



**CITY OF MESA
NOTICE OF MEETING & AGENDA - FINAL
CITY COUNCIL**

**Wednesday, December 1, 2021
5:45 PM**

**Mesa Council Chambers
57 E. First Street, Mesa, Arizona**

PARTICIPATING AND ATTENDING MEETINGS: The public is welcome and encouraged to speak at City Council regular meetings on an agenda item or on an issue that is not specifically on the agenda during "Items from Citizens Present." The public may attend and participate in person, electronically, and telephonically. Speakers will generally be given three minutes.

IN PERSON COMMENT: Submit a blue speaker/comment card to the City Clerk prior to the meeting. You have the choice to have your comments read aloud or to speak. If you choose to speak, your name will be called, and you will be asked to address Council at the lectern.

TELEPHONE COMMENT: Submit an online comment card *at least one hour* prior to the meeting by going to mesaaz.gov/bluecard. At the start of the meeting, **call 888-788-0099 or 877-853-5247 (toll free) using meeting ID 5301232921** and follow the prompts. You will be prompted to unmute your line when it is time for you to speak.

ELECTRONIC COMMENT: Submit an online comment card *at least one hour* prior to the start of the meeting by going to mesaaz.gov/bluecard. The comment will be read during the live meeting that can be watched on local cable Mesa Channel 11 or online at mesaaz.tv/live or <https://facebook.com/CityofMesa>.

For help with the online comment card or for any technical difficulties, please call (480) 644-2099.

CONSENT AGENDA: All items listed 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. Please submit a blue speaker/comment card to the City Clerk before the meeting to move an item off the consent agenda.

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

DECORUM: All persons attending the Council meeting are asked to observe the rules of politeness, propriety, decorum, and good conduct. Any person interfering with the meeting will be asked to leave or removed from the meeting and will 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. Comments must be relevant to the item being discussed, except during Items from Citizens Present. Councilmembers are generally not 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. When it is your turn, 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 needed to insure there are enough handouts. Political campaigning is prohibited by state law.

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. 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 Pastor Ramon Valencia with Spanish United Pentecostal Church

Pledge of Allegiance

Awards, Recognitions and Announcements

1 Take action on all consent agenda items.

Items on the Consent Agenda

*2 [21-1001](#) Approval of minutes of previous meetings as written.

3 Take action on the following liquor license applications:

*3-a [21-1337](#) Superstition Farm Inc.

This is a one-day event to be held on Saturday, December 11, 2021, from 6:00 P.M. to 2:00 A.M on Sunday, December 12, 2021, 3440 South Hawes Road.
(District 6)

*3-b [21-1261](#) Aldi #163

A grocery store is requesting a new Series 10S Beer and Wine Store License with sampling privileges for Aldi (Arizona) LLC, 2737 South Signal Butte Road; Jeffrey Craig Miller, agent. There is no existing license at this location.
(District 6)

*3-c [21-1262](#) La Casa De Las Flores Gourmet

A restaurant that serves breakfast, lunch, and dinner is requesting a new Series 12 Restaurant License for La Casa De Las Flores Gourmet Kitchen LLC, 2050 West Guadalupe Road, Suite 9-12; Enrique Martinez, agent. The existing license held by QM Investments Group LLC will revert to the State. **(District 3)**

*3-d [21-1264](#) Worth Takeaway

A restaurant that serves breakfast, lunch, and dinner is requesting a new Series 12 Restaurant License for Worth AZ LLC, 218 West Main Street; Kelsey Anne Strothers, agent. There is no existing license at this location. **(District 4)**

***3-e** [21-1263](#) Rosati's Pizza

A restaurant that serves breakfast, lunch, and dinner is requesting a new Series 12 Restaurant License for Copperbrand Inc., 1035 North Ellsworth Road, Suite 104; Jeffrey Craig Miller, agent. The existing license held by SRG Restaurants LLC will revert to the State. **(District 5)**

4 **Take action on the following contracts:*****4-a** [21-1260](#) Three-Year Term Contract with Two Years of Renewal Options for Wire and Cable for the Materials and Supply Warehouse (for Various City Departments) **(Citywide)**

This contract will provide common and specialty wire for various Citywide departments. It will establish a list of qualified contractors who will respond to quotes for wire and cable on an as-needed basis.

An evaluation committee recommends awarding the contract to the qualified proposals from American Wire Group; Anixter, Inc.; Border States Industries, Inc., dba Border States Electric Supply; Cybergear, Inc. (a Mesa business); Independent Electric Supply, Inc.; and Wesco Distribution, Inc., dba Brown Wholesale, at \$814,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

***4-b** [21-1258](#) Purchase of Five CNG-Powered Automated Side-Loader Refuse Trucks (One Addition and Four Replacements) and One Front-Loader Refuse Truck (Replacement) for the Environmental Management and Sustainability Department **(Citywide)**

Four automated side-loaders (ASL) and one front-loader are being replaced as part of the ongoing vehicle replacement program. These trucks have met the established criteria and will be either traded, auctioned, sold, or deployed to special uses. One ASL will be an addition to the fleet to handle City growth. Environmental Management and Sustainability will have a total of 55 ASL vehicles. This purchase of CNG vehicles supports the City's Climate Action Plan.

The Fleet Services and Environmental Management and Sustainability Departments and Purchasing recommend authorizing the purchase using the State of Arizona cooperative contract with Rush Truck Centers of Arizona, dba Rush Truck Center Phoenix, at \$2,862,079.67. The five ASL's are funded the by the Capital - Utility Fund and the front-loader is funded by the Utility Replacement Renewal and Extension Fund.

***4-c** **21-1259** Purchase of 2,500 Resin Chairs (Additions) for the Parks, Recreation and Community Facilities Department (**Citywide**)

This purchase will provide white resin chairs for the Mesa Convention Center and Mesa Amphitheater. Purchasing these chairs will eliminate the need to outsource seating and will give greater flexibility for labor and staffing at the Convention Center and Amphitheater. Return on this investment will be reached after 10 full rentals, which is estimated to be obtained within two years.

The Parks, Recreation and Community Facilities Department and Purchasing recommend authorizing the purchase using the Buyboard cooperative contract with Mitylite, at \$122,000, based on estimated requirements.

***4-d** **21-1252** Purchase of Three Thermal Cyclers (Two Replacements and One Addition) for the Mesa Police Department (Sole Source) (**Citywide**)

The Forensic Services Division completes DNA analysis of samples from criminal investigations and uses its two Veriti thermal cyclers in the amplification step of this analysis. Of the three cyclers being purchased, one will replace an obsolete and non-functioning unit, and one will replace an existing unit that the manufacturer will stop supporting in 2025. The third unit is an addition and will expand the current capacity.

The Police Department and Purchasing recommend awarding the contract to the sole source vendor, Life Technologies Corporation, at \$25,628.10. This purchase is grant funded by Department of Justice FY19 Capacity Enhancement and Backlog Reduction Program.

***4-e** **21-1251** Purchase and Installation of Two Communications 911/Dispatch Consoles (Additions) for Public Safety Communications as requested by the Mesa Police Department (**Citywide**)

The consoles are needed to accommodate staff required to handle the increase in call volume for providing dispatching services for Queen Creek through an Intergovernmental Agreement (IGA).

The Police Department and Purchasing recommend authorizing the purchase using the H-GAC Buy cooperative contract with Russ Bassett Corporation, at \$41,000, based on estimated requirements. This purchase will be reimbursed by the Town of Queen Creek as part of the initial investment costs included in the IGA.

- *4-f** **21-1267** Use of a Cooperative Contract for a Two-Year Term and Renewal Options for IDEMIA LiveScan Workstations and Equipment (Replacement) for the Mesa Police Department (Sole Source) **(Citywide)**

The Police Department first purchased these types of machines in 2004 and replaced them in 2012. The equipment is used in the booking process, for identification purposes, and other criminal justice functions. The current software used in these machines will no longer be supported by Arizona Department of Public Safety (AZDPS). AZDPS has only approved IDEMIA software to capture photos and communicate with law enforcement agencies. IDEMIA provides a fully integrated LiveScan solution including an AFIS interface, digital image capture, compliance with AZ-DPS AFIS, FBI IAFIS/NGI EBTS, and ANSI/NIST image standards. The initial purchase will be three LiveScan workstations for the Holding Unit and the Department has requested additional capacity to purchase more units as funds are identified.

The Police Department and Purchasing recommend authorizing the purchase using the State of Arizona cooperative contract with Morpho USA, Inc./IDEMIA, at \$100,000 annually, based on estimated requirements.

- *4-g** **21-1275** Dollar-Limit Increase to the Three-Year Term Contract with Two Years of Renewal Options for Structural/Extrication Personal Protective Equipment for the Mesa Fire and Medical Department (Funded by the Mesa Fire and Medical operating budget and Public Safety Sales Tax Fund) **(Citywide)**

The dollar-limit increase is needed for an immediate purchase due to the long lead time of extrication gear, and for the City to continue making extrication gear purchases.

The Mesa Fire and Medical Department and Purchasing recommend increasing the dollar-limit by \$75,000 from \$500,000 to \$575,000 annually with Freightliner of Arizona, LLC dba Velocity Fire Equipment; L.N. Curtis & Sons; Matlick Enterprises dba United Fire Equipment Company; and Municipal Emergency Services, Inc., based on estimated usage, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

5 Take action on the following resolutions:

- *5-a** [21-1062](#) Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with the City of Phoenix and various partnering agencies within Maricopa County for the distribution of \$136,382 in grant funds from the Edward Byrne Memorial Justice Assistance Grant (JAG) Program. The funds will be used towards a joint broadband radio project between the Police Department and the Department of Innovation and Technology. The broadband service project will support technology for the Real Time Crime Center and allow citizens access to online Police Department resources. **(Citywide)**
- *5-b** [21-1269](#) Approving and authorizing the City Manager to enter into contracts for the purchase of firm natural gas supplies for the City's natural gas distribution system for the current winter season through April 2022. **(Citywide)**

6 Introduction of the following ordinances and setting December 8, 2021 as the date of the public hearing on these ordinances:

- *6-a** [21-1239](#) ZON21-00566 **(District 5)** Within the 6400 block of East McDowell Road (north side) and within the 2800 block of North Ramada (west side). Located west of Power Road on the north side of McDowell Road (4.1± acres). Rezone from Office Commercial (OC) to Single Residence 9 with a Planned Area Development Overlay (RS-9-PAD). This request will allow for the development of a single residence subdivision. Grant Taylor, applicant; DeMichele Family, LLC, owner.

Staff Recommendation: Approval with conditions

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

- *6-b** [21-1240](#) ZON21-00892 **(District 6)** Within the 4400 to 4700 blocks of South Power Road (east side) and within the 6800 to 7000 blocks of East Warner Road (south side). Located at the southeast corner of Power Road and Warner Road (40± acres). Modification of the Planned Area Development Overlay (PAD) and Site Plan Modification. This request will allow for commercial development. Sean Lake, Pew & Lake, PLC, applicant; Power 40, LLC, owner.

Staff Recommendation: Approval with conditions

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

- *6-c** [21-1242](#) ZON21-00540 (**District 6**) An ordinance within the 10500 to 10800 blocks of East Elliot Road (north side) and within the 3500 block of South Signal Butte Road (west side). Located on the northwest corner of Signal Butte Road and Elliot Road (25.7± acres). Rezone from Agriculture (AG) to Light Industrial (LI) with a Planned Area Development (PAD) Overlay, Site Plan Review, and Special Use Permit. This request will allow for a commercial and industrial development. Adam Baugh, Withey Morris, PLC, applicant; Whane of Mesa, LP, owner.

Staff Recommendation: Approval with conditions

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

- *6-d** [21-1291](#) ANX21-00799 (**District 6**) Annexing property located within the 4200 to 4400 blocks of South Sossaman Road (west side). Located west of Sossaman Road and north of the Warner Road alignment (101.1± acres). Initiated by the applicant, Sean Lake on behalf of Pew & Lake PLC, The Dale C. Morrison Trust, owner.

- *6-e** [21-1254](#) ZON21-00798 (**District 6**) Within the 4200 to 4400 blocks of South Sossaman Road (west side). Located west of Sossaman Road and north of the Warner Road alignment (101.1± acres). Rezone from Agriculture (AG) to Light Industrial with a Planned Area Development overlay (LI-PAD) and Site Plan Review. This request will allow for an industrial development. Sean Lake on behalf of Pew & Lake PLC, applicant; The Dale C. Morrison Trust, owner.

Staff Recommendation: Approval with conditions

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

- *6-f** [21-1265](#) Amending Title 5 of the Mesa City Code (Business Regulations), Chapter 4 entitled "Mobile Food Vendors" to exempt mobile food vendors who are operating at special events from licensing requirements on a limited basis, and to modify requirements for the location of mobile food vendor operations, including distance requirements and related exemptions for operation in or near areas zoned for residential use, effective March 1, 2022. (**Citywide**)

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

- *7-a** [21-1143](#) ANX21-00728 (**District 6**) Annexing property located north of north of Pecos Road and west of Signal Butte Road (71.3± acres). Initiated by the applicant, Josh Tracy, Ryan Companies; for the owner, Tucker Properties, LTD.

- *7-b** **21-1216** ZON21-00730 (**District 6**) Within the 10300 to 10600 blocks of East Pecos Road (north side) and within the 6400 to 6800 blocks of South 222nd Street (west side). Located west of Signal Butte Road on the north side of Pecos Road (71.3± acres). Rezone from Agriculture (AG) to Light Industrial (LI); Site Plan Review and Special Use Permits. This request will allow for industrial development. Josh Tracy, Ryan Companies, applicant; Tucker Properties, LTD., owner.

Staff Recommendation: Approval with conditions

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

- *7-c** **21-1136** ZON20-00840 (**District 1**) Within the 1000 block of East McKellips Road (south side). Located west of Stapley Drive on the south side of McKellips Road (4.5± acres). Rezone from Single Residence 9 (RS-9) and Multiple Residence 4 (RM-4) to Multiple Residence 2 (RM-2) with a Planned Area Development Overlay (PAD); and Site Plan Review. This request will allow for a multiple residence development. Victoria Snively, United Realty MTA, applicant; Thomas Adhoot, owner.

Staff Recommendation: Approval with conditions

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

Items not on the Consent Agenda

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