***5-a** [23-0893](#) ZON22-01298 "Red Oak Autism Academy" **(District 2)** Within the 5000 to 5100 block of East University Drive (north side). Located west of Higley Road on the north side of University Drive (2.5± acres). Council Use Permit. This request will allow for a private school (grades K-12) to be located within the Limited Commercial (LC) zoning district. AnneMarie Butler, applicant; MYSLONY DEVELOPMENT LLC, owner. Resolution No. 12084

Staff Recommendation: Approval with conditions

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

***5-b** [23-0947](#) Approving and authorizing the City Manager to enter into a First Amendment to the Intergovernmental Agreement dated March 1, 2018 between the Arizona Board of Regents and the City of Mesa for the development, operation, and maintenance of educational facilities in downtown Mesa. The amendment would have the effect of clarifying the term of the Intergovernmental Agreement. **(District 4)** Resolution No. 12085

***5-c** [23-0925](#) Extinguishing a portion of a 20-foot public utilities and facilities easement located at 1956 South Country Club Drive to allow for the future construction of a Salad N Go restaurant on the property; requested by the developer. **(District 4)** Resolution No. 12086

***5-d** [23-0863](#) Extinguishing fifteen public utilities and facilities easements located at 6935 South Crismon Road, between South Crismon Road and South Merrill Road, and between East Pecos Road and East Germann Road, for temporary drainage basins to accommodate commercial development of the properties; requested by the property owner. **(District 6)** Resolution No. 12087

*5-e [23-0933](#) Extinguishing a drainage easement located at 7250 South Sossaman Road to allow for a relocation of a driveway on Pecos Road; requested by the property owner. **(District 6)** Resolution No. 12088

*5-f [23-0934](#) Extinguishing a drainage easement and drainage covenant located at 9253 East Willis Road to accommodate the development of a new business park; requested by the property owner. **(District 6)** Resolution No. 12089

6 Introduction of the following ordinances and setting September 11, 2023 as the date of the public hearing on these ordinances:

*6-a [23-0894](#) ZON23-00282 "Mountain America Credit Union Mesa Branch" **(District 6)** Within the 4900 block of South Power Road (east side). Located north of Ray Road on the east side of Power Road (1± acres). Major Site Plan Modification and amending the conditions of approval for Case No. ZON21-00069. This request will allow for a financial institution with a drive-thru. Michael Sanders, Sanders Associates Architects, applicant; POWER 202 MIXED-USE LLC, owner. Ordinance No. 5809

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 [23-0751](#) Amending Section 11-31-34(A) of the Mesa Zoning Ordinance pertaining to Medical Marijuana Dispensaries and Dual Licensee Facilities. The amendments include, but are not limited to, modifying the spacing requirements between Medical Marijuana Dispensaries and Dual Licensee Facilities. Ordinance No. 5803

Staff Recommendation: Adoption

P&Z Board Recommendation: Adoption (Vote: 5-0)

For continuance to the November 6, 2023 City Council meeting.

*7-b [23-0888](#) ZON22-01110 "Mesa Drive Apartments" **(District 1)** Within the 400 to 600 blocks of North Mesa Drive (east side), the 500 block of North Lesueur (west side), and within the 400 block of East 4th Place (north side). Located east of Mesa Drive and north of University Drive (6± acres). Rezone from Multiple-Residence-4 (RM-4) to Multiple Residence-4 with a Planned Area Development overlay (RM-4-PAD) and Site Plan Review. This request will allow for an approximately 180-unit multiple residence development. Syntec Design, applicant; AZ MED CAP LLC, owner. Ordinance No. 5807

Staff Recommendation: Approval with conditions

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

- *7-c** [23-0889](#) ZON23-00129 "Baywood Medical Collaborative II" (**District 2**) Within the 6300 block of East Broadway Road (north side) and within the 300 block of South 63rd Street (east side). Located north of Broadway Road on the east side of 63rd Street (1± acres). Rezone from Agricultural (AG) to Office Commercial (OC) and Site Plan Review. This request will allow for the development of a medical office. Vince Dalke, Dalke Design Group, applicant; CWRP Baywood MOB Owner LLC, owner. Ordinance No. 5808

Staff Recommendation: Approval with conditions

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

- *7-d** [23-0884](#) ZON23-00384 "The Nile - Historic Landmark Overlay" (**District 4**) Within the 100 block of West Main Street and the 100 block of South Macdonald. Located east of County Club Drive and south of Main Street (0.19± acres). Rezone from Downtown Core with a Downtown Events Overlay (DC-DE) to Downtown Core with a Downtown Events Overlay and a Historic Landmark Overlay (DC-DE-HL). This request will establish a Historic Landmark Overlay. Michelle Donovan - The Nile, applicant; CK Properties LLC, owner. Ordinance No. 5804

Staff Recommendation: Approval with conditions

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

- *7-e** [23-0887](#) ZON21-00404 "Reed Park Residences" (**District 4**) Within the 500 block of South Williams (east side). Located west of Gilbert Road and south of Broadway Road (3.5± acres). Rezone from Multiple Residence-4 with a Planned Area Development overlay (RM-4-PAD) to RM-4 with a new Planned Area Development overlay (RM-4-PAD) and Major Site Plan Modification. This request will replace the existing PAD with a new PAD, which will establish unique development standards and allow for an approximately 72-unit multiple residence development. Reese Anderson, Pew & Lake PLC, applicant; Ridgeway Investments LLC, owner. Ordinance No. 5806

Staff Recommendation: Approval with conditions

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

- *7-f** **23-0886** ZON23-00338 "TMW Offroad" (**District 6**) Within the 7400 block of South 89th Place (west side), within the 8900 block of East Winnston Avenue (north side), and within the 7400 block of South Atwood (east side). Located west of Ellsworth Road and north of Germann Road (2.4± acres). Rezone from Light Industrial with a Planned Area Development overlay (LI-PAD) to Light Industrial with a Planned Area Development overlay and a Bonus Intensity Zone overlay (LI-PAD-BIZ) and Site Plan Review. This request will allow for an industrial development. Tim Nielsen, Farnsworth Construction Co., applicant; Tyco Metal Works LLC, owner. Ordinance No. 5805

Staff Recommendation: Approval with conditions

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

8 **Take action on the following subdivision plats:**

- *8-a** **23-0931** SUB23-00256 "Map of Dedication of Sonoran Gateway Exchange" (**District 6**) Within the 7300 to 7500 blocks of South Sossaman Road (east side) and within the 7600 to 8000 blocks of East Germann Road (north side). Located north of Germann Road and east of Sossaman Road (34.9± acres). RLIF Mesa Development SPE LLC, developer; Shane R. Barnett, Barnett Land Surveying LLC, surveyor.

Items not on the Consent Agenda

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

10 **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.