



# COUNCIL MINUTES

September 18, 2023

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on September 18, 2023, 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

Scott Butler  
Holly Moseley  
Jim Smith

Vice Mayor's Welcome.

Vice Mayor Heredia conducted a roll call.

Vice Mayor Heredia excused Mayor Giles from the entire meeting.

Invocation by Pastor Luis Ochoa with First Evangelical Lutheran Church.

Pledge of Allegiance was led by Girl Scout Troop 3092.

Awards, Recognitions and Announcements.

Vice Mayor Heredia recognized Gary Chermis of the American Legion for gifting seven Missing in Action (MIA) and Prisoner of War (POW) flags which have been added to all City facilities that fly the US flag, including the Council Chambers.

Vice Mayor Heredia introduced Library Director Polly Bonnett, Marketing and Community Specialists, Sara Lipich and Veronica Coronado from the Mesa Public Library to recognize the nine winners of the Bike to Books Contest.

## 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 August 21, 2023, Study Session; and the September 11, 2023, Regular Council meeting.

3. Take action on the following liquor license applications:

\*3-a. Christ the King Roman Catholic Parish Mesa

This is a one-day event to be held on Saturday, October 21, 2023, from 4:00 P.M. to 9:00 P.M. at 1551 East Dana Avenue. **(District 4)**

\*3-b. Phoenix Villains

This is a one-day event to be held on Saturday, October 21, 2023, from 4:00 P.M. to 9:00 P.M. at Desert Wind Harley Davidson, 922 South Country Club Drive. **(District 4)**

\*3-c. Down Time Wines Inc.

This is a one-day wine fair event to be held on Monday, October 2, 2023, from 5:00 P.M. to 7:00 P.M. at 8840 East Sunland Avenue. **(District 5)**

\*3-d. See: **Items Not on the Consent Agenda**

4. Take action on the following contracts:

\*4-a. Cooperative Contract Use for the 44-Month Term Contract with a One Year Renewal Option for Video Display/Scoreboard Maintenance and Repairs for the Parks, Recreation and Community Facilities Department. **(Citywide)**

This contract will provide for the maintenance and repair of the Daktronics electronic scoreboards at Hohokam Stadium and Sloan Park. All hardware and software required to maintain the scoreboards are included in the contract.

The Parks, Recreation and Community Facilities Department and Purchasing recommend authorizing the purchase using the Sourcewell cooperative contract with Daktronics, Inc. at up to \$1,500,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

\*4-b. Three-Year Term Contract with Two Years of Renewal Options for Fiberglass Waterslide and Water Feature Maintenance and Repairs for the Parks, Recreation and Community Facilities Department. **(Citywide)**

This contract will provide all labor, equipment, tools, materials, and all other items that are necessary to perform the waxing, buffing, and repair of the City's nine full-size

fiberglass slides, two fiberglass kiddie slides, one cementitious/vinyl kiddie slide, eight splash pads, and pool facilities which contain water feature amenities.

An evaluation committee representing the Parks, Recreation and Community Facilities Department and Purchasing recommend awarding the contract to the highest scored proposal from AquaShield Products LLC dba SlideRenu at \$115,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

- \*4-c. Three-Year Term Contract with Two Years of Renewal Options for Genuine AC Delco and Motorcraft Parts for the Fleet Services Department. **(Citywide)**

This contract will establish reliable sources for various Genuine AC Delco and Motorcraft parts used to support the maintenance and repair of the City of Mesa's fleet of vehicles.

The Fleet Services Department and Purchasing recommend awarding the contract to the lowest, responsive, and responsible bidders: Elliott Auto Supply dba Factory Motor Parts; and, USD Inc., at \$350,892 annually, with an annual increase allowance of up to 5%, or the adjusted Producer Price Index.

- \*4-d. Dollar Limit Increase to the Term Contract for Rock and Concrete Materials for Various City Departments. **(Citywide)**

This dollar limit increase is needed to process payments for the remaining invoices. Council approved the new contract award on August 28, 2023.

The Energy Resources, Water Resources, and Parks, Recreation and Community Facilities Departments, and Purchasing recommend increasing the dollar limit with Fort McDowell Yavapai Materials; Material Delivery Inc.; and Arizona Metro Mix LLC by \$154,000, from \$950,000 to \$1,104,000.

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

- \*5-a. Ordinance repealing the existing Personnel Rules applicable to City of Mesa employees and adopting new Personnel Rules. **(Citywide)** - Ordinance No. 5810
- \*5-b. ZON22-00835 "Mason Farms." **(District 1)** Within the 1200 to 1400 blocks of East Lehi Road (south side). Located south of East Lehi Road and east of North Stapley Drive (15± acres). Rezone from Single-Residence-43 (RS-43) to Single-Residence-43 with a Planned Area Development overlay (RS-43-PAD). This will allow for a single residence subdivision. Mason Farms LLC, applicant and owner. - Ordinance No. 5811

Staff Recommendation: Approval with conditions

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

- \*5-c. ZON23-00222 "Brightpath Child Care." **(District 1)** Within the 1200 block of North Val Vista Drive (west side) and within the 3500 block of East Brown Road (north side). Located west of Val Vista Drive and north of Brown Road (1.2± acres). Rezone from Office Commercial with a Bonus Intensity Zone overlay (OC-BIZ) to Office Commercial (OC) and Major Site Plan Modification. This request will allow for the development of a day care center. Sean Lake, Pew and Lake PLC, applicant; Mark Reeb, Makana LP, owner. - Ordinance No. 5812

Staff Recommendation: Approval with conditions

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

6. Take action on the following subdivision plats:

- \*6-a. SUB22-00382 "AZ Med Cap." **(District 1)** Within the 400 to 700 blocks of North Mesa Drive (east side), the 500 block of North Lesueur (west side), within the 400 block of east 6th Street (south side), and within the 400 block of east 4th Place (north side). Located north of University Drive on the east side of Mesa Drive (9.34± acres). AZ Med Cap LLC, developer; Daniel D. Armijo, AW Land Surveying LLC, surveyor.
- \*6-b. SUB22-00855 "Map of Dedication for Gateway Interchange Business Park." **(District 6)** Located along the South 80th Street Alignment and East Sebring Avenue Alignment, and within the 4500 block of the South Hawes Road Alignment, south of Warner Road (6.3± acres). EastGroup Properties Inc., developer; Sandy Hayden, HilgartWilson LLC, surveyor.
- \*6-c. SUB23-00458 "Map of Dedication for Hawes Crossing Village 1, Phase 2." **(District 6)** Located along the North 82nd Street Alignment and East Pratt Avenue Alignment, north of Elliot Road and west of Hawes Road (1± acres). Lennar Homes Inc., developer; Sandy Hayden, HilgartWilson LLC, surveyor.
- \*6-d. SUB22-01040 "Avalon Crossing Phase 2." **(District 6)** Within the 10100 to 10600 blocks of East Williams Field Road (south side) and within the 6000 to 6400 block of South 222nd Street (west side). Located east of Crismon Road on the south side of Williams Field Road (51.9± acres). Shea Homes Limited Partnership, developer; CVL Consultants, surveyor.
- \*6-e. SUB22-01041 "Map of Dedication of Avalon Crossing Phase 2." **(District 6)** Located along the South 222<sup>nd</sup> Street alignment, within the 10100 to 10600 blocks of East Williams Field Road (south side) and within the 6000 to 6400 block of South 222<sup>nd</sup> Street (west side). Located east of Crismon Road on the south side of Williams Field Road (0.4± acres). Shea Homes Limited Partnership, developer; CVL Consultants, surveyor.
- \*6-f. SUB22-01184 "Fusion at Avalon Crossing Replat." **(District 6)** Within the 10100 to 10600 blocks of East Williams Field Road (south side) and within the 6000 to 6400 block of South 222nd Street (west side). Located east of Crismon Road on the south side of Williams Field Road (12.7± acres). Shea Homes Limited Partnership, developer; CVL Consultants, surveyor.

Items not on the Consent Agenda

3-d. Family Dollar #25078

A general merchandise retailer is requesting a new Series 10 Beer and Wine Store License for Family Dollar Inc., 1021 East Main Street - Anita Martinez, agent. There is no existing license at this location. **(District 4)**

Recommendation for Denial: The recommendation is for denial due to evidence that 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 license: General Business License, as required by Mesa City Code Title 5, Chapter 5. 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. Specifically, the applicant has the following debts related to accounts maintained with the City: (i) fees related to alarm systems as set forth in Mesa City Code Title 6, Chapter 15 and in the City's schedule of fees and charges; and (ii) fees related to fire safety operational permits as set forth in Mesa City Code Title 7, Chapter 2 and in the City's schedule of fees and charges. 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).

It was moved by Councilmember Duff, seconded by Councilmember Freeman, that the application for Family Dollar #25078 be forwarded to the State Liquor Board with a recommendation for denial.

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.

7. Items from citizens present.

There were no items from citizens present.

8. Adjournment.

Without objection, the Regular Council Meeting adjourned at 5:58 p.m.

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FRANCISCO HEREDIA, VICE 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 18<sup>th</sup> day of September 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