



# COUNCIL MINUTES

October 7, 2024

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on October 7, 2024, at 5:45 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

Mayor's Welcome.

Mayor Giles conducted a roll call.

Mayor Giles led a moment of silence followed by the Pledge of Allegiance.

Awards, recognitions, and announcements.

Mayor Giles recognized October as Domestic Violence Awareness Month and presented a Proclamation to the Victim Services Administrators Lindsey Kircher and Shelly Ward.

Ms. Ward provided information regarding the work performed by staff to educate citizens on domestic violence awareness. She announced that the 7<sup>th</sup> Annual Domestic Violence Awareness night will be held on Thursday, October 17, 2024, at 5:30 p.m. at the Plaza at Mesa City Center.

Ms. Kircher explained how domestic violence affects victims and thanked the Mayor and Councilmembers for their support in helping to bring awareness.

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

NAYS – None

Carried unanimously.

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

Minutes from the August 22, and September 23, 2024 Study Sessions; and September 23, 2024 Regular Council meeting.

3. Take action on the following liquor license applications:

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

This is a one-day event to be held on Saturday, October 26, 2024, from 6:00 P.M. to 10:00 P.M. at 1730 West Guadalupe Road. **(District 3)**

4. Take action on the following contracts:

\*4-a. **Broadway Road Improvements - Phase 1 - Mesa Drive to Stapley Drive - Pre-Construction Services and Construction Manager at Risk (CMAR). (District 4)**

This project includes the reconstruction of approximately 1.5 miles of existing roadway and installation of new sidewalk, ADA ramps, traffic signal equipment, pedestrian hybrid beacon signals, signing, pavement markings, storm drain, street lighting, transit facilities, bike lanes, and landscape improvements. City utility and drainage improvements are included as well.

Staff recommend selecting Sundt Construction Inc. as the CMAR for this project, and awarding a pre-construction services contract in the amount of \$527,433.41. This project is funded by 2020 Street Bonds, Utility Systems Revenue Obligations, Transportation Fund, and Flood Control District of Maricopa County Funds.

\*4-b. **Use of a Cooperative Contract for the Purchase of Furniture for the Mesa Gateway Library for the Library Services Department. (Citywide)**

The new Mesa Gateway Library branch will require furniture and materials to equip the space. Library staff have been working with a design team to develop a comprehensive list of items, including furniture, shelving, equipment, and storage solutions, to ensure the library is functional and welcoming once it is opened to the public. These materials will be essential in setting up reading areas, workstations, and organizational systems within the library.

The Library Services Department and Procurement Services recommend authorizing the purchase using the State of Arizona and TIPS USA cooperative contracts with Corporate Interior Systems, Atmosphere Commercial Interiors, LLC, and Goodman's Interior Structures at \$1,500,000, based on estimated requirements.

- \*4-c. Use of a Cooperative Contract for the Purchase of Aftermarket Light-Duty Automotive Parts for the Fleet Services Department. **(Citywide)**

This contract will provide a wide array of aftermarket parts to support the City's diverse fleet of over 1,300 passenger cars/SUVs, patrol vehicles, pickups, utility vans, and small engine equipment.

The Fleet Services Department and Procurement Services recommend authorizing the purchase using the Sourcewell cooperative contract with Napa Auto Parts; Factory Motor Parts; and O'Reilly Auto Parts at \$500,000 annually, with an annual increase allowance of up to 5% or the adjusted Consumer Price Index.

- \*4-d. Three-Year Term Contract with Two-Year Renewal Options for Heating, Ventilation, and Air Conditioning (HVAC) Preventative Maintenance Services for the Facilities Management Department. **(Citywide)**

This contract will provide quarterly preventative maintenance and filter change out for ten municipal buildings that require preventative maintenance services for HVAC equipment. The types of equipment required to be serviced include air handlers, fan coil units, rooftop units, package units, gas pack units, evaporative coolers, mini split systems, and/chiller systems.

A committee representing the Facilities Management Department and Procurement Services evaluated responses and recommend awarding the contract to the highest-scored proposal from Delta Air Conditioning, LLC dba Delta Home Services at \$165,000 annually, with an annual increase allowance of up to 5% or the adjusted Consumer Price Index.

- \*4-e. Generator Maintenance and Repair Services for the Facilities Management Department. **(Citywide)**

This contract will provide routine backup generator preventative maintenance, inspections and service, interval and major repair services, generator rental services, and generator refueling services for the City's 54 generators.

A committee representing Facilities Management and Procurement Services evaluated responses and recommend awarding the contract to the highest-scored proposal from Valleywide Generator Service, LLC (a Mesa business) at \$404,000 annually, with an annual increase allowance of up to 5% or the adjusted Consumer Price Index.

- \*4-f. Three-Year Term Contract with Two-Year Renewal Options for Rifles, Shotguns, 40mm Less Lethal Platform, and Accessories for the Mesa Police Department. **(Citywide)**

This contract will allow the purchase of rifles, shotguns, 40mm less lethal platform, and accessories for various divisions throughout the Police department. The department has approximately 300 rifles in service and over half of them are in urgent need of replacement. A fully functioning weapon is also issued with accessories such as optics, weapon lights, and slings. Each line is being awarded to a primary vendor with multiple secondary vendors due to possible supply chain disruptions.

The Mesa Police Department and Procurement Services recommend awarding the contract to the lowest, responsive, and responsible bidders, Arms Unlimited; B&T USA, LLC; Clyde Armory, Inc.; Diamondback Police; GT Distributors; LN Curtis and Sons; Precision Arms; Primary Arms, LLC; Proforce Marketing; and TXAT, LLC at \$1,600,000

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 enter into a Third Amendment to the Intergovernmental Agreement for Crime Analysis between City of Mesa and Arizona Board of Regents for and on behalf of Arizona State University (ASU). ASU will continue to provide technical assistance and training on crime analysis at a revised cumulative cost not to exceed \$597,257. **(Citywide)** – Resolution No. 12270
- \*5-b. Approving and authorizing the City Manager to accept, expend, and distribute grant funds from the U.S. Department of Housing and Urban Development, Continuum of Care Shelter Plus Care Grant, in the amount of \$161,192. The City partners with Save the Family in the Continuum of Care Shelter Plus Care Program by providing rental assistance and related administrative services (funded by this grant) and case work and supported services that are funded through Save the Family. **(Citywide)** – Resolution No. 12271
- \*5-c. Approving and authorizing the City Manager to enter into the second amendment to the Intergovernmental Agreement with the City of Tempe to accept additional funding for expanded public safety forensic laboratory services, including adding one staff member and restructuring requests for additional services and training provided by the Mesa Police Department’s Forensic Services Division. – Resolution No. 12272
- \*5-d. 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. 12273
- \*5-e. Approving and authorizing the City Manager to enter into a Development Agreement with THS DUAL FLAG AT GP, LLC related to the development of a portion of the project commonly known as “Gallery Park” for property generally located near South Power Road between East Ray Road and State Route 202 (APN 304-30-975). **(District 6)** – Resolution No. 12274
- \*5-f. Adopting and publishing the 2024 Balanced Housing Plan as the City of Mesa’s housing needs assessment in compliance with A.R.S. § 9-469(A) and a guiding document regarding housing and workforce conditions in the City of Mesa. **(Citywide)** – Resolution No. 12275
- \*5-g. Endorsing the creation of the Lyn Rae Square Irrigation Water Delivery District (IWDD) generally bounded by East Pueblo Avenue on the north, East Southern Avenue on the south, South 26th Street on the west, and South Lindsay Road on the east. **(District 2)** – Resolution No. 12276

The formation of an irrigation water delivery district allows the District to make improvements and perform maintenance and operations of their irrigation system. Final designation of the District is determined by the Maricopa County Board of Supervisors.

- \*5-h. Extinguishing a drainage easement located at 4354 East Baseline Road to allow for the construction of a credit union with a drive thru; requested by the property owner. **(District 2)** – Resolution No. 12277

- \*5-i. Extinguishing a water line easement located at 10141 East Williams Field Road to allow for the development of a multi-family housing project; requested by the property owner. **(District 6)** – Resolution No. 12278

6. Introduction of the following ordinances and setting October 21, 2024 as the date of the public hearing on these ordinances:

- \*6-a. ZON23-00417 "Jardinero." **(District 1)** Within the 3800 block of East McDowell Road (south side). Located south of East McDowell Road and east of North Val Vista Drive (19± acres). Rezone from Single-Residence-35 (RS-35) to Single-Residence-35 with a Planned Area Development overlay (RS-35-PAD). This request will allow for a single residence subdivision. EW Gardner Family Limited Partnership No. 2, owner; Sean Lake, Pew & Lake, PLC, applicant. – Ordinance No. 5885

Staff Recommendation: Approval with conditions

P&Z Board Recommendation: Approval with conditions (4-0)

**For continuance to the October 21, 2024 City Council Meeting**

- \*6-b. ZON22-00435 "Gateway Auto Mall." **(District 6)** Within the 10700 to 11000 blocks of East Pecos Road (north side), within the 6500 to 6800 blocks of South Signal Butte Road (both sides), and within the 6500 to 6800 blocks of South 222nd Street (east side). Located on the east and west sides of Signal Butte Road, and north of Pecos Road (62± acres). Rezone from Agricultural (AG), Light Industrial (LI), and General Industrial (GI) to General Commercial with a Planned Area Development overlay (GC-PAD). This request will allow for the development of several automobile sales facilities and other commercial uses. Gateway Land Investments, LLC, Signal Butte 20 DJB, LLC, and Signal Butte 10 DJB, LLC, owners; Sean Lake, applicant. – Ordinance No. 5884

Staff Recommendation: Approval with conditions

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

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

- \*7-a. Proposed amendments to Title 1, Chapter 20, Section 4 and Title 5, Chapter 9, Section 4 of the Mesa City Code delegating authority to the City Manager to recommend approval or denial of special event liquor license applications to the Arizona Department of Liquor License and Control. **(Citywide)** – Ordinance No. 5877
- \*7-b. ZON24-00101 "Stonebridge Live/Work Units." **(District 1)** Within the 4000 block of East Palm (north side) and within the 2900 to 3100 blocks of North Norfolk (west side). Located west of Greenfield Road and north of McDowell Road (2.3± acres). Rezone from Light Industrial with a Planned Area Development Overlay (LI-PAD) to Light Industrial with a Planned Area Development Overlay and a Bonus Intensity Zone Overlay (LI-PAD-BIZ) and Site Plan Review. This request will allow the development of Live/Work Units. ORC LLC and 4024 Palm Street LLC, owners; Sarah Prince, Pew & Lake PLC, applicant. – Ordinance No. 5878

Staff Recommendation: Approval with conditions

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

- \*7-c. ZON24-00066 "Angie's Prime Grill Store 11002." **(District 3)** Within the 1100 block of West Guadalupe Road (north side). Located east of Alma School Road and north of Guadalupe Road (1± acres). Major Site Plan Modification. This request will allow the development of a Limited-Service Restaurant with a Drive-thru Facility. Guadalupe Alma School Equities LLC, owner; Jeff Williams, R.B Williams & Associates, applicant. – Ordinance No. 5879

Staff Recommendation: Approval with conditions

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

- \*7-d. ZON24-00475 "8817 E Pecos Road." **(District 6)** Within the 8800 block of East Pecos Road (south side). Located west of Ellsworth Road and south of Pecos Road (2± acres). Major Site Plan Modification and amending the conditions of approval for Case No. Z06-006. This request will allow for an industrial development. Killer Bulls LLC, owner; Ian Mulich, Pinnacle Designs, applicant. – Ordinance No. 5881

Staff Recommendation: Approval with conditions

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

- \*7-e. ZON22-01052 "RWC Building Supplies." **(District 6)** Within the 10600 block of East Pecos Road (north side) and within the 6600 to 6700 blocks of South 222nd Street (east side). Located west of Signal Butte Road on the north side of Pecos Road (5± acres). Major Site Plan Modification and amending the conditions of approval for Case No. ZON20-00447. This request will allow for an industrial development. NM MANAGEMENT LLC, owner; James Elson, applicant. – Ordinance No. 5882

Staff Recommendation: Approval with conditions

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

- \*7-f. An ordinance proposing amendments to the Zoning Ordinance, Title 11 of the Mesa City Code, pertaining to Detached Accessory Buildings, Accessory Dwelling Units, Public Safety Facilities, and Various Technical Updates and Minor Revisions. The amendments to Chapters 2, 5, 6, 7, 8, 10, 30, 31, 32, 34, 86, and 87 include, but are not limited to: repealing and replacing Section 11-30-17: Detached Accessory Buildings; repealing and replacing Section 11-31-3: Accessory Dwelling Unit; changes to Detached Accessory Buildings and Accessory Dwelling Units development standards and technical revisions; addition of Public Safety Facilities as a permitted use in residential districts in certain circumstances; and various technical updates and minor revisions. **(Citywide)** – Ordinance No. 5883

Staff Recommendation: Adoption

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

### **Items not on the Consent Agenda**

8. Conduct a public hearing and take action on the following minor General Plan amendment resolution and zoning case ordinance relating to the development, Country Club Apartments:

Mayor Giles announced that this was the time and place to conduct a public hearing on minor General Plan amendment ZON24-00428, and zoning case ZON23-00580.

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

- 8-a. ZON24-00428 "Country Club Apartments GPA." (**District 4**) Within 200 to 400 blocks of West Brown Road (south side) and within the 1000 to 1100 blocks of North Country Club Drive (east side). Located east of Country Club and south of Brown Road (2.5± acres). Minor General Plan Amendment. This request will change the General Plan Character Area Type from Employment to Neighborhood with a Traditional Sub-type. Enzo and Jax LLC, owner; David Bohn, applicant. – Resolution No. 12279

Staff Recommendation: Adoption

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

- 8-b. ZON23-00580 "Country Club Apartments." (**District 4**) Within 200 to 400 blocks of West Brown Road (south side) and within the 1000 to 1100 blocks of North Country Club Drive (east side). Located east of Country Club Drive and south of Brown Road (2.5± acres). Rezone from Multiple Residence 4 (RM-4) to Multiple Residence 4 with a Planned Area Development Overlay (RM-4-PAD) and Site Plan Review. This request will allow for a multiple residence development. Enzo and Jax, LLC, owner; David Bohn, applicant. – Ordinance No. 5880

Staff Recommendation: Approval with conditions

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

Mayor Giles stated that pending no objection of the Council, Items 8-a and 8-b would be voted on in one motion.

It was moved by Councilmember Duff, seconded by Vice Mayor Heredia, that Resolution No. 12279 and Ordinance No. 5880 be adopted.

Upon tabulation of votes, it showed:

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

NAYS – None

Carried unanimously.

9. Items from citizens present.

There were no items from citizens present.

10. Adjournment.

Without objection, the Regular Council Meeting adjourned at 5:57 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 7<sup>th</sup> day of October 2024. 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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