



COUNCIL MINUTES

August 28, 2023

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on August 28, 2023, at 5:45 p.m.

COUNCIL PRESENT

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

COUNCIL ABSENT

None

OFFICERS PRESENT

Christopher Brady
Holly Moseley
Jim Smith

Mayor's Welcome.

Mayor Giles conducted a roll call.

Mayor Giles led a moment of silence.

Pledge of Allegiance was led by the Mayor's Youth Committee.

Awards, Recognitions and Announcements.

Mayor Giles recognized new members of the Mayor's Youth Committee for the school year.

Mayor Giles announced today marks the 60th anniversary of Martin Luther King Jr.'s "I have a Dream" speech, which inspired change and is considered one of history's greatest speeches.

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 Spilsbury, that the consent agenda items be approved.

Upon tabulation of votes, it showed:

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

Carried unanimously.

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

Minutes from the August 21, 2023, Regular Council meeting.

3. Take action on the following liquor license applications:

*3-a. 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. Grab N Go 406

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

*3-c. 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. 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. 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. 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. 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. Three-Year Term Contract with Two Years of Renewal Options for Vector Services for the Transportation and Fleet Services Departments. **(Citywide)**

This contract will provide vector services to assist with maintaining the City's storm drain system. Vector 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. 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. 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. 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. 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. 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. 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. 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. 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. 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. 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. 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. 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. 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. 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.

There were no items from citizens present.

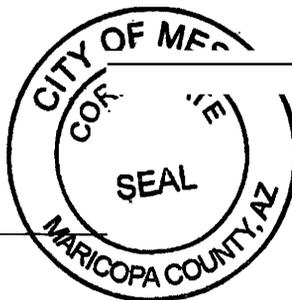
10. Adjournment.

Without objection, the Regular Council Meeting adjourned at 5:53 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 28th day of August 2023. I further certify that the meeting was duly called and held and that a quorum was present.



HOLLY MOSELEY, CITY CLERK