



City of Mesa
Notice of Meeting Agenda - Final
City Council

Monday, September 9, 2024
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 agendized 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 reunion 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 by Pastor Jared Moore with One Life Church.****Pledge of Allegiance****Awards, Recognitions and Announcements****1 Take action on all consent agenda items.****Items on the Consent Agenda*****2 [24-0696](#) Approval of minutes of previous meetings as written.****3 Take action on the following liquor license applications:*****3-a [24-0902](#) Momma's Soul Fish & Chicken Lounge**

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Mommas Soul Fish & Chicken LLC, 4906 East Main Street - Keith Brian Turner, agent. The existing license held by JJ Holmes LLC will revert to the State. **(District 2)**

***3-b [24-0900](#) Amigos Market**

A convenience store is requesting a new Series 10 Beer and Wine Store License for J & F Enterprise LLC, 1350 West University Drive - Feras Hussain Kahla, agent. The existing license held by IIS Inc. will revert to the State. **(District 3)**

***3-c [24-0904](#) Pedal Haus Brewery**

A restaurant that serves breakfast, lunch, and dinner is requesting a new Series 12G Restaurant License with growler privileges for Pedal Mesa LLC, 201 West Main Street - Camila Alarcon, agent. There is no existing license at this location. **(District 4)**

***3-d** [24-0901](#) Pescaderia El Puerto De Guaymas

A seafood market is requesting a new Series 10S Beer and Wine Store License with sampling privileges for Guaymas Seafood Market #2 LLC, 1241 East Broadway Road Suite 20 - Irayda Flores Chocoza, agent. There is no existing license at this location. **(District 4)**

***3-e** [24-0899](#) Speedway Liquor

A convenience store is requesting to add sampling privileges to their existing Series 9 Liquor Store License for VIND Inc., 839 South Stapley Drive - Jeffrey Craig Miller, agent. The existing license will revert to the state for modification. **(District 4)**

***3-f** [24-0903](#) Rumor's Café

A restaurant that serves breakfast, lunch, and dinner is requesting a new Series 12 Restaurant License for Fat Willy's Clubhouse LLC, 8700 East University Drive - Jason Fred Kafcas, Agent. The existing license held by Sherwood Forest Licensing Corp will revert to the State. **(District 5)**

Recommendation for Denial:

Mesa City Staff recommend the City Council enter an order recommending disapproval of the liquor license application because public convenience and the best interests of the community will not be substantially served by issuing the license. Specifically, there have been numerous petitions and testimonies received from individuals which reside in, own, or lease property within one mile of the proposed premises that oppose the issuance of the license. A "yes" vote for this item on the consent agenda will constitute City Council's order recommending disapproval of the liquor license application. (Ariz. Rev. Stat. Ann. § 4-201 and Ariz. Admin. Code § R19-1-702)

4 Take action on the following contracts:

- *4-a** [24-0887](#) Southeast Water Reclamation Plant (SEWRP) Improvements, Construction Manager at Risk (CMAR), Guaranteed Maximum Price (GMP) No. 1 of 1 **(District 6)**

This project includes replacing existing Programmable Logic Controllers (PLC) and the Mixed Liquor Recycle (MLR) pumps. The existing PLCs and MLR pumps have reached the end of their service life and require replacement to continue the reliable operation of the plant.

Staff recommend awarding a construction services contract for this project to McCarthy Building Companies in the amount of \$3,765,229.70 (GMP), and authorizing a change order allowance in the amount of \$376,522.97 (10%), for a total authorized amount of \$4,141,752.67. This project is funded by Utility Systems Revenue Obligations.

- *4-b** [24-0888](#) Hibbert Parking Garage Renovation, Construction Manager at Risk (CMAR), Guaranteed Maximum Price (GMP) No. 1 of 1 **(District 4)**

This project includes redeveloping a former auto dealership vehicle storage facility into a commercial parking garage with roughly 871 parking stalls, 600 of which will be made available as secured parking for City employees. Modifications include improvements to the existing structure, adding decorative metal panels, cutting openings into exterior walls for new entry doors on the south and east sides for public access, installing public art, and adding new landscaping on Hibbert Street.

Staff recommend awarding a contract to Kitchell Contractors Inc. of Arizona in the amount of \$7,230,031 (GMP), and authorizing a change order allowance in the amount of \$361,502 (5%), for a total authorized amount of \$7,591,533. This project is funded by Capital General Fund.

- *4-c** [24-0793](#) Four-Year Term Contract with up to Six-Year Renewal Options for a Distributed Antenna System (Replacement) for the Mesa Arts Center as requested by the Department of Innovation and Technology **(Citywide)**

The Mesa Arts Center (MAC) had a Distributed Antenna System (DAS) installed over a decade ago, to bring in the 800mhz radio frequency that is used by the City of Mesa for emergency responder communications. The equipment that is to be purchased will bring in a current system that is anticipated to last the MAC for at least another decade. The contractor will also provide pre-and post-test analysis of radio coverage to verify working conditions and adequate public safety radio coverage through the MAC.

A committee representing the Department of Innovation and Technology and Procurement Services evaluated responses and recommend awarding the contract to the highest-scored proposal from Engineering Wireless Services, LLC at \$300,000 for the first two years and up to \$51,000 annually thereafter, with an annual increase allowance of up to 5% or the adjusted Consumer Price Index.

- *4-d** [24-0874](#) Fabrication and Installation Services for the i.d.e.a Museum Lab Exhibit for the Arts and Culture Department (Sole Source)

This project is for the fabrication and installation of exhibits for the new i.d.e.a. lab. Aardvark Studios was selected in the initial phase through a competitive process to design and engineer the exhibit based on their specialized expertise in creating unique, arts-based experiences for children's museums, with pieces that are custom-designed and fabricated.

The Arts and Culture Department and Procurement Services recommend awarding the contract to the sole source vendor, Aardvark Studios, LLC at \$822,000, based on estimated requirements. This project is funded by i.d.e.a. Museum Foundation Grant.

- *4-e** [24-0875](#) Use of a Cooperative Contract for the Purchase of One Aerial Bucket Truck (Addition) for the Fleet Services and Transportation Departments **(Citywide)**

This additional bucket truck will ensure the department has adequate spare units in its fleet to support Transportation's Streetlight and Intelligent Transportations Systems (ITS) work groups. The truck will be used to maintain over 45,000 streetlights and 400 traffic signals located throughout the City.

The Fleet Services and Transportation Departments and Procurement Services recommend authorizing the purchase using the Sourcewell cooperative contract with Altec Industries, at \$420,000, based on estimated requirements. This purchase is funded by Local Street Sales Tax.

- *4-f** [24-0876](#) Dollar Limit Increase to the Term Contracts for On-Site Vehicle Repair and Preventative Maintenance Services for the Fleet Services Department (Citywide)

Fleet Services has been understaffed for some time due to a shortage of skilled fleet technicians. To supplement City staff, the City has two contractors for on-site vehicle repair and preventative maintenance services for heavy-duty vehicles and equipment to support essential services including Solid Waste, Water Resources, and Energy Resources. The need for these services has increased significantly since the agreements were awarded earlier this year.

Fleet Services is working to recruit and fill vacant positions and is working with Procurement Services to formally solicit for these services. This approval will exempt this short-term contract from normal formal solicitation processes.

The Fleet Services Department and Procurement Services recommend a dollar limit increase with Nutts and Bolts Mobile Service and Desert Valley Truck & Equipment Repair in the amount of \$500,000, increasing the contract dollar limit from \$200,000 to \$700,000 through 12/31/2024 while a contract is being solicited.

- *4-g** [24-0879](#) 25-Month Use of a Cooperative Contract for the Purchase of Original Equipment Manufacturer (OEM) Heavy Duty Parts and Repair Services for the Fleet Services Department (**Citywide**)

The City of Mesa has a fleet of over 200 heavy-duty trucks which Fleet Services maintains. This request will allow use of the City of Phoenix's cooperative contracts which establish heavy-duty truck service labor rates and associated pricing required to complete OEM repairs and purchase OEM parts.

The Fleet Services Department and Procurement Services recommend authorizing the purchase using the City of Phoenix cooperative contracts with Rush Truck Centers of Arizona; RWC International Ltd; and Cummins, Inc. dba Cummins Sales & Service at \$2,500,000 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** [24-0858](#) Approving and authorizing the City Manager to enter into a grant agreement with the United States Environmental Protection Agency to accept and administer Community Project Grant Funds in the amount of \$800,000 for the City's Smart Meters Project. (**Citywide**) Resolution No. 12258

- *5-b** [24-0859](#) Approving and authorizing the City Manager to enter into a grant agreement with the United States Environmental Protection Agency to accept and administer Community Project Grant funds in the amount of \$959,752 for the Water Main Improvements Project in the Falcon Field water service zone. **(Citywide)** Resolution No. 12259
- *5-c** [24-0860](#) Approving and authorizing the City Manager to enter into a grant agreement with the United States Environmental Protection Agency to accept and administer Community Project Grant Funds in the amount of \$1,000,000 for Desert Well Water Infrastructure Upgrades. **(Citywide)** Resolution No. 12260
- *5-d** [24-0869](#) Approving and authorizing the City Manager to enter into an agreement with Maricopa County to accept Community Solutions Funding (CSF) in the amount of \$50,000 to be used toward the purchase and installation of six new air conditioner units for the Mesa Historical Museum auditorium renovation. **(District 1)** Resolution No. 12261
- *5-e** [24-0870](#) Approving and authorizing the City Manager to enter into an agreement with Maricopa County to accept Community Solutions Funding (CSF) in the amount of \$100,000 for improvements to Mesa's Fire Fighter Memorial Park. **(District 4)** Resolution No. 12262
- *5-f** [24-0871](#) Approving and authorizing the City Manager to enter into an agreement with Maricopa County to accept Community Solutions Funding (CSF) in the amount of \$200,000 for the installation of new interactive exhibits at the i.d.e.a Museum. **(District 4)** Resolution No. 12263

6 Introduction of the following ordinances and setting September 23, 2024 as the date of the public hearing on these ordinances:

- *6-a** [24-0884](#) ZON24-00571 "City of Mesa Fire and Medical Station 223" **(District 1)** Within the 3200 to 3400 blocks of East McDowell Road (north side). Located north of McDowell Road and west of Val Vista Drive (14± acres). Rezone from Single Residence 35 (RS-35) to Public and Semi-Public (PS) and Site Plan Review. This request will allow for a Fire and Medical Public Safety Facility. City of Mesa, owner, Bill Johns, City of Mesa, applicant. Ordinance No. 5872

Staff Recommendation: Approval with conditions

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

- *6-b** [24-0883](#) ZON24-00274 "Walmart Fuel Mesa 3799" (**District 4**) Within the 100 to 400 blocks of West Baseline Road (north side). Located east of Country Club Drive on the north side of Baseline Road (23± acres). Major Site Plan Modification. This request will allow for a Service Station. Trent Rachel, Walmart Stores Inc., owner; Ryan Alvarez, Kimley-Horn, applicant. Ordinance No. 5873

Staff Recommendation: Approval with conditions

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

- *6-c** [24-0880](#) ZON23-00369 "Culver Estates" (**District 5**) Within the 8600 block of East Culver Street (north side) and within the 8600 to 8800 blocks of East Nance Street (south side). Located south of McDowell Road and east of Hawes Road (5.3± 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. BFH Group, LLC, owner; David Bohn, applicant. Ordinance No. 5874

Staff Recommendation: Approval with conditions

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

- *6-d** [24-0881](#) ZON24-00030 "Southgate Commerce Park Phasing Plan" (**District 6**) Within the 8800 block of East Germann Road (north side) and the 7300 to 7600 blocks of South 88th Street (east side). Located north of Germann Road and west of Ellsworth Road (16± acres). Rezone from Office Commercial with a Planned Area Development Overlay (OC-PAD), Neighborhood Commercial with a Planned Area Development Overlay (NC-PAD), and Light Industrial with a Planned Area Development Overlay (LI-PAD) to OC-PAD, NC-PAD, and LI-PAD to modify the existing PAD to allow for phasing of the proposed business park. Southgate North LLC, owner; Robert Burgheimer, Sketch Architecture, applicant. Ordinance No. 5875

Staff Recommendation: Approval with conditions

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

- *6-e** [24-0882](#) ZON24-00145 "Walmart Fuel Mesa 5349" (**District 6**) Within the 8200 to 8400 blocks of East Guadalupe Road (south side). Located west of Hawes Road and south of Guadalupe Road (7± acres). Major Site Plan Modification. This request will allow for a Service Station. Trent Rachel, Walmart Stores Inc., owner; Ryan Alvarez, Kimley-Horn, applicant. Ordinance No. 5876

Staff Recommendation: Approval with conditions

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

Items not on the Consent Agenda

- 7 Conduct a public hearing on the following proposed annexation case:**
- 7-a [24-0906](#)** Public hearing prior to the release of the petition for signatures for the proposed annexation case ANX23-00690, located on the south side of East Southern Avenue and on the east side of South Signal Butte Road (64± acres). This request has been initiated by Pew & Lake, PLC, for owner Bela Flor Holdings, LLC. **(District 5)**
- 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.