



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

**Monday, October 16, 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 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 Dr. Terry Crist with City of Grace.

## Pledge of Allegiance

## Awards, Recognitions and Announcements

### 1 Take action on all consent agenda items.

#### Items on the Consent Agenda

\*2 [23-0783](#) Approval of minutes of previous meetings as written.

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

\*3-a [23-1091](#) Fairway Market

A convenience store is requesting the ownership transfer of a Series 9 Liquor Store License to Royal Liquors LLC, 340 West Brown Road - Amarjit Singh, agent. The existing license held by VNTH Inc. will revert to the State. **(District 1)**

\*3-b [23-1089](#) 180th Field Artillery Regiment Association

This is a two-day event to be held on Friday, November 10, 2023, from 3:00 P.M. to 9:00 P.M. and Saturday, November 11, 2023, from 3:00 P.M. to 9:00 P.M. at 4815 East Main Street Unit 16. **(District 2)**

\*3-c [23-1090](#) Ultimate Imaginations Inc.

This is a two-day event to be held on Friday, November 3, 2023, from 5:00 P.M. to 9:00 P.M. and Saturday, November 4, 2023, from 9:00 A.M. to 4:00 P.M. at the North (East and West) Corners of West Pepper Place and Macdonald. **(District 4)**

\*3-d [23-1092](#) Oregano's Pizza Bistro

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Oreganos AZ LLC, 1130 South Dobson Road - Steven David Dunsire, agent. **(District 3)**

**\*3-e**     [23-1106](#)     Jarrods Coffee Tea & Gallery

A restaurant that serves breakfast, lunch and dinner is requesting a new Series 12 Restaurant License for Jarrods Coffee Tea & Gallery LLC, 154 West Main Street - Jarrod Martinez, agent. **(District 4)**

**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 and the applicant has not obtained all necessary licenses and permits for which the applicant is eligible at the time of the liquor license application. (Ariz. Admin. Code. § R19-1-702(A)). Specifically, the applicant has not obtained the following necessary permits and licenses: (i) Fire Safety Operational permit as required by Mesa City Code Title 7, Chapter 2, (ii) General Business License as required by Mesa City Code Title 5, Chapter 5, (iii) Certificate of Occupancy as required by Mesa City Code 4-1-6(A), and (iiii) all other permits and approvals required by Mesa City Code 11-69-2 relating to the building expansion and patio. Additionally, the applicant has current debts related to accounts maintained with the City and is thus ineligible to receive a new license, service, or benefit from the City pursuant to Mesa City Code 1-32-200. 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)

**\*3-f**     [23-1093](#)     J & M II Chinese Restaurant

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Phoenix Twins LLC, 1035 North Ellsworth Road Suite 101 - Rui Xu, agent. **(District 5)**

**\*3-g**     [23-1155](#)     Commemorative Air Force

This is a one-day event to be held on Saturday, November 4, 2023, from 5:00 P.M. to 11:00 P.M. at 2017 North Greenfield Road. **(District 5)**

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

- \*4-a**     [23-1079](#)     Central Mesa Sewer Interceptor - Construction Manager at Risk (CMAR),  
Guaranteed Maximum Price (GMP) (**Districts 1, 3, and 4**)

This wastewater pipe rehabilitation project includes bypassing existing sewer flows, cleaning the existing pipe, installing a new cured in place pipe liner, and repairing the adjacent manhole.

Staff recommends awarding a construction services contract to the CMAR, Achen Gardner, in the amount of \$11,862,525.06 (GMP), and authorizing a change order allowance in the amount of \$1,186,252.51 (10%), for a total amount of \$13,048,777.57. This project is funded by Utility Systems Revenue Obligations.

- \*4-b**     [23-1094](#)     Use of a Cooperative Contract for the Purchase of One Heavy-Duty Backhoe Loader (Replacement) for the Parks, Recreation and Community Facilities Department (**Citywide**)

This purchase is for a backhoe loader that will support the Mesa Cemetery. It is a critical piece of equipment used daily in Cemetery operations, including grave openings and closings, concrete vault and monument installations, and debris removal, including storm clean up.

The Fleet Services and Parks, Recreation and Community Facilities Departments and Purchasing recommend authorizing the purchase using the State of Arizona cooperative contract with Empire Southwest LLC dba Empire Machinery (a Mesa business) for \$172,912.36, based on estimated requirements. This purchase is funded by the Vehicle Replacement Fund.

- \*4-c**     [23-1098](#)     Cooperative Contract Use for the Four-Year Term Contract with Three Years of Renewal Options for Stadium Lighting, Lighting Control Systems, and Sports Video Broadcasting Equipment for the Parks, Recreation and Community Facilities Department (PRCF) (**Citywide**)

This contract will provide for the purchase and installation of stadium lighting, lighting control systems, and sports video broadcasting equipment from Musco Sports Lighting LLC. PRCF currently deploys Musco brand equipment at many of its sites and is the standard at current and new facilities.

The PRCF Department and Purchasing recommend authorizing the purchase using the Sourcewell cooperative contract with Musco Sports Lighting LLC at \$2,500,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

**\*4-d**    **23-1095**    Use of a Cooperative Contract for the Purchase of Two Heavy-Duty Trailers (Additions) for the Transportation Department **(Citywide)**

Transportation Field Operations will utilize one of the new heavy-duty haul trailers to transport a new paver that is currently on order for the in-house Asphalt work group and one rollback trailer for the new backhoe that is currently on order for the new in-house Concrete crew.

The Fleet Services and Transportation Departments and Purchasing recommend authorizing the purchase using the Sourcewell cooperative contract with Empire Southwest LLC (a Mesa business) for \$222,278.15 based on estimated requirements. This purchase is funded by the Local Streets Fund.

**\*4-e**    **23-1096**    Purchase of Broadcast and Audio Video Equipment (Replacement) for City Council Chambers (as requested by the Public Information and Communications Department) **(Citywide)**

This purchase will provide the broadcast equipment that will be installed in the new City Council Chambers to broadcast and record live meetings such as City Council meetings, Study Sessions, and Planning and Zoning meetings on COX 11, YouTube, and Facebook.

The Public Information and Communications Department and Purchasing recommend awarding the contract to the lowest, responsive, and responsible bidder, BKW Inc. for \$331,739.33.

**\*4-f**    **23-1097**    Purchase to Rebuild the Bar Screen Conveyor System at the Greenfield Water Reclamation Plant for the Water Resources Department (Sole Source) **(Citywide)**

This purchase will rebuild the bar screen conveyor system at the Greenfield Water Reclamation Plant in Headworks #1 and retrofit from 1/2" to 1/4" screens. The bar screen conveyor system has reached the end of its lifecycle and requires replacement.

The Water Resources Department and Purchasing recommend awarding the contract to the sole source vendor, JBI Water & Wastewater Equipment for \$211,000.

- \*4-g**     [23-1099](#)     Three-Year Term Contract with Two Years of Renewal Options for Utility Locating Services for the Energy Resources Department **(Citywide)**
- This contract will provide utility locating services to support the private sector fiber optic deployment occurring throughout City of Mesa rights of way as part of the Mesa Fiber Initiative, and in San Tan Valley, where the City's gas system is also located.
- A committee representing the Energy Resources Department and Purchasing evaluated responses and recommend awarding the contract to the sole and qualified proposal from USIC at \$160,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.
- \*4-h**     [23-1107](#)     Dollar Limit Increase to the Term Contract for Uninterruptible Power Supply Maintenance, Repairs, Related Services, Equipment, and Parts Purchases for various City Facilities **(Citywide)**
- This contract will provide an experienced Contractor to provide uninterruptible power supply (UPS) preventative system maintenance, repairs, related services, and purchase of equipment and parts. On May 31, 2023, management administratively approved this contract to service a small number of UPS systems. Staff estimates the dollar limit increase will be sufficient for the various City facilities' annual usage.
- The Department of Innovation and Technology and Purchasing recommend increasing the dollar limit with Titan Power Inc. by \$400,000, from \$100,000 to \$500,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.
- \*4-i**     [23-1082](#)     Approving and authorizing the Mayor to sign an amendment to the employment contract with the City Clerk.
- \*4-j**     [23-1081](#)     Approving and authorizing the Mayor to sign an amendment to the employment contract with the City Auditor.
- \*4-k**     [23-1080](#)     Approving and authorizing the Mayor to sign an amendment to the employment contract with the City Attorney.
- \*4-l**     [23-1083](#)     Approving and authorizing the Mayor to sign an amendment to the employment contract with the City Manager.

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

- \*5-a**    [23-1049](#)    Approving and authorizing the City Manager to enter into an Intergovernmental Agreement and related Special Conditions with the City of Phoenix and Maricopa County for the distribution of grant funds from the Edward Byrne Memorial Justice Assistance Grant (JAG) Program under which the City will receive \$177,098 to be used to purchase a forklift for the Police Department Evidence Division. **(Citywide)** Resolution No. 12101
- \*5-b**    [23-1059](#)    Approving and authorizing the City Manager to enter into an agreement with Meta to accept a contribution of \$300,000. Of this amount, \$250,000 will be used for naming rights within the i.d.e.a. Museum for the new "i.d.e.a. Lab by Meta" to be constructed, and \$50,000 will be used to expand free admissions to underserved families in Mesa. **(Citywide)** Resolution No. 12102
- \*5-c**    [23-1100](#)    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 \$121,712. 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. 12103
- \*5-d**    [23-1146](#)    Approving and authorizing the City Manager or his designee to enter into a subrecipient agreement with a New Leaf, Inc. for a grant of Coronavirus Local Resource and Recovery Funds for the East Valley Men's Center bridge housing project. **(District 1)** Resolution No. 12104
- \*5-e**    [23-1147](#)    Authorizing the City Manager to enter into a Seventh Amendment to the Development Agreement for the development commonly known as The GRID, a project on City-owned property, generally located at the southwest corner of Main Street and Pomeroy at 233 East Main Street and 34 South Pomeroy. The Seventh Amendment would have the effect of extending the Compliance Date for completion of Phase I of the project. **(District 4)** Resolution No. 12105
- \*5-f**    [23-1084](#)    Authorizing the issuance and sale of General Obligation Bonds, Series 2023, not to exceed \$90,000,000. **(Citywide)** Resolution No. 12106
- \*5-g**    [23-1086](#)    Authorizing the sale, execution, and delivery of Utility Systems Revenue Obligations, Series 2023, not to exceed \$205,000,000. **(Citywide)** Resolution No. 12107

**6 Introduction of the following ordinances and setting November 6, 2023 as the date of the public hearing on these ordinances:**

- \*6-a**     **23-1033**     ZON23-00469 (**District 2**) Within the 6700 block of East Main Street (south side), the 0 block of South Sunaire (west side) and the 6700 block of East Alder Avenue (north side). Located west of Power Road on the south side of Main Street (1.3± acres). Rezone from Limited Commercial (LC) to Limited Commercial with a Bonus Intensity Zone overlay (LC-BIZ), Council Use Permit (CUP), and Site Plan Review. This request will allow a change in use from a hotel to a social service facility, to allow the City to locate at the site portions of an existing, temporary housing program for people experiencing homelessness, and more specifically, for targeted populations of families, domestic violence victims, and elderly. City of Mesa, applicant; Sunstay Bridge LLC, owner. Ordinance No. 5817

Staff Recommendation: Approval with conditions

P&Z Board Recommendation: Approval with conditions (Vote: 5-1)

- \*6-b**     **23-1073**     ZON23-00140 "Sienna Ridge" (**District 5**) Within the 100 block of South 90th Street (west side). Located south of Main Street and west of Ellsworth Road (4± acres). Rezone from Single Residence-43 (RS-43) to Multiple Residence-2 with a Planned Area Development overlay (RM-2-PAD) and Site Plan Review. This request will allow for a multiple residence development. Jason Sanks, Iplan Consulting, applicant; 5228 S Blackstone LLC, owner. Ordinance No. 5818

Staff Recommendation: Approval with conditions

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



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

- \*7-a**    [23-1017](#)    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-b**    [23-1019](#)    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)

- \*7-c**    [23-1018](#)    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

Planning & Zoning Board Recommendation: Adoption (Vote: 5-0)

- \*7-d [23-1032](#) 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)

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

- \*8-a [23-1075](#) SUB23-00120 "Commerce Court East Condominiums" (**District 5**) Within the 9000 to 9200 blocks of East Southern Avenue (south side). Located west of Ellsworth Road on the south side of Southern Avenue (1.38± acres). Ranchland Holdings II LLC, developer; Thomas L. Rope, Land Survey Services PLC, surveyor.
- \*8-b [23-1076](#) SUB23-00396 "Falcon Field Executive Hangars - Leasehold Condominiums A Condominium Plat" (**District 5**) Within the 4800 block of East Falcon Drive (south side). Located north of McKellips Road and west of Higley Road (.763± acres). Rural Electric Inc., developer; Adam Mueller, SWS Engineering Inc., surveyor.

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

- \*9-a [23-1154](#) E.T. Consultants Inc. DBA Palmas Del Sol Community  
Glen Heppard, Regional Manager; 6209 East McKellips Road Mesa, AZ 85215  
(**District 5**)

**Items not on the Consent Agenda**

**10 Conduct a public hearing**

- 10-a [23-1074](#) Public hearing prior to the release of the petition for signatures for the proposed annexation case ANX22-00738, located on the south side of Main Street, west of Crismon Road (4.6± acres). This request has been initiated by the applicant, BFH Group, for the owner, BFH Holdings LLC. (**District 5**)

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

**12 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.