



City of Mesa
Notice of Meeting Agenda - Final
City Council

Monday, August 29, 2022
5:45 PM

Council Chambers
57 East 1st Street

ATTENDING & PARTICIPATING IN MEETINGS: The public may attend City Council meetings in person, telephonically, or electronically. Members of the public who attend in person are welcome and encouraged to participate in the City Council regular meetings by speaking on a specific agenda item or by generally addressing the Council during "Items from Citizens Present." Members of the public who attend a regular meeting telephonically are also welcome and encouraged to participate by speaking on a specific agenda item; however, the opportunity to address the Council during "Items from Citizens Present" will not be available telephonically as it is reserved for those who are present at the meeting, attending in person. Comment cards will not be accepted from members of the public participating electronically or who are not in attendance. To provide written feedback to the City Council regarding an agenda item, please send an e-mail to council@mesaaz.gov at least 24 hours before the meeting.

IN PERSON ATTENDANCE & COMMENT: Space is available for the public to attend a Council meeting in person at the location listed above. To provide comments on a specific agenda item or to address the City Council during "Items from Citizens Present," submit a speaker/comment card to the City Clerk prior to the meeting. Speaker/comment cards are available at the meeting or the form is available online to print in advance at [Council Meeting Comment Card](#). When it is your turn to speak, your name will be called: please step up to the lectern, speak clearly into the microphone, and begin by stating your name and address for the record. If you have materials to hand out, please give them to the City Clerk for distribution to the Council and staff. Eleven copies of each document are requested to insure there are enough handouts.

TELEPHONE ATTENDANCE & COMMENT: To attend a meeting telephonically, at the start of the meeting, call 888-788-0099 or 877-853-5247 (toll free) using meeting ID 5301232921 and follow the prompts. To speak on a specific agenda item, please submit an online speaker/comment card at least one hour prior to the meeting by going to mesaaz.gov/bluecard. Speakers are recognized by the phone number submitted in their speaker/comment card and any late requests received may not be acknowledged at the meeting. You will be prompted to unmute your line when it is time for you to speak, and please begin by stating your name and address for the record. For help with the online comment card or for any technical difficulties, please call (480) 644-2099.

ELECTRONIC ATTENDANCE: Members of the public can attend the meeting electronically by watching the live meeting on local cable Mesa Channel 11 or online at mesaaz.tv/live or <https://facebook.com/CityofMesa>.

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 move an item off the consent agenda, please submit a speaker/comment card to the City Clerk before the meeting by providing the card either in person or, if attending telephonically, submit one hour prior to the meeting through the online speaker/comment card.

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. 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.

DECORUM: All persons attending the Council meeting are asked to observe the rules of politeness, propriety, decorum, and good conduct. Anyone interfering with the meeting will be asked to leave or will be removed and may not be allowed to return. To give everyone an opportunity to speak, comments are generally limited to three minutes unless otherwise determined by the Mayor. For agendized items, comments should be relevant to the item being discussed. During "Items from Citizens Present", the speaker may address the Council on more general issues. Councilmembers are not generally permitted to discuss or take legal action on any matters raised by the public that are not specifically on the agenda. If you are with a group, please designate a spokesperson.

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 Jennifer Duff - District 4
Councilmember Mark Freeman - District 1
Councilmember Julie Spilsbury - District 2
Councilmember Francisco Heredia - District 3
Councilmember David Luna - District 5
Councilmember Kevin Thompson - District 6

Mayor's Welcome**Roll Call****Invocation by Reverend Derrick Elliott with Desert Heritage Church (AZ Disciples)****Pledge of Allegiance****Awards, Recognitions and Announcements****1 Take action on all consent agenda items.****Items on the Consent Agenda*****2 [22-1069](#) Approval of minutes of previous meetings as written.****3 Take action on the following liquor license application:*****3-a [22-1074](#) Tipsy Chicken**

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for FC & S Enterprise LLC, 1933 West Main Street, Suite 8; Vanna Nguyen, agent. The existing license held by Go Chicken LLC will revert to the State. **(District 3)**

4 Take action on the following bingo application:***4-a [22-1110](#) Kathi E McMichael DBA: Rancho Reata Resident's Association**

Kathi McMichael, Manager/Proceeds Coordinator; 9828 East Pueblo Avenue Mesa, AZ 85208 (Clubhouse) **(District 5)**

5 Take action on the following contracts:

- *5-a** [22-1077](#) Use of Cooperative Contracts for a Term Contract with Renewal Options for Reservoir Inspections for the Water Resources Department (**Citywide**)

The contract will provide reservoir inspections and sediment removal services. The Contractor will remove sediment and complete inspections of City potable water storage reservoirs, wastewater tanks, basins, and reclaimed water reservoirs as scheduled by the City.

The Water Resources Department and Purchasing recommend authorizing the purchase using the Strategic Alliance for Volume Expenditures (S.A.V.E.)/City of Tempe cooperative contract with Applied Diving Services, Inc. and S.A.V.E./City of Chandler cooperative contract with Workhorse Diving and Salvage, LLC, at \$150,000 annually, based on estimated usage. This purchase is funded by Water and Wastewater Enterprise and Greenfield Joint Venture Funds.

- *5-b** [22-1080](#) Dollar-Limit Increase to the Term Contract for Public Sewer and Irrigation System Cleaning, Inspection, and Rehabilitation Services for the Water Resources Department (**Citywide**)

This contract provides a contractor to perform cleaning and internal video inspections of public sewer mains, manholes, siphons, and raw-water irrigation piping and structures. In addition, the contractor performs cured-in-place point repairs to extend the useful lives of these systems. The increase will provide sufficient funding to pay for increased cleaning and inspection costs, and allow the City to clean, inspect, and rehabilitate additional miles of pipe each year.

The Water Resources Department and Purchasing recommend increasing the dollar-limit with Hoffman Southwest Corp., dba Professional Pipe Services (Pro-Pipe), Year 3 by \$400,000 from \$600,000 to \$1,000,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

***5-c** **22-1078** Purchase of a Full Body Scanner (Addition) for the Mesa Police Department
(Citywide)

The Police Department's Holding Unit is requesting the purchase of a body scanner with a thermal reader to improve its operations while reducing physical contact with inmates. Each time an inmate is in contact with Department personnel, the inmate is pat-searched. A full body scanner detects concealed narcotics and weapons; can detect substances if they are concealed under clothes, in body cavities, or in prosthetic devices. Its capabilities are much wider than a physical search by a detention officer and will ensure the safety and security of officers, inmates, the facility, and the public.

The Police Department and Purchasing recommend authorizing the purchase using the OMNIA Partners/Port of Portland cooperative contract with Safeware, Inc., for \$188,000. This purchase is funded by American Rescue Plan Act (ARPA) Grant Funds.

***5-d** **22-1076** Three-Year Term Contract with Two Years of Renewal Options for Contractor
Building Maintenance Services for the Parks, Recreation and Community
Facilities Department (Citywide)

This contract will establish a non-exclusive, pre-qualified general contractors list to perform building maintenance and repair work on various City facilities/projects on an as-needed basis. This contract will provide experienced journeymen to perform a variety of tasks including rough and finish carpentry, remodel work, such as walls, ceilings, doors, windows, drywall, stairs, tile, masonry, concrete, electrical and mechanical repairs, and other maintenance work at City facilities. The awarded vendors are eligible to competitively quote for City building maintenance and repair projects.

An evaluation committee recommends awarding the contract to the five highest scored proposals from Builders Guild Inc. (a Mesa business); BWC Enterprises Inc., dba Woodruff Construction; Diamond Ridge Development Corporation; G&G Specialty Contractors, Inc.; and Robert N Ewing General Contractor, Inc.; cumulatively not to exceed \$3,750,000 annually, based on estimated requirements.

***5-e** **22-1079** Wastewater Manhole Rehabilitation Phase 13 Project **(Citywide)**

This project will rehabilitate 125 manholes that were evaluated and recommended for rehabilitation. The scope of work includes surface preparation, installation of corrosion resistant coating, structural insert installation, spot repairs of corrosion resistant coating, thermoplastic lining system, and other work as necessary for completion of the project.

Staff recommends awarding the contract for this project to the lowest, responsible bidder, Local Underground Construction, LLC, in the amount of \$2,190,950, and authorizing a change order allowance in the amount of \$219,095 (10%), for a total amount of \$2,410,045. This project is funded by the Utility Replacement Extension and Renewal Fund.

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

***6-a** **22-1100** Approving and authorizing the City Manager to accept Proposition 202 funds from the Gila River Indian Community in the amount of \$535,000 and administer awarded funds as pass-through grants to designated awardees. **(Citywide)**

***6-b** **22-1072** Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with the Arizona Board of Regents for and on behalf of Arizona State University (ASU). ASU will provide technical assistance and training on crime analysis to the Police Department at a cost not to exceed \$217,228. **(Citywide)**

***6-c** **22-1075** Extinguishing a portion of an 8-foot public utility easement located at 1305 East Kramer Circle to accommodate the construction of a new pool; requested by the property owner. **(District 1)**

***6-d** **22-1096** Approving and authorizing the City Manager to enter into a Intergovernmental Agreement with Maricopa County concerning the relocation of the water and wastewater facilities on University Drive, from Power Road to Higley Road. **(District 5)**

7 **Introduction of the following ordinances and setting September 12, 2022 as the date of the public hearing on these ordinances:**

***7-a** **22-1066** Amending Section 10-4-6 of the Mesa City Code to modify the existing speed limit from 30 mph to 25 mph on 1st Street between Mesa Drive and Country Club Drive, as recommended by the Transportation Advisory Board. **(District 4)**

- *7-b** [22-1083](#) ZON22-00340 (**District 2**) Within the 7000 block of East Main Street (south side), within the 100 block of South 70th Street (east side). Located east of Power Road on the south side of Main Street (4± acres). Rezone from Limited Commercial (LC) and Single Residence-6 (RS-6) 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. Benjamin Graff, Quarles & Brady, LLP, applicant; POWER & MAIN DECVOL, LLC, owner.

Staff Recommendation: Approval with conditions

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

- *7-c** [22-1085](#) ZON22-00350 (**District 5**) Within the 10700 block of East Hampton Avenue (south side) and within the 1400 to 1600 block of South Signal Butte Road (west side). Located north of the US 60 Superstition Freeway on the west side of Signal Butte Road (15± acres). Site Plan Modification. This request will allow for a mixed-use development. Andrew Call, Thompson Thrift, applicant; Signal Butte Hampton Mesa AZ, LLC and Signal Butte BFC, LLC owner.

Staff Recommendation: Approval with conditions

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

- *7-d** [22-1084](#) ZON22-00481 (**District 6**) Within the 8400 to 8500 blocks of East Pecos Road (south side), and the 7200 block of South Hawes Road (east side). Located south of Pecos Road and east of Hawes Road (9± acres). Rezone from Agriculture (AG) to Light Industrial (LI) and Site Plan Review. This request will allow for an industrial development. Adam Baugh, Withey Morris PLC, applicant; GATEWAY DEVELOPMENT LLC, owner.

Staff Recommendation: Approval with conditions

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

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

- *8-a** [22-0867](#) ZON22-00260 (**District 5**) Within the 9100 block of East University Drive (south side) and the 300 block of North Ellsworth Road (west side). Located south of University Drive and west of Ellsworth Road (4± acres). Rezone from Multiple Residence 4 (RM-4) to Limited Commercial (LC) and Site Plan Review. This request will allow for the development of a restaurant with drive-thru. Benjamin Tate, Withey Morris, PLC, applicant; Valencia Heights LLC, owner.

Staff Recommendation: Approval with conditions

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

- *8-b** [22-1001](#) ZON22-00388 (**District 5**) Within the 2100 block of North Power Road (east side). Located north of McKellips Road on the east side of Power Road (2.6± acres). Rezone from Residential 35 (RS-35) to Limited Commercial (LC). This request will allow for a dog training and boarding facility. Benjamin Tate, Withey Morris, applicant; Arizona Agribusiness and Equine Center Inc., owner.

Staff Recommendation: Approval with conditions

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

- *8-c** [22-1005](#) ZON21-00792 (**District 6**) Within the 7300 to 7600 blocks of South Hawes Road (east side), the 8400 block of East Germann Road (north side) and the 7300 to 7500 blocks of South 85th Place (west side). Located north of Germann Road and east of Hawes Road (34± acres). Rezone from Light Industrial with a Bonus Intensity Zone overlay (LI-BIZ) and Office Commercial with a Bonus Intensity Zone overlay (OC-BIZ) to Light Industrial with a Planned Area Development overlay (LI-PAD) and Office Commercial with a Planned Area Development overlay (OC-PAD) and Site Plan Review. This request will allow for an industrial development. Dennis Newcombe, Gammage & Burnham P.L.C., applicant; HAWES OZ FUND LLC, owner.

Staff Recommendation: Approval with conditions

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

9 Discuss, receive public comment, and take action on the following ordinances relating to the Avalon Crossing Planned Community development:

- *9-a** [22-0997](#) ZON22-00023 (**District 6**) Within the 10100 to 10600 blocks of East Williams Field Road (south side) and within the 6100 to 6400 blocks of South 222nd Street (west side) (1.5+ acres). Located east of Crismon Road, south of Williams Field Road, and on the north side of the East 24 Gateway Freeway alignment. Major modification to the Avalon Crossing Planned Community District Community Plan; Rezone from Agriculture (AG) to Planned Community (PC). This request will allow for a single residence development. CVL Consultants, applicant; Pacific Proving LLC, owner.

Staff Recommendation: Approval with conditions

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

- *9-b** [22-1000](#) ZON22-00293 (**District 6**) Within the 10100 to 10600 blocks of East Williams Field Road (south side) and within the 6100 to 6400 blocks of South 222nd Street (west side) (1.5± acres). Located east of Crismon Road, on the south side of Williams Field Road, and on the north side of the East 24 Gateway Freeway alignment. Major Modification to Development Unit Plan 2 of Avalon Crossing Planned Community District. This request will allow for a single residence development. Susan Demmitt, Gammage and Burnham, PLC, applicant; Pacific Proving LLC, owner.

Staff Recommendation: Approval with conditions

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

10 Discuss, receive public comment, and take action on the following ordinances relating to the Legacy Business Park development:

- *10-a** [22-1006](#) ANX22-00266 (**District 6**) Annexing property located north of Pecos Road on the east side of South Ellsworth Road (89.8± acres). Initiated by the applicant, Gammage & Burnham, for the owner, Pacific Proving LLC.

- *10-b** [22-0845](#) ZON22-00268 (**District 6**) Within the 9200 to 9600 blocks of East Pecos Road (north side) and the 6400 to 6800 blocks of South Ellsworth Road (east side). Located north of Pecos Road and east of Ellsworth Road (87± acres). Rezone from Agricultural (AG) to Light Industrial with a Planned Area Development overlay (LI-PAD) and Site Plan Review. This request will allow for an industrial development. Gammage and Burnham, PLC, applicant; Pacific Proving LLC, owner.

Staff Recommendation: Approval with conditions

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

11 Discuss, receive public comment, and take action on the following ordinances relating to the Geneva Villas development:

- *11-a** [22-1004](#) ANX22-00161 (**District 5**) Annexing property located south of Brown Road on the west side of Crismon Road (8± acres). Initiated by the applicant, Pew & Lake, PLC, for the owner, KMC Holdings LLC.

- *11-b** [22-0843](#) ZON22-00162 (**District 5**) Within the 9900 to 10000 blocks of East Brown Road (south side) and within the 1000 to 1200 blocks of North Crismon Road (west side). Located south of Brown Road and on the west side of Crismon Road (± 8 acres). Rezone from Agricultural (AG) to Single Residence 15 with a Planned Area Development overlay (RS-15-PAD) and Site Plan Review. This request will allow for a single residence development. Jon Gillespie, Pew and Lake, applicant; Brighton Homes, owner.

Staff Recommendation: Approval with conditions

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

12 Take action on the following subdivision plats:

- *12-a** [22-1086](#) SUB22-00205 "Lots 6, 7, and 8 of Mountain Vista Retail" (**District 5**) Within the 10700 block of East Hampton Avenue (south side) and within the 1400 block of South Signal Butte Road (west side). Located south of Southern Avenue and north of the US 60 Superstition Freeway ($3.5 \pm$ acres). Justin Richard, Beck Consulting Engineers LLC., surveyor; Thompson Thrift Development Inc., developer.
- *12-b** [22-1087](#) SUB22-00178 "Hawes Crossing Village 1" (**District 6**) Within the 3200 blocks of South Hawes Road (west side), within the 3200 to 3500 blocks of the South 82nd Street alignment (both sides), and within the 3200 to 3500 blocks of South 80th Street (east side). Located north of Elliot Road on the west side of Hawes Road ($81.17 \pm$ acres). Sandy Hayden, Hilgartwilson, LLC., applicant; Lennar Arizona, LLC., owner.

Items not on the Consent Agenda

- 13 Items from citizens present. (Maximum of three speakers for three minutes per speaker.)**
- 14 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.