



# COUNCIL MINUTES

October 2, 2023

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on October 2, 2023, at 6:02 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

(\*Participated in the meeting through the use of video conference equipment.)

Mayor's Welcome.

Mayor Giles conducted a roll call.

Invocation by Pastor Derrick Elliott with Desert Heritage Church.

Pledge of Allegiance was led by the Senior Webelos Den of Scout Pack #653.

There were no awards, recognitions, or announcements.

### 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 Somers, that the consent agenda items be approved.

Upon tabulation of votes, it showed:

AYES – Giles–Heredia–Duff–Freeman–Goforth–Somers–Spilsbury

NAYS – None

ABSENT – None

Carried unanimously.

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

Minutes from the September 7, September 11, September 14, and September 18, 2023, Study Sessions; and September 18, 2023, Regular Council meeting.

3. Take action on the following liquor license applications:

\*3-a. St. Bridget Roman Catholic Parish

This is a one-day event to be held on Saturday, October 28, 2023, from 5:30 P.M. to 8:00 P.M. at 2213 North Lindsay Road. **(District 1)**

\*3-b. Rockstar Rescue

This is a one-day event to be held on Saturday, October 14, 2023, from 5:00 P.M. to 12:00 A.M. on Sunday, October 15, 2023, at Arya Reception Hall located at 1316 South Longmore. **(District 3)**

\*3-c. St. Timothy Roman Catholic Parish Mesa

This is a one-day event to be held on Saturday, October 21, 2023, from 6:00 P.M. to 10:00 P.M. at 1730 West Guadalupe Road. **(District 3)**

\*3-d. House of Refuge Inc.

This is a one-day event to be held on Thursday, October 26, 2023, from 5:30 P.M. to 7:30 P.M. at Eastmark's "The Mark" pool located at 10100 East Ray Road. **(District 6)**

\*3-e. JAB Distribution

A liquor distributor is requesting a new Series 4 Wholesaler License for JAB Distribution, 2942 North Greenfield Road Suites 141-142 - Keith Turner, agent. There is no existing license at this location. **(District 1)**

\*3-f. Arizona Distilling Co

A spirituous liquor distillery is requesting a new Series 1 In-State Producer license for Copper City Spirits LLC, 155 West Main Street - Jason Keith Grossmiller, agent. There is no existing license at this location. **(District 4)**

\*3-g. Aguila's Hidaway The Office

A bar is requesting ownership transfer of the existing Series 6 Bar License for UFB Enterprise LLC, 330 South Gilbert Road Suites 2-3 - Javier Jimenez Aguila, agent. **(District 4)**

\*3-h. East Mesa Market

A convenience store is requesting a new Series 10 Beer and Wine Store License for Ora Investments LLC, 723 East Main Street - Jeffrey Craig Miller, agent. **(District 4)**

4. Take action on the following contracts:

- \*4-a. Two-Year Renewal to the Term Contract for General Motors (GM) Genuine Original Equipment Manufacturer (OEM) Auto and Light-Duty Truck Parts for the Fleet Services Department. **(Citywide)**

Fleet Services has requested an increase for Years 4 and 5 to help offset an increase in parts pricing due to inflation. The contract is a percentage discount off the manufacturer's list price and as the list prices increase so does the total contract spend.

The Fleet Services Department and Purchasing recommend authorizing the renewal with Courtesy Chevrolet, Year 4 at \$700,000 annually and Year 5 at \$750,000 annually, based on estimated requirements.

- \*4-b. Dollar Limit Increase and One-Year Renewal to the Term Contract for Heavy-Duty Original Equipment Manufacturer (OEM) Cab/Chassis Parts for the Fleet Services Department. **(Citywide)**

Fleet Services has requested an increase for Year 4 and an increase and renewal for Year 5 to help offset an increase in parts pricing due to inflation and increased use due to longer vehicle retention. This contract is set up with a percentage discount off manufacturer pricing; as manufacturer pricing continues to increase, so does the annual spend.

The Fleet Services Department and Purchasing recommend authorizing the renewal with Rush Truck Centers of Arizona dba Rush Truck Center Phoenix; Freightliner of Arizona, LLC dba Velocity Truck Centers; Inland Kenworth Inc.; RWC International dba RWC Group; and Cummins Inc. dba Cummins Sales and Service (a Mesa business); and increasing Year 4 by \$225,000 from \$825,000 to \$1,050,000 and renewing Year 5 at \$1,050,000, based on estimated requirements.

- \*4-c. Five-Year Term Contract with Two Years of Renewal Options for Grounds Maintenance Equipment, Parts, Accessories, Supplies, and Related Services and Equipment for the Parks, Recreation and Community Facilities Department (PRCF). **(Citywide)**

Mesa, as the lead agency, solicited Request for Proposals in conjunction with Omnia Partners cooperative purchasing program. This contract will enable the City to maintain the current fleet of grounds maintenance equipment, purchase new equipment, and help keep the proper equipment inventory as more parks and sports fields come online. The resultant contract will benefit 40,000 plus member public agencies nationally, including state and local governmental entities, public and private primary, secondary and higher education entities, non-profit entities, and agencies for the public benefit. The cooperative contract is a revenue source for the City as other agencies utilize this contract for their equipment purchases.

A committee representing PRCF and Purchasing evaluated responses and recommend awarding the contract to the highest scored proposal from The Toro Company, dba Toro, at \$352,000 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. Approving and authorizing the City Manager to execute the necessary documents for the sale and title transfer of approximately 3,223 square feet of City-owned property located at the northwest corner of North Alma School Road and West 1st Place to the adjacent property owner. This portion of the parcel is a remnant parcel and cannot be developed as a standalone parcel. **(District 3)** – Resolution No. 12095
- \*5-b. Approving and authorizing the City Manager to enter into a Grant Agreement with the Arizona Department of Public Safety to accept \$510,012 in Victims of Crime Act (VOCA) grant funds. The funding will be used for salaries and expenses for the Mesa Prosecutors Office, Victim Services Unit for a one-year period. **(Citywide)** – Resolution No. 12096
- \*5-c. Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with the Salt River Pima Maricopa Indian Community for the receipt and distribution of \$1,120,000 in Proposition 202 Funds. **(Citywide)** – Resolution No. 12097

Under this Agreement, \$300,000 is awarded to the following City of Mesa programs: Fire and Medical Department, Immunization Program (\$100,000); Environmental and Sustainability, Trees for Heat Mitigation (\$48,000); Downtown Transformation, MacDonald Plaza Pilot Project (\$72,000); Mesa K-Ready, Kindergarten Readiness Program (\$40,000); and Arts and Cultural Department, Mesa Arts Center, MCA - Disadvantaged Artist Support (\$40,000).

The balance of the funds will be distributed to other local community agencies as pass-through grants.

- \*5-d. Extinguishing a portion of an easement for public utilities located at 570 West Brown Road to allow for the future construction of a new building on the property as requested by the developer. **(District 3)** – Resolution No. 12098

6. Take action on the following resolution and introduction of the following ordinance, and setting October 16, 2023, as the date of the public hearing on the ordinance:

- \*6-a. Resolution declaring as a public record that certain documents have been filed with the City Clerk titled “Exhibit 1: 2023 Amendments to the Tables in Zoning Ordinance, Title 11, Chapters 5, 6, 7, 8, and 58 pertaining to drive-thru facilities and pick-up window facilities.” **(Citywide)** – Resolution No. 12099
- \*6-b. Ordinance proposing Amendments to Chapters 5, 6, 7, 8, 31, 58, 86, and 87 of Title 11, Zoning Ordinance, of the Mesa City Code, pertaining to Drive-thru Facilities, Pick-up Window Facilities, and Drive-up ATM/Teller Windows. The amendments include, but are not limited to, repealing in its entirety Section 11-31-18 (Drive-thru Facilities) and replacing it with a new Section 11-31-18 (Drive-thru and Pick-up Window Facilities); modifying land use tables pertaining to Drive-thru Facilities, Pick-up Window Facilities, and Drive-up ATM/Teller Windows; removing definitions of Drive-thru Facilities and adding new definitions for Drive-thru Facilities, Pick-up Window Facilities, and Drive-up ATM/Teller Windows. **(Citywide)** – Ordinance No. 5813

Staff Recommendation: Adoption

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

**A "yes" vote is for approval of the ordinance as modified after the P&Z Board meeting and as recommended by City Staff.**

7. Take action on the following resolution and introduction of the following ordinance, and setting October 16, 2023, as the date of the public hearing on the ordinance:

- \*7-a. Resolution declaring, as a public record, that certain documents have been filed with the City Clerk titled "Exhibit 1 - 2023 Amendments to Tables in Zoning Ordinance, Title 11, Chapters 4, 5, 6, 7, 8, and 10." **(Citywide)** – Resolution No. 12100
- \*7-b. Ordinance proposing amendments to Chapters 4, 5, 6, 7, 8, 10, 30, 31, 33, 86, and 87 of Title 11, Zoning Ordinance, of the Mesa City Code. The amendments include, but are not limited to, modifying land use tables to remove outdated information and correct references; modifying landscape standards to be consistent across various chapters of the Zoning Ordinance; clarifying outdoor storage requirements; modifying how accessory structures are measured; clarifying development standards for group commercial, industrial and office developments; modifying the land use definitions and adding a new definition for cross access. **(Citywide)** – Ordinance No. 5814

Staff Recommendation: Adoption

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

8. Introduction of the following ordinances and setting October 16, 2023 as the date of the public hearing on these ordinances:

- \*8-a. Ordinance proposing amendments to Chapters 69 of Title 11, Zoning Ordinance, of the Mesa City Code, pertaining to Site Plan Review. The amendments include but are not limited to amending the Site Plan Modification process set forth in Section 11-69-7 of the Mesa Zoning Ordinance. **(Citywide)** – Ordinance No. 5815

Staff Recommendation: Adoption

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

- \*8-b. ZON23-00355 "Brightpath Day Care." **(District 6)** Within the 10900 block of East Guadalupe Road (north side). Located east of Signal Butte Road on the north side of Guadalupe Road (1.6±). Major Site Plan Modification and amending the conditions of approval for Case No. Z15-037. This request will allow for the development of a day care facility. Terrascope Consulting, applicant; G Brown Investments 2 LLC, owner. – Ordinance No. 5816

Staff Recommendation: Approval with conditions

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

9. Adopting the following Notice of Intention and setting December 4, 2023 as the date of the public hearing:

- \*9-a. Notice of Intention to adjust utility rates.

**Items not on the Consent Agenda**

**10. Items from citizens present.**

There were no items from citizens present.

**11. Adjournment.**

Without objection, the Regular Council Meeting adjourned at 6:12 p.m.

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JOHN GILES, MAYOR

ATTEST:

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HOLLY MOSELEY, CITY CLERK

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 2<sup>nd</sup> day of October 2023. I further certify that the meeting was duly called and held and that a quorum was present.

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HOLLY MOSELEY, CITY CLERK

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