

## COUNCIL MINUTES

June 17, 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 17, 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.

Invocation by Pastor Clayton Eddleman with Central Christian Church.

Pledge of Allegiance was led by Mayor Giles.

There were no awards, recognitions, or announcements.

### 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

ABSENT – None

Carried unanimously.

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

Minutes from April 18, May 2, and May 6, 2024, Study Sessions, and June 3, 2024, Regular Council meeting.

3. Take action on the following liquor license applications:

\*3-a. Arizona Community Service Foundation Inc.

This is a one-day event to be held on Saturday, June 29, 2024, from 6:00 P.M. to 10:30 P.M. at Christ the King Church Presentation Hall located 1551 East Dana Avenue. **(District 4)**

\*3-b. Bloomy Kitchen

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Bloomy Asian Cuisine House LLC, 2028 West Guadalupe Road - Susan Wang, agent. There is no existing license at this location. **(District 3)**

\*3-c. One Pot

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for One Pot Brother LLC, 1914 South Power Road, Suite 101 - Jay Guohong Deng, agent. There is no existing license at this location. **(District 6)**

4. Take action on the following contracts:

\*4-a. Five-Year Term Contract for Axon On-Body Camera (OBC) Equipment, Conducted Electrical Weapons (CEW) and Supplies and Evidence Storage for the Mesa Police Department (Sole Source). **(Citywide)**

This contract will provide upgrades to 720 Axon Flex OBC systems and 900 CEW (Taser) devices; allow the purchase of OBC supplies, equipment, and services; includes CEW device training and duty cartridges; and provides for the continued utilization of Axon third-party storage, interview room recording systems, and technical account managers.

The Mesa Police Department and Procurement Services recommend awarding the contract to the sole source vendor, Axon Enterprises, Inc. at \$5,500,000 for year 1 and \$4,500,000 annually for years 2 through 5, with an annual increase allowance of up to 5% or the adjusted Consumer Price Index. This contract is funded by Police Department General Funds and Public Safety Sales Tax Funds.

\*4-b. Three-Year Term Contract with Two-Year Renewal Options for Playground and Park Equipment for the Parks, Recreation and Community Facilities Department. **(Citywide)**

Parks, Recreation and Community Facilities maintain 209 park sites and basins that have playground equipment, trash receptacles, bleachers, tables, player's benches, basketball hoops, grills, etc. This contract will allow for purchases and installations to be made to keep the City's park sites safe and functional.

The Parks, Recreation and Community Facilities Department and Procurement Services recommend awarding the contract to the following responsive and responsible bidders,

Arizona Recreation Design, Inc.; Dave Bang Associates, Inc.; (a Mesa business), ExerPlay, Inc.; Play it Safe Playgrounds and Equipment (a Mesa business); Playcore Wisconsin, Inc. and PlaySpace Designs, Inc. at \$150,000 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 an Intergovernmental Agreement with the City of Glendale to allow Mesa Fire and Medical Department to attend Fire Service Training hosted by the Glendale Fire Department. – Resolution No. 12229
- \*5-b. Approving and authorizing the City Manager to execute an Intergovernmental Agreement relating to maintenance services for Phoenix-Mesa Gateway Airport Authority owned aircraft rescue firefighting vehicles and equipment. **(District 6)** – Resolution No. 12230
- \*5-c. See: **(Items not on the Consent Agenda)**
- \*5-d. Approving and authorizing the City Manager to enter into a 20-year lease agreement with Mesa Historical Society (MHS) for land located at 2331 North Horne. The land is adjacent to the Mesa Historical Museum with the intent to sub-lease to a charter school, providing both income for and partnership with the museum. **(District 1)** – Resolution No. 12232
- \*5-e. Approving and authorizing the City Manager to enter into an agreement with Dr. Ruth Tan Lim to accept a contribution of \$250,000 to the i.d.e.a Museum Capital Campaign, with the benefit of naming rights of the i.d.e.a. Museum Outdoor Atrium. The contribution will be used towards construction costs of the i.d.e.a Museum renovation. **(Citywide)** – Resolution No. 12233
- \*5-f. Levying the amount to be collected by a secondary property tax and the rate upon each one hundred dollars (\$100) of assessed valuation of property subject to taxation within the City of Mesa for the fiscal year ending June 30, 2025. **(Citywide)** – Resolution No. 12234

6. Introduction of the following ordinances and setting July 1, 2024, as the date of the public hearing on these ordinances:

- \*6-a. Proposed amendments to Chapters 5, 6, and 31 of Title 11 of the Mesa City Code, also known as the Mesa Zoning Ordinance pertaining to minor revisions and technical updates including but not limited to modifying figures, modifying land use tables to correct footnote references, and correcting section references. **(Citywide)** – Ordinance No. 5858

Staff Recommendation: Adoption

P&Z Board Recommendation: Adoption (6 - 0)

- \*6-b. ZON23-00645 "1756 E University." **(District 1)** Within the 1700 block of East University Drive (north side) and within the 400 block of North Hall (east side). Located west of Gilbert Road and north of University Drive (1.5± acres). Rezone from Neighborhood Commercial (NC) 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. Trevally LLC, owner; Tim Boyle, Atmosphere Architects; applicant. – Ordinance No. 5859

Staff Recommendation: Approval with conditions

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

- \*6-c. ZON23-00982 "Dave Downing Associates Warehouse." (**District 4**) Within the 200 block of South Hibbert (west side). Located north of Broadway Road and west of Mesa Drive (2± acres). Rezone from Downtown Business 2 (DB-2) and Downtown Residence 2 (DR-2) to Downtown Business 2 with a Bonus Intensity Zone overlay (DB-2-BIZ), Council Use Permit, and Major Site Plan Modification. This request will allow for a warehouse development. JD Filter Properties LLC, owner; Kenzi Architects, applicant. – Ordinance No. 5860

Staff Recommendation: Approval with conditions

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

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

- 5-c. Approving and authorizing the City Manager to enter into a one-year Agreement with Visit Mesa, Inc., for the distribution of a portion of the City's transient lodging tax proceeds for the promotion of tourism and destination marketing in Mesa, Arizona and in accordance with Arizona Revised Statute §9-500.06. (**Citywide**) – Resolution No. 12231

Mayor Giles pointed out terms of the agreement that require Visit Mesa, Inc. and the Downtown Mesa Association to meet and finalize the details of working together. He emphasized the importance of that meeting taking place prior to the Council's approval and requested this item be continued.

City Manager Christopher Brady confirmed the current agreement expires on June 30, 2024, so continuing the item to the City Council meeting on July 1, 2024, is sufficient.

Mayor Giles noted that it was the consensus of the Council that this be brought back to Council for approval on July 1, 2024.

#### **7. Take action on the following zoning case and take action on the following retail tax incentive findings resolution and development agreement resolution, all relating to a proposed development known as "Destination at Gateway":**

- 7-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 (7-0)

- 7-b. A resolution making findings required by A.R.S. § 9-500.11 (Version 2) for the City to enter into an Amended and Restated Pre-Annexation Development Agreement meeting the definition of “a retail development tax incentive agreement” with BCB Group Investment, LLC for the development of improvements on a property of approximately 127 +/- acres of real property within the jurisdictional limits of Mesa, AZ and 27 +/- acres of property located in Maricopa County, AZ outside of the jurisdictional limits of Mesa, AZ, generally located at the corner of South Signal Butte Road and East Williams Field Road for the project known as the “Destination at Gateway.” **(District 6)** (5 votes required) – Resolution No. 12235
- 7-c. A resolution approving and authorizing the City Manager to enter into an Amended and Restated Pre-Annexation Development Agreement with BCB Group Investment, LLC, for the development of a mixed-use project known as “Destination at Gateway” on approximately 127 +/- acres of real property within the jurisdictional limits of Mesa, AZ and 27 +/- acres of property located in Maricopa County, AZ outside of the jurisdictional limits of Mesa, AZ, that is the subject of zoning case ZON19-00805, and that is generally located at the corner of South Signal Butte Road and East Williams Field Road. The Development Agreement meets the definition of a “retail development tax incentive agreement” under A.R.S. §9-500.11 (Version 2). **(District 6)** (5 votes required) – Resolution No. 12236

Mayor Giles stated that pending no objection from Council, Agenda Items 7-a, 7-b, and 7-c will be noted on in one motion.

It was moved by Councilmember Somers, seconded by Vice Mayor Heredia, that Ordinance No. 5857 and Resolution No. 12235 and 12236 be adopted.

Upon tabulation of votes, it showed:

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

NAYS – None

ABSENT – None

Carried unanimously.

8. Items from citizens present.

There were no items from citizens present.

9. Adjournment.

Without objection, the Regular Council Meeting adjourned at 5:56 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 17<sup>th</sup> day of June 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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