



**City of Mesa**  
**Notice of Meeting Agenda - Final**  
**City Council**

**Monday, June 19, 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 agenda 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 reunión 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: Moment of Silence****Pledge of Allegiance****Awards, Recognitions and Announcements****1 Take action on all consent agenda items.****Items on the Consent Agenda**

**\*2**     **23-0604**     Approval of minutes of previous meetings as written.

**3 Take action on the following liquor license applications:**

**\*3-a**   **23-0671**     Awesome Vape & Smoke Shop

A tobacco smoke shop is requesting a new Series 10 Beer and Wine Store License for MP Smoke Trade LLC, 1239 South Higley Road Suite 104-105 - Jeffrey Craig Miller, agent. There is no existing license at this location.  
**(District 2)**

**4 Take action on the following bingo application:**

**\*4-a**   **23-0670**     Dorado Canyon Residents Association Inc.

Lavern D Shepard Sr., president; 3300 East Broadway Road (Clubhouse).  
**(District 2)**

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

- \*5-a**     [23-0682](#)     Three-Year Term Contract with Two Years of Renewal Options for Downtown Decorative LED Fixtures for the Transportation Department **(Citywide)**

This contract will provide decorative LED streetlight fixtures as part of the downtown LED conversion project and for replacement of failed streetlights.

The Transportation Department and Purchasing recommend awarding the contract to the lowest, responsive, and responsible bidder, Clark Electric Sales, Inc. dba Clark Transportation Solutions at \$354,000 annually, with an annual increase allowance of up to 5% or the adjusted Producer Price Index. This purchase is funded by the Local Streets Fund.

- \*5-b**     [23-0683](#)     Use of a Cooperative Contract for a One-Year Term Contract with Two Years of Renewal Options for Irrigation Control Parts, Supplies, and Repairs for the Parks, Recreation and Community Facilities Department **(Citywide)**

This contract will provide irrigation parts, replacement equipment, new equipment purchases, and repairs to continue supporting the over 249 Motorola IRRInet Irrigation Control systems in City parks and facilities. This contract will also provide support for the department's Enterprise Application Software.

The Parks, Recreation and Community Facilities Department and Purchasing recommend authorizing the purchase using the Buy Board cooperative contract with Interspec, LLC at \$300,000 annually, with an annual increase allowance of up to 5% or the adjusted Consumer Price Index.

- \*5-c**     [23-0685](#)     Dollar Limit Increase to the Three-Year Term Contract with Two Years of Renewal Options for Stagehand Temporary Worker Services for the Arts and Culture Department **(Citywide)**

Mesa Arts Center has requested an increase to accommodate current theater activity, projected price increases, and potential activity increases.

The Arts and Culture Department and Purchasing recommend increasing the dollar limit with UTP Productions, Inc. by \$300,000, from \$500,000 to \$800,000 annually, with an annual increase allowance of up to 5% or the adjusted Consumer Price Index.

- \*5-d**     [23-0686](#)     Dollar Limit Increase to the Term Contract with Two Years of Renewal Options for Structural/Extrication Personal Protective Equipment for the Mesa Fire and Medical Department (MFMD) **(Citywide)**

MFMD is requesting the increase to accommodate a Fall academy, including an extrication set not done in previous academies; recent price increases from vendors; turnout gear that will age out (66 sets), meeting the 10-year NFPA guidelines for replacement; and the new RedZone turnout gear, which costs more than the previous, older-style turnout gear.

The MFMD and Purchasing recommend increasing the dollar limit, Year 3 by \$430,000, from \$575,000 to \$1,005,000 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. This purchase is funded by the MFMD operating budget and the Public Safety Sales Tax Fund.

- \*5-e**     [23-0700](#)     Dollar Limit Increase to the 7-Month Term Contract with a One-Year Renewal Option Using a Cooperative Contract for the Purchase of Gasoline and Diesel Fuel for the Fleet Services Department **(Citywide)**

This contract provides an additional vendor to supply unleaded gasoline and diesel fuel deliveries as a backup source. Over the past ten months, there have been multiple interruptions in the fuel supply chain, leading to the need to obtain multiple vendors on contract to provide liquid fuel to the City. This increase is requested to pay existing invoices and provide purchase capacity in the event of additional supply chain disruptions.

The Fleet Services Department and Purchasing recommend increasing the dollar limit using the State of Arizona contract with Saratoga Rack Marketing, LLC by \$3,500,000 from \$1,025,000 to \$4,525,000 for the remaining contract term.

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

- \*6-a**     [23-0279](#)     Levying the amount to be collected by a secondary property tax and the rate upon each one hundred dollars (\$100) of assessed valuation of property subject to taxation within the City of Mesa for the fiscal year ending June 30, 2024. **(Citywide)** Resolution No. 12049

- \*6-b [23-0578](#) Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with the Town of Gilbert to jointly fund a 15% design concept for a Materials Recovery Facility and Transfer Station located at the northwest corner of Pecos Road and Sossaman Road for the sorting and processing of recyclable materials. The total cost for a 15% design concept is estimated at \$400,000 with Mesa's cost estimated at \$200,000. **(District 6)** Resolution No. 12050
- \*6-c [23-0673](#) Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with the Maricopa County Library District (MCLD) for the Library Assistance Program. This program allows municipal libraries to purchase library materials through MCLD in exchange for allowing non-residents access to library materials. **(Citywide)** Resolution No. 12051
- \*6-d [23-0704](#) Approving and authorizing the City Manager to enter into a Lease Agreement with Regional Malt, LLC to lease a portion of certain City-owned property located near the northwest corner of North Center Street and West Main Street, between 18 West Main Street and 30 West Main Street (APN 138-36-011), for use and improvements related to the opening of a new business at 18 West Main Street. **(District 4)** Resolution No.12052
- \*6-e [23-0709](#) Approving and authorizing the City Manager, pursuant to Section 205(D) of the Mesa City Charter and Ordinance No. 5704, to enter into a Memorandum of Understanding for fiscal years 2023 through 2026 with the United Mesa Fire Fighters Association relating to wages and other forms of direct monetary compensation, hours, non-health related benefits and working conditions not covered under state or federal laws or City Personnel Rules. Resolution No. 12053
- \*6-f [23-0693](#) ZON23-00221 "Mesa Mercado Medical Office" **(District 3)** Within the 1200 block of South Longmore (east side) and within the 1400 block of West Southern Avenue (south side). Located west of Alma School Road on the south side of Southern Avenue (1.0± acre). Major Site Plan Modification. This request will allow for a medical office development. Heather Roberts, Kimley Horn, applicant; BPC Larkspur Mercado, LLC, owner. Resolution No. 12054
- Staff Recommendation: Approval with conditions  
P&Z Board Recommendation: Approval with conditions (Vote: 6-0)
- \*6-g [23-0652](#) Modifying fees and charges for the City Clerk, Business Services, and Police Departments. **(Citywide)** Resolution No. 12055
- \*6-h [23-0653](#) Modifying fees and charges for the Arts and Culture Department. **(Citywide)** Resolution No. 12056
- \*6-i [23-0654](#) Modifying fees and charges for the Development Services Department. **(Citywide)** Resolution No. 12057

- \*6-j [23-0655](#) Modifying fees and charges for Falcon Field Airport. **(Citywide)** Resolution No. 12058
- \*6-k [23-0656](#) Modifying and adopting new fees and charges for the Mesa Fire and Medical Department. **(Citywide)** Resolution No. 12059
- \*6-l [23-0657](#) Modifying fees and charges for the Municipal Court. **(Citywide)** Resolution No. 12060
- \*6-m [23-0658](#) Modifying fees and charges for the Transportation Department. **(Citywide)** Resolution No. 12061

**7 Introduction of the following ordinances and setting July 3, 2023 as the date of the public hearing on these ordinances:**

- \*7-a [23-0687](#) ZON22-01340 "Residences at Dobson and Cubs Way" **(District 3)** Within the 900 block of North Dobson Road (west side) and within the 2000 block of West Riverview Auto Drive (east side). Located north of Rio Salado Parkway and west of Dobson Road (6.6± acres). Rezone from General Commercial with a Planned Area Development overlay (GC-PAD) to Multiple Residence-4 with a Bonus Intensity Zone overlay (RM-4-BIZ) and Site Plan Review. This request will allow for a multiple residence development. Ordinance No. 5793

Staff Recommendation: Approval with conditions

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

- \*7-b [23-0690](#) ZON22-01344 "La Mesita - Phase 4" **(District 3)** Within the 2200 block of West Main Street (north side). Located north of Main Street and west of Dobson Road (1± acre). Rezone from General Commercial (GC) and Multiple Residence-4 (RM-4) to General Commercial with a Bonus Intensity Zone (GC-BIZ), Council Use Permit, and Site Plan Review. This request will allow for a multiple residence development. Earl and Curley, applicant; A New Leaf Inc, owner. Ordinance No. 5794

Staff Recommendation: Approval with conditions

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

- \*7-c [23-0691](#) ZON22-01216 "Salad and Go" **(District 4)** Within the 1900 block of South Country Club Drive (west side) and within the 400 block of West Baseline Road (north side). Located north of Baseline Road on the west side of Country Club Drive (2.0± acres). Major Site Plan Modification and amending the conditions of approval on case Z99-070. This request will allow for a restaurant with a drive-thru facility. Travis Bousquet, Atwell, LLC, applicant; Avalon Base Country LLC, owner. Ordinance No. 5795

Staff Recommendation: Approval with conditions

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

- \*7-d [23-0692](#) ZON22-01178 "Take 5 @ Ellsworth" (**District 5**) Within the 1200 to 1300 blocks of South Ellsworth Road (east side). Located south of Southern Avenue on the east side of Ellsworth Road (2.7± acres). Site Plan Modification and amending the conditions of approval on case Z05-033. This request will allow for a minor automobile/vehicle repair facility. Jesse Macias, M3 Design, LLC, applicant; LOWES HIW INC, owner. Ordinance No. 5796

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 annexation and zoning ordinances and resolution relating to the proposed development "Legacy Gateway Hotels":**

- \*8-a [23-0262](#) ANX22-01007 (**District 6**) Annexing property located north of East Williams Field Road on the west side of State Route (SR) 24 Gateway Alignment (10.7± acres). Initiated by the applicant, Gammage and Burnham PLC, for the owners, Mesa BA Land LLC. Ordinance No. 5772

**For continuance to the July 10, 2023 City Council meeting.**

- \*8-b [23-0255](#) ZON22-01010 "Legacy Gateway Hotels" (**District 6**) Within the 9600 to 9900 blocks of East Williams Field Road (north side). Located north of Williams Field Road and west of the State Route (SR) 24 Gateway Freeway (10.7± acres). Council Use Permit and Site Plan Review. This request will allow for the development of multiple hotels and a retail pad. Gammage and Burnham, applicant; Mesa BA Land LLC, owner. Ordinance No. 5773

Staff Recommendation: Approval with conditions

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

**For continuance to the July 10, 2023 City Council meeting.**

- \*8-c [23-0424](#) A resolution approving and authorizing the City Manager to enter into a Development Agreement relating to the development project commonly known as "Legacy Gateway Hotels" that will be located approximately within the 9600 to 9900 blocks of East Williams Field Road. (**District 6**) Resolution No. 12015

**For continuance to the July 10, 2023 City Council meeting.**

**9 Discuss, receive public comment, and take action on the following annexation and zoning ordinances and resolution relating to the proposed development "The Block":**

**\*9-a** [23-0313](#) ANX22-00922 (**District 6**) Annexing property located south of East Elliot Road on the west side of South Sossaman Road (272± acres). Initiated by the applicant, Sean Lake, Pew & Lake PLC, for the owners, Mesa AZ Industrial Owner, LLC, owner (formerly owned by B & K Land and Investment Company LLP). Ordinance No. 5791

**\*9-b** [23-0309](#) ZON22-00921 "The Block" (**District 6**) Within the 7100 to 7600 blocks of East Elliot Road (south side) and within the 3600 to 4200 blocks of South Sossaman Road (west side). Located west of Sossaman Road on the south side of Elliot Road (272± 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 the development of an industrial business park. Pew & Lake PLC, applicant; Mesa AZ Industrial Owner, LLC, owner (formerly owned by B & K Land and Investment Company LLP). Ordinance No. 5792

Staff Recommendation: Approval with conditions

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

**\*9-c** [23-0710](#) A resolution approving and authorizing the City Manager to enter into a Development Agreement with Mesa AZ Industrial Owner, LLC related to development of approximately 273± acres of land located within the 7100 to 7600 blocks of East Elliot Road (south side), within the 3600 to 4200 blocks of South Sossaman Road (west side), and generally located west of Sossaman Road on the south side of Elliot Road, for the primary purpose of prohibiting and limiting certain land uses and timing of offsite improvements. (**District 6**) Resolution No. 12063

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

**\*10-a** [23-0650](#) Modifying and updating terms for the Electric Residential - Economy eligibility criteria. Ordinance No. 5788

**\*10-b** [23-0651](#) Amending Table 1 in Title 5 (Business Regulations), Chapter 17 of the Mesa City Code, entitled Mesa Development Impact Fees, by removing the Wastewater Impact Fee from the table so as to confirm the discontinuation of this fee. (**Citywide**) Ordinance No. 5789

**\*10-c** [23-0630](#) ANX23-00318 (**District 1**) Annexation of a portion of the county right-of-way on Val Vista Drive from Thomas Road to approximately 1800 feet south to the northern edge of the South Canal (3.95± acres). Ordinance No. 5790



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

- \*11-a** [23-0697](#) SUB22-00722 "Map of Dedication of Pursuit Park" (**District 6**) Within the 3200 to 3400 blocks of South Signal Butte Road (west side). Located north of Elliot Road on the west side of Signal Butte Road. (65.8 ± acres). Signal Butte Industrial, LLC, developers; Shane R. Barnett, Barnett Land Surveying, LLC, surveyor.
- \*11-b** [23-0701](#) SUB22-00822 "Tyler Ranch at Pioneer Crossing" Final Plat (**District 1**) Within the 3800 block of North Val Vista Drive (east side). Located north of the Red Mountain 202 Freeway on the east side of Val Vista Drive (41.6± acres). Reserve 100, LLC, developer; Robert A. Johnston, EPS Group, surveyor.
- \*11-c** [23-0702](#) SUB22-00996 "Map of Dedication Val Vista Drive and Thomas Road" Final Plat (**District 1**) Within the 3500 to 3600 blocks of East Thomas Road and within the 3300 to 3600 blocks of North Val Vista Drive. Located west of Val Vista Drive on Thomas Road and south of Thomas Road on Val Vista Drive (5.45± acres). Burden Orchards Build to Rent, LLC, Reserve 100, LLC, and Burden West Limited Partnership, LLP, developers; Michael J. Pollock EPS Group, surveyor.

**Items not on the Consent Agenda****12 Take action on the following contract:**

- 12-a** [23-0665](#) Southeast Water Reclamation Plant (SEWRP) Improvements - Pre-Construction Services and Construction Manager at Risk (CMAR) (**District 6**)

This project includes replacement and upgrading of SEWRP's electrical equipment and process infrastructure including pumps, analyzers, gates, cleanout ports, lining, and HVAC as these have reached the end of their service life. The improvements will allow for the efficient operation of the plant.

Staff recommends selecting McCarthy Building Companies, Inc. as the CMAR for this project, and awarding a pre-construction services contract in the amount of \$334,971. This project is funded by the Utility Systems Revenue Obligations.

**13 Discuss, receive public comment, and take action on the following zoning ordinance and resolution relating to the proposed development “Gateway East”:**

- 13-a** [23-0569](#) ZON22-01008 “Gateway East” (**District 6**) Within the 5300 to 6200 blocks of South Ellsworth Road (west side). Located south of Ray Road and west of Ellsworth Road (273± acres). Rezone from Light Industrial with a Planned Area Development Overlay (LI-PAD) to Light Industrial with a new Planned Area Development Overlay (LI-PAD) and Council Use Permit to allow for a commercial and industrial development. Ordinance No. 5787

This request will replace the existing Williams Gateway Industrial Development Master Plan with a new Planned Area Development which will establish unique development standards, allow the proposed project to be phased, and allow for private streets. Wendy Riddell, Berry Riddell LLC, applicant; Phoenix-Mesa Gateway Airport Authority, owner.

Staff Recommendation: Approval with conditions

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

- 13-b** [23-0711](#) A resolution approving and authorizing the City Manager to enter into a Development Agreement with the Phoenix-Mesa Gateway Airport Authority related to development of approximately 273-acres of land located within the 5300 to 6200 blocks of South Ellsworth Road, and generally located south and west of the southwest corner of Ellsworth Road and the SR-24 Freeway, for the primary purpose of prohibiting and restricting certain land uses. (**District 6**) Resolution No. 12062

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

**15 Adjournment.<sup>1</sup>**

<sup>1</sup> 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.