



COUNCIL MINUTES

June 3, 2024

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on June 3, 2024, at 5:45 p.m.

COUNCIL PRESENT

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

COUNCIL ABSENT

John Giles

OFFICERS PRESENT

Christopher Brady
Holly Moseley
Jim Smith

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

Vice Mayor Heredia conducted a roll call.

Vice Mayor Heredia excused Mayor Giles from the entire meeting.

Invocation by Reverend Tawni Garcia with First Christian Church.

Pledge of Allegiance was led by Vice Mayor Heredia.

Awards, recognitions, and announcements.

Vice Mayor Heredia presented a Proclamation designating June 2024 as LGBTQ+ Pride Month in the City of Mesa (COM). He remarked that Mayor Giles recognizes the contributions made by the LGBTQ+ community. He stated that in 2021, the City passed a non-discrimination ordinance demonstrating Mesa's commitment to ensuring Mesa is inclusive and welcoming.

Nate Rhoten, CEO of one•n•ten, a non-profit organization that serves LGBTQ+ youth and young adults, thanked the Vice Mayor and Councilmembers for their support. He shared his organization provides leadership development and support to young people, as well as suicide prevention. He commented in the last year, nine out of ten LGBTQ+ youth feel worse about themselves as a result of politics.

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

Vice Mayor Heredia declared the motion carried unanimously by those present.

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

Minutes from the April 4 and 11, 2024, Study Sessions; and May 20, 2024, Regular Council meeting.

3. Take action on the following liquor license applications:

*3-a. Pizza Roma Italian Cafe

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Adro LLC, 7145 East Main Street - Erika Rae Renee Owen, agent. There is no existing license at this location. **(District 2)**

*3-b. Mango Mini Mart

A convenience store is requesting a new Series 10 Beer & Wine Store License for AFG Petroleum LLC, 760 South Alma School Road - Abdul Shohab Nazary, agent. The existing license held by MV4 Enterprise LLC will revert to the State. **(District 3)**

4. Take action on the following contracts:

*4-a. Cooperative Job Order Contract Use for Pool Construction Services - Brimhall Pool Replaster - Guaranteed Maximum Price (GMP). **(District 2)**

This project includes design services, permitting, removal and replacement of the pool interior finish, structural and tile repairs, ADA improvements, lifeguard chair replacements, drain upgrades for safety, and other associated improvements.

Staff recommend authorizing the use of the City of Scottsdale's Cooperative Job Order Contract with Shasta Industries for this project, awarding Shasta Industries a GMP contract in the amount of \$746,825.00 and authorizing a change order allowance in the amount of \$74,682.50 (10%) for a total amount of \$821,507.50. This project is funded by the Capital General Fund.

*4-b. Dollar Limit Increase to the Term Contract for Original Equipment Manufacturer (OEM) and Aftermarket Refuse Body and Sweeper Body Parts for the Fleet Services Department. **(Citywide)**

This contract provides OEM and aftermarket refuse body and sweeper body parts. The vendors are required to provide quality replacement, OEM and aftermarket parts, and timely delivery. The dollar limit increase is due to increased need and the rise in costs for parts.

The Fleet Services Department and Procurement Services recommend increasing the dollar limit with Wastebuilt Environmental; Western Refuse & Recycling Eq. Inc.; Lcal Equipment, Inc.; Balar Holding Corp. dba Balar Equipment; Amrep Manufacturing, LLC; AZ Wastewater Industries, Inc.; and BTE Body Company (formerly Dadee Manufacturing, LLC), by \$315,000, from \$1,000,000 to \$1,315,000 for the remaining term of the contract.

- *4-c. Dollar Limit Increase to the Term Contract for Original Equipment Manufacturer (OEM) Heavy-Duty Truck Parts and Repairs for the Fleet Services and Mesa Fire and Medical Departments (MFMD). **(Citywide)**

This contract provides several vendors for OEM heavy-duty truck parts and service repairs and has established heavy-duty truck service labor rates and associated pricing required to complete repairs. MFMD uses this contract for their fire apparatus engine repairs and replacement services with W.W. Williams Company LLC, the only OEM repair contractor who can work on Detroit engines. This contract was extended for six (6) months. The dollar limit increase is due to the increased need for future services until a new contract is established.

The Fleet Services and Mesa Fire and Medical Departments and Procurement Services recommend increasing the dollar limit with Cummins, Inc. (a Mesa business); RWC International, LTD dba RWC Group; Rush Truck Center of Arizona dba Rush Truck Center, Phoenix; and W.W. Williams Company, LLC by \$900,000, from \$1,720,000 to \$2,620,000 for the remaining term of the contract.

- *4-d. Dollar Limit Increase to the Term Contract for Landscape Maintenance Services for Parks, Retention Basins and Sports Fields - Zone 1, for the Parks, Recreation and Community Facilities Department (PRCF). **(Citywide)**

This contract provides landscape maintenance services for sports fields, parkways, parks, retention basins, and grounds adjacent to City facilities. Zone 1 encompasses 634.46 acres of park and retention basin land between Power Road and Meridian Road. The dollar limit increase is needed for the Red Mountain Park Baseball/Softball and Red Mountain Sports Fields expansion.

PRCF and Procurement Services recommend increasing the dollar limit with Mariposa Landscape Arizona, Inc. by \$385,345.20 from \$2,106,142.15 to \$2,491,487.35 annually, with an annual increase allowance of up to 5% or the adjusted Consumer Price Index.

- *4-e. Dollar Limit Increase to the Term Contract for Event Security/Crowd Management Services for the Parks, Recreation and Community Facilities and Arts and Culture Departments (PRCF). **(Citywide)**

This contract provides event security/crowd management for concerts and event security at the Mesa Arts Center, Mesa Amphitheatre, and Mesa Convention Center on an as-needed basis. The need for event security/crowd management services has increased.

PRCF, Arts and Culture Departments and Procurement Services recommend increasing the dollar limit with Estaff, Inc. dba Estaff Security, Inc.; Year 5 by \$159,000, from \$300,000 to \$459,000 for the remaining term of the contract.

5. Take action on the following resolutions:

- *5-a. Modifying fees and charges for the Arts and Culture Department. **(Citywide)** – Resolution No. 12210
- *5-b. Modifying fees and charges for the Business Services Department. **(Citywide)** – Resolution No. 12211
- *5-c. Modifying fees and charges for the Development Services Department. **(Citywide)** – Resolution No. 12212
- *5-d. Modifying fees and charges for the Falcon Field Airport. **(Citywide)** – Resolution No. 12213
- *5-e. Modifying fees and charges for the Mesa Fire and Medical Department. **(Citywide)** – Resolution No. 12214
- *5-f. Modifying fees and charges for the Municipal Court. **(Citywide)** – Resolution No. 12215
- *5-g. Approving and authorizing the City Manager to enter into a five-year Intergovernmental Agreement with the Phoenix Mesa Gateway Airport Authority, in which the Mesa Police Department will provide dedicated law enforcement services to the Phoenix Mesa Gateway Airport. **(Citywide)** – Resolution No. 12216
- *5-h. Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with the Maricopa Association of Governments for the acceptance of the 2024 Design Assistance Grant in the amount of \$52,899 for the Red Mountain Multimodal Study. **(District 5)** – Resolution No. 12217
- *5-i. Approving and authorizing the City Manager to enter an Intergovernmental Agreement with the Arizona Game and Fish Commission to administer the Community Fishing Program in Mesa. **(Citywide)** – Resolution No. 12218
- *5-j. Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with the Regional Public Transportation Authority (RPTA) to participate in the Platinum Transit Pass Program in Mesa. **(Citywide)** – Resolution No. 12219
- *5-k. Approving and authorizing the City Manager to enter into a 25-year Purchase Power Agreement with Solon Corporation for four downtown Mesa solar projects. **(District 4)** – Resolution No. 12220

The projects will consist of constructing solar photovoltaic generating systems at four sites in Mesa: the CK Luster Building, the Mesa Main Library, Solid Waste Building and Utilities Meter Shop, and the north and south parking lots of the Transportation Building. The vendor will privately finance, develop, design, construct, own, report, operate, and maintain the system. Energy Resources will purchase this solar energy from the projects for use in its electric supply portfolio.

- *5-l. Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with the Town of Gilbert for the installation and maintenance of a 36-inch City reuse pipeline and related appurtenances within the Town's limits. – Resolution No. 12221

- *5-m. Approving and authorizing the City Manager to enter into the Climate Pollution Reduction Grant (CPRG) Coalition Memorandum of Agreement between City of Phoenix and Coalition Members City of Mesa, City of Tempe, Maricopa County, and State of Arizona to set objectives and agreement terms among Coalition Members to implement CPRG Activities, specifically Fleet Electrification and Food Waste to Energy - Preprocessing Facility as proposed in the Resilient Maricopa-Pinal County Region Priority Climate Implementation Plan. **(Citywide)** – Resolution No. 12222
- *5-n. Designating the Chief Fiscal Officer with the authority to submit the City's 2024/2025 fiscal year Expenditure Limitation Report to the Arizona Auditor General on behalf of the City Council, as required by state statute. **(Citywide)** – Resolution No. 12223
- *5-o. Adopting a pension funding policy and accepting the employer's share of assets and liabilities under the Public Safety Personnel Retirement System as required by A.R.S. §38-863.01. **(Citywide)** – Resolution No. 12224
- *5-p. See: **(Items not on the Consent Agenda)**
- *5-q. Designating the General Election date as November 5, 2024, and the purpose of the General Election including providing the deadline for filing arguments for and against ballot measures, deadline for voter registration, and providing times that polls will be open. **(Citywide)** – Resolution No. 12226

6. Introduction of the following ordinance and setting June 17, 2024, as the date of the public hearing on this ordinance:

- *6-a. ZON22-00267 "Berge - Signal Butte and Williams Field." **(District 6)** Within the 10600 and 11000 blocks of East Williams Field Road (south side) and within the 6200 and 6300 blocks of South Signal Butte Road (both sides). Located south of Williams Field Road on both sides of Signal Butte Road (125± acres). Rezone from Agricultural (AG), Light Industrial with a Planned Area Development overlay (LI-PAD), General Commercial with a Planned Area Development overlay (GC-PAD), and General Industrial (GI) to General Commercial with a Planned Area Development overlay (GC-PAD) and Light Industrial with a Planned Area Development overlay (LI-PAD), and Council Use Permit (CUP). This request will allow for the future development of an auto mall, large commercial development, and a multiple residence development. Michael Schuerman, owner; Pew & Lake, applicant. – Ordinance No. 5857

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 ordinance:

- *7-a. ZON23-00796 "Pecos & Mountain." **(District 6)** Within the 11200 block of East Pecos Road (north side). Located west of Meridian Road and north of Pecos Road (2± acres). Major Site Plan Modification and amending the conditions of approval for Case No. Z14-057. This request will allow for an industrial development. Ian Mulich, Pinnacle Design Inc., applicant; High Voltage Holdings, LLC, owner. – Ordinance No. 5856

Staff Recommendation: Approval with conditions

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

Items not on the Consent Agenda

- 5-p. Calling a special bond election to submit to the qualified electors of the City of Mesa, in conjunction with the General Election to be held on November 5, 2024, the question of authorizing the issuance and sale of general obligation bonds of the City for the purpose of funding projects intended to (i) Enhance Community Safety such as public safety, fire and medical, and law enforcement facilities and improvements, related equipment, apparatuses, technology and communication systems, and transportation improvements for safer streets for all users; and (ii) Enhance Recreational Facilities and Expand Educational and Cultural Experiences such as parks, water conservation projects in parks, aquatic centers, recreational facilities, historic properties, and children's museums, and further designating the manner in which the election is conducted, the translation of election materials, voter registration deadlines and early voting dates. **(Citywide)** – Resolution No. 12225

Jonathan Busch, a Mesa resident, expressed his support for redesigning and improving Center Street for bicyclists. He urged Councilmembers to support Item 5-p.

Ric Castillo, a Mesa resident, stressed his concern regarding safe, accessible, and connected streets and recommended making streets accessible for citizens in all modes of transportation, not only cars. He mentioned as new residential units are built in Mesa, residents are seeking walkability, bikeability, and car alternatives.

Luis Montes, a Mesa resident, stated that Mesa has only one safe area to bike ride, the canal. He emphasized if funding is available through the bonds, the funds should be utilized for safer biking options, connectivity to Downtown Mesa, and a network of connectivity for bikes.

Councilmember Duff said she appreciated the public comments and the passion and enthusiasm of residents who are building a biking community in downtown. She commented that tonight's meeting is only to call the General Election and the general obligation bond questions will be on the ballot to vote on by Mesa residents. She explained if the bond passes, further discussions will take place regarding the details of the City's projects for Safe Streets for All (SS4A).

Councilmembers Spilsbury stated she is committed to making streets safer for bicyclists and is waiting for more data in order to explore options for bicyclists' safety.

Councilmember Goforth thanked the public for voicing their opinions. She mentioned although the bond is not specific for connectivity into Downtown, if the bond passes, the City will explore options for the Downtown area. She stressed the importance of public comments when Council makes decisions and directs funds.

Councilmember Duff clarified that the City proposes to allocate \$7 million in the bond package for the SS4A project, since there are federal funding grants available that will fund the project at 80%, which is why the projects are not defined. She emphasized the importance of the bond passing in order to leverage 80% of the cost of improving Mesa's streets at the federal level.

It was moved by Councilmember Freeman, seconded by Councilmember Somers, that Resolution No. 12225 be adopted.

Upon tabulation of votes, it showed:

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

NAYS – None

ABSENT – Giles

Vice Mayor Heredia declared the motion carried unanimously by those present.

8. Conduct a public hearing and take action on the following resolution relating to the proposed Five-Year Capital Improvement Program for fiscal years ending 2025-2029:

8-a. Conduct a public hearing on the Five-Year Capital Improvement Program for fiscal years ending 2025-2029.

Vice Mayor Heredia announced that this was the time and place to conduct a public hearing on the Five-Year Capital Improvement Program for fiscal years ending 2025-2029.

There being no citizens wishing to address the Council, the Vice Mayor declared this public hearing closed.

8-b. Resolution approving the Five-Year Capital Improvement Program for fiscal years ending 2025-2029. **(Citywide)** – Resolution No. 12227

It was moved by Councilmember Somers, seconded by Councilmember Spilsbury, that Resolution No. 12227 be adopted.

Upon tabulation of votes, it showed:

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

NAYS – None

ABSENT – Giles

Vice Mayor Heredia declared the motion carried unanimously by those present.

9. Items from citizens present.

Bridget Vega, unknown address, emphasized the importance of bringing awareness and prevention of teen violence. She encouraged the City of Mesa to join the City of Chandler and Town of Gilbert in implementing a no brass knuckles ordinance. She requested an unruly gathering ordinance to increase penalties for unruly gatherings involving minors, including property owners and tenants. She requested a moment of silence in honor of Preston Lord and all teens who have been assaulted mentally, physically, sexually, as well as all youth who have been wrongfully murdered as a result of senseless acts of violence.

Charisia Arnold, a Gilbert resident, shared that her daughter was assaulted by someone connected to the Gilbert Goons, and that many teens are being bullied in schools and on social media, which is increasing suicide. She asked for help and support to create ways to keep children safer in schools and to partner with other schools and cities as the new school year begins.

10. Adjournment.

Without objection, the Regular Council Meeting adjourned at 6:19 p.m.

FRANCISCO HEREDIA, VICE MAYOR

ATTEST:

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 3rd day of June 2024. I further certify that the meeting was duly called and held and that a quorum was present.

HOLLY MOSELEY, CITY CLERK

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