



# COUNCIL MINUTES

November 4, 2024

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on November 4, 2024, at 5:45 p.m.

## COUNCIL PRESENT

John Giles  
Jennifer Duff  
Mark Freeman  
Alicia Goforth  
Scott Somers  
Julie Spilsbury

## COUNCIL ABSENT

Francisco Heredia

## OFFICERS PRESENT

Christopher Brady  
Holly Moseley  
Jim Smith

Mayor's Welcome.

Mayor Giles conducted a roll call.

Mayor Giles excused Vice Mayor Heredia from the entire meeting.

Mayor Giles led a Moment of Silence followed by the Pledge of Allegiance.

Awards, recognitions, and announcements.

Mayor Giles recognized November as Alzheimer's Awareness & National Family Caregivers Month and presented a proclamation to Kathy Norris-Wilhelm, Alzheimer's Association. He commented that Alzheimer's is a devastating disease that affects millions of individuals and their families. He emphasized the importance of bringing awareness and honor to caregivers in the community who provide compassion care and comfort for others at a great personal sacrifice.

Ms. Norris-Wilhelm shared her wife's personal story with Alzheimer's to change the stigma and misconceptions of Alzheimer's disease, and the impact of her legacy. She reported on the statistics of people who have Alzheimer's and the number of caregivers. She noted that there were more deaths related to Alzheimer's than for breast and prostate cancer combined between the years 2000 and 2021, and deaths have increased by 141%. She thanked the Mayor and Councilmembers for their support.

Mayor Giles proclaimed November as Be Kind America Month in the City of Mesa.

Councilmember Spilsbury acknowledged November as kindness month. She commented that she is an advocate for kindness and began a kindness campaign four years ago, #Mesakindness. She thanked citizens, City departments, organizations, and school districts who have rallied behind the initiative sharing and celebrating moments of kindness across the

community. She presented the proclamation to Marcia Meyer, Founder and Chief Executive Officer of The Be Kind People Project.

Ms. Meyer provided information on The Be Kind People Project, which focuses on building a generation of respectful, responsible, healthy, and caring citizens and leaders. She discussed the effects of kindness on children and the impact on them as adults to be successful.

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 Spilsbury, seconded by Councilmember Somers, that the consent agenda items be approved.

Upon tabulation of votes, it showed:

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

NAYS – None

ABSENT – Heredia

Mayor Giles declared the motion carried unanimously by those present.

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

Minutes from the September 12, September 19, and October 3, 2024, Study Sessions; and October 21, 2024, Regular Council meeting.

3. Take action on the following liquor license applications:

\*3-a. Down Time Wines, Inc.

This is a wine festival to be held on Monday, November 18, 2024, from 3:30 P.M. to 5:30 P.M. for Mesa Spirit RV Resort at 3020 East Main Street. **(District 1)**

\*3-b. The Greater Cause

This is a one-day event to be held on Saturday, November 23, 2024, from 1:00 P.M. to 10:00 P.M. at Mesa Riverview Park, 2060 West Riverview Auto Drive. **(District 3)**

\*3-c. Ultimate Imaginations, Inc.

This is a one-day event to be held on Sunday, November 10, 2024, from 11:00 A.M. to 5:00 P.M. at Cider Corps, 31 South Robson, Suite 103. **(District 4)**

\*3-d. A Modo Mio

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for A Modo Mio LLC, 1042 North Higley Road, Ste 103-104 - Andrea Dahlman Lewkowitz, agent. There is no existing license at this location. **(District 2)**

\*3-e. Rubios Fresh Mexican Grill #213

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for The Original Fish Taco Arizona LLC, 937 North Dobson Road, Suite 106 - Theresa June Morse, agent. The existing license held by Rubios Restaurants Inc. will revert to the State. **(District 3)**

\*3-f. MV Snacks & Sushi Bar

A restaurant that serves lunch and dinner is requesting a new Series 7 Beer and Wine Bar License for JGV Restaurant Industry LLC, 525 South Gilbert Road, Suite 7-11 - Theresa June Morse, agent. The existing license held by Triforce Entertainment LLC will remain at the location in non-use (inactive) status until it's either sold or transferred to a different location. **(District 4)**

\*3-g. MV Snacks & Sushi Bar

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for JGV Restaurant Industry LLC, 525 South Gilbert Road, Suite 7-11 - Theresa June Morse, agent. The existing license held by Triforce Entertainment LLC will remain at the location in non-use (inactive) status until it's either sold or transferred to a different location. **(District 4)**

\*3-h. O.H.S.O Brewery / Macayo Mexican Food

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for TW Kind AZA LLC, 6033 South Sossaman Road - Navayogasingam Thuraisingam, agent. The existing license held by Kind Hospitality Inc. will revert to the State. **(District 6)**

\*3-i. Barrio Brewing Co

A restaurant that serves lunch and dinner is requesting a new Series 12G Restaurant License with growler privileges for TW Kind AZA LLC, 5803 South Sossaman Road, Suite 114 - Navayogasingam Thuraisingam, agent. The existing license held by Kind Hospitality Inc. will revert to the State. **(District 6)**

\*3-j. Rubios Fresh Mexican Grill #159

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for The Original Fish Taco Arizona LLC, 6736 East Baseline Road, Suite 101 - Theresa June Morse, agent. The existing license held by Rubios Restaurants Inc. will revert to the State. **(District 6)**

\*3-k. Viruyas Restaurant Honduran Food

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Golosinas Viruya LLC, 6555 East Southern Avenue, Suite 1544 - Jeffrey Craig Miller, agent. The existing license held by Carlotta Wheeler, sole proprietor, will revert to the State. **(District 6)**

4. Take action on the following contracts:

\*4-a. Sunaire Facility Refurbishment, Design-Bid-Build. **(District 2)**

This project is to renovate an additional property for the "Off the Streets" (OTS) program. Interior improvements include upgrades of plumbing, electrical, HVAC, bathrooms, flooring, cabinets, and paint, as well as the installation of data cabling, access control system, and security system. Exterior improvements include site grading, paving, drainage, landscaping, utilities, fencing, electronic gates, and other incidental improvements.

Staff recommend awarding a construction contract to the lowest responsible bidder, Blackhawk Construction, LLC, in the amount of \$5,285,205.50 and authorize a change order allowance in the amount of \$528,520.55 (10%) for a total amount of \$5,813,726.05. This project is funded by ARPA (American Rescue Plan Act) dollars.

\*4-b. Two-Year Term Contract with One-Year Renewal Option for Dresser/Roots 10C Rotary Gas Meters for the Energy Resources Department. **(Citywide)**

This contract provides Dresser/Roots 10C Rotary Gas Meters for the City's Advanced Metering Infrastructure (AMI) Project. These gas meters will replace all 8C gas meters in the City's gas system that are obsolete and can no longer be serviced.

The Energy Resources Department and Procurement Services recommend awarding the contract to the single responsive and responsible bidder, NGS Cayman Holdings, L.P. dba Natural Gas Solutions North America, LLC at \$2,000,000 for Years 1 and 2 with an annual increase allowance of up to 5% or the adjusted Consumer Price Index. This contract is funded by Energy Resources Department Capital Budget through Gas Utility Obligations.

\*4-c. Three-Year Term Contract with Two-Year Renewal Options for Trailer Parts, Automotive Lighting, Mirrors, and Safety Supplies for the Fleet Services Department. **(Citywide)**

This contract will provide trailer parts, automotive and truck lighting parts, mirrors, and safety supplies required for various pieces of rolling stock equipment owned by the City. Fleet Services perform repairs on-site and requires a variety of these parts to keep City vehicles and equipment in good working condition.

The Fleet Services Department and Procurement Services recommend awarding the contract to the lowest, responsive, and responsible bidders: FleetPride, Inc. (a Mesa business); J.B. Poindexter & Co., Inc. dba Reading Truck Equipment, LLC; Parts Authority Arizona, LLC; Parts West Heavy Duty, LLC dba Light House of Arizona; and Polygon Investment Group, Inc. dba Spectrac Suspension Center at \$255,000 annually with an annual increase allowance of up to 5% or the adjusted Producer Price Index.

\*4-d. 13-Month Term Use of a Cooperative Contract for Refuse Truck Rentals for the Solid Waste Department. **(Citywide)**

This contract provides refuse-truck rentals on an as-needed basis. The Solid Waste Department currently has three front loader, and twenty automated side loader refuse trucks on order. There is currently a nationwide delay in the production of new refuse trucks. The option to rent refuse trucks allows the department to better respond to customer needs as well as retire existing refuse trucks that have been kept in the fleet

longer than desired. The department intends to rent three front loader, and three side loader refuse trucks.

The Solid Waste Department and Procurement Services recommend authorizing the rental using the Sourcwell cooperative contract with Premier Truck Sales & Rental, Inc. at \$800,000, based on estimated requirements.

- \*4-e. Use of a Cooperative Contract for the Purchase of Seven Automated Side Load Refuse Trucks (Replacements) for the Fleet Services Department. **(Citywide)**

Seven of the automated side loaders in the Solid Waste fleet are projected to meet the established replacement criteria within the next two years. Although lead times for Solid Waste vehicles have improved, they are still somewhat volatile at one to two years. To minimize interruption of services, the Fleet Services Department recommend ordering the replacement vehicles this year with an estimated delivery of October 2025.

The Fleet Services Department and Procurement Services recommend authorizing the purchase using the Sourcwell cooperative contract with Rush Truck Centers of Arizona dba Rush Truck Center - Phoenix at \$4,176,000 based on estimated requirements.

- \*4-f. Additional Vendor Awards Using the Cooperative Term Contract for the Purchase of Original Equipment Manufacturer (OEM) Heavy Duty Parts and Repair Services and Dollar Limit Increase for the Fleet Services Department. **(Citywide)**

On September 9, 2024, Council approved the use of the City of Phoenix cooperative contracts for OEM Parts and Services. These vendors were not originally included because at the time, there were other contracts in place to provide parts and services. Based on a recent review of department spending, contracts nearing expiration, and forecasted future contract needs, it has been determined that it is in the best interest of the City to add these vendors to the contract.

The Fleet Services Department and Procurement Services recommend authorizing the award of five additional vendors using the City of Phoenix cooperative contracts with Velocity Truck Centers dba Freightliner of Arizona, LLC; Sonsray Machinery, LLC; Balar Holding, Corp.; Southwest JCB, Inc.; and Simpson Norton Corporation and increase the contract by \$1,000,000 from \$2,500,000 to \$3,500,000 annually, with an annual increase allowance of up to 5% or the adjusted Consumer Price Index.

- \*4-g. Use of a Cooperative Term Contract for Advanced AI Assisted Services for Sewer Condition Inspection and Assessment for the Water Resources Department. **(Citywide)**

Water Resources performs sewer condition assessments to evaluate the current state of the City's sewer infrastructure and identify potential problems before they escalate into major failures. Sewer condition assessments are essential in preventing costly repairs, minimizing service disruptions, managing risk, meeting regulatory compliance, and extending asset life. This contract will enable the department to conduct more sewer assessments than is currently possible through traditional service contracts.

The Water Resources Department and Procurement Services recommend authorizing this purchase using the Houston-Galveston Area Council (HGACBuy) cooperative contract with SewerAI Corporation at \$550,000 annually, with an annual increase allowance of up to 5% or the adjusted Consumer Price Index. This purchase is funded by Wastewater Utility Revenue Obligations.

- \*4-h. Purchase of Fire Monitors for the Mesa Fire and Medical Department. (Sole Source). **(Citywide)**

The Mesa Fire and Medical Department will be placing BlitzFire® monitors on the City's pumper trucks. These portable monitors can flow up to 500 GPM either in an attended or unattended mode. These monitors will allow a single firefighter to conduct an effective fire attack and can be used to assist in ventilating commercial structures. The acquisition of these simple, light, and highly maneuverable attack monitors will better equip our department for large Lithium-Ion fires, including electric vehicle fires.

The Mesa Fire and Medical Department and Procurement Services recommend awarding the contract to the sole source vendor, L.N. Curtis & Sons at \$146,000 based on estimated requirements.

- \*4-i. Three-Year Term Contract with Two-Year Renewal Options for Generator Maintenance and Repair Services for the Department of Innovation and Technology. **(Citywide)**

This contract is for the performance of routine backup generator preventive maintenance, inspections and service interval and major repair services, generator rental services, and generator refueling services for 13 communications locations.

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 Valleywide Generator Service (a Mesa business) at \$500,000 annually, with an annual increase allowance of up to 5% or the adjusted Consumer Price Index.

- \*4-j. Three-Year Term Contract with Two-Year Renewal Options for Commercial Printing for the Business Services Department. **(Citywide)**

Print Services provides essential and cost-effective printing services to all city departments in support of their programs. Print Services will utilize this contract for printing projects they do not have the proper equipment for, or where it is not economically optimal for them to complete certain projects. Included are booklets, brochures, magazines, envelopes, and other customer printing.

The Business Services Department and Procurement Services recommend awarding the contract to the lowest, responsive, and responsible bidders: United Printing and Mailing; Di-Mor Business Forms, Inc.; the Masters Touch, LLC; and Courier Graphics Corporation at \$167,000 annually, with an annual increase allowance of up to 5% or the adjusted Producer Price Index.

5. Take action on the following resolutions:

- \*5-a. Approving and authorizing the City Manager to enter into a Grant Award with the Office of Justice Programs, to accept \$262,136 in grant funds for the Police Department's Forensic Services Division for DNA capacity enhancement and backlog reduction. **(Citywide)** – Resolution No. 12288

- \*5-b. Approving and authorizing the City Manager to enter into a Grant Award with the Department of Justice Office of Community Oriented Police Services Office for the FY24 Law Enforcement Mental Health and Wellness Act Implementation Project; and, to accept \$187,368 in grant funds for the Police Department's Human Resources Division

to administer a Mental Health and Wellness Program. **(Citywide)** – Resolution No. 12289

- \*5-c. Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with the City of Tempe and the Mesa Police Department to allow both parties to use each other's Detention Facilities for booking and holding of prisoners and the use of transport vehicles. **(Citywide)** – Resolution No. 12290
- \*5-d. Approving the purchase of three parcels of real property with the addresses of 17, 31, and 37 West University Drive that consist of 0.92± acres of vacant land and authorizing the City Manager to enter into the documents necessary to purchase the property for \$2,100,000. The purchase of the property is intended to help facilitate the potential development of an affordable housing complex for seniors. The purchase is covered by federal funds from the Neighborhood Stabilization Program (NSP) of \$1,926,000. The remaining funding is from the General Fund, sourced from a developer reimbursement of HOME (Home investment partnership programs) dollars related to a project that did not move forward. **(District 4)** – Resolution No. 12291
- \*5-e. Extinguishing a temporary drainage easement located on the south side of the 10000 block of East Hampton Road to allow for development of the property; requested by the property owner. **(District 6)** – Resolution No. 12292

6. Introduction of the following ordinances and setting November 18, 2024 as the date of the public hearing on these ordinances:

- \*6-a. Proposed amendments to Title 4, Chapters 3 and 9 of the Mesa City Code pertaining to electric vehicle charging standards for new construction. The amendments pertain to requirements for installation of certain infrastructure to aid in providing electric vehicle charging in single family and multiple residential developments. – Ordinance No. 5890
- \*6-b. Proposed amendments to Section 11-43-7 of Title 11 of the Mesa City Code pertaining to Freeway Landmark Monuments. The proposed text amendments codify development standards currently contained within the Freeway Landmark Monument Design Guidelines. The amendments also include but are not limited to modifying the eligible location standards; modifying the number, sign area, and height requirements; adding spacing requirement; modifying height measurements; modifying design standards; adding electronic message display standards; adding provisions setting forth the required approvals and review process and a process to allow for the modification of development standards; adding sign permit and maintenance standards; and the repeal of the design guidelines. **(Citywide)** – Ordinance No. 5886

Staff Recommendation: Adoption

P&Z Board Recommendation: Adoption (Vote: 4-0)

**This ordinance was previously introduced on October 21, 2024, at City Council meeting and is being reintroduced due to minor revisions.**

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

- \*7-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)

- \*7-b. ZON24-00498 "Able Steel Fabricators." (**District 1**) Within the 4100 block of East Quartz Circle (north side) and within the 3300 to 3500 blocks of North Norwalk (west side). Located north of McDowell Road and west of Greenfield Road (10.2± acres). Rezone from General Industrial (GI) and Light Industrial (LI) to General Industrial with a Planned Area Development overlay (GI-PAD) and Major Site Plan Modification. This request will allow for the expansion of an industrial development. 4150 Investments LLC, owner; Greg Hitchens, Hitchens Associates Architects, applicant. – Ordinance No. 5887

Staff Recommendation: Approval with conditions

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

### Items not on the Consent Agenda

8. Discuss, receive public comment, and take action on the following ordinance:

- 8-a. Proposed amendments to Section 11-25-4 of Title 11 of the Mesa City Code pertaining to Billboards. The text amendments include but are not limited to modifying the spacing requirements between Billboards; modifying the spacing requirements between Billboards and Residential Zoning Districts or residential uses; and modifying Billboard height requirements. (**Citywide**) – Ordinance No. 5889

Staff Recommendation: Adoption

P&Z Board Recommendation: Adoption (4-0)

It was moved by Councilmember Duff, seconded by Councilmember Freeman, that Ordinance No. 5889 be adopted.

Upon tabulation of votes, it showed:

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

Mayor Giles declared the motion carried by majority vote of those present.

9. Conduct a public hearing and take action on the following minor General Plan amendment resolution, take action on the following zoning case, and take action on the following development agreement resolution, all relating to a proposed development known as "The Landing at Falcon Field":

Mayor Giles announced that this was the time and place to conduct a public hearing on minor General Plan amendment ZON24-00346, zoning case ZON23-00653, and development agreement.



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

- 9-a. ZON24-00346 "GP Minor Amendment for the Landing at Falcon Field." (**District 2**) Within the 4600 to 4800 blocks of East McKellips Road (south side), within the 1700 to 2000 blocks of North 48th Street (west side), and within the 1700 to 2000 blocks of North 46th Street (east side). Located east of Greenfield Road and south of McKellips Road (34± acres). Minor General Plan Amendment. This request will change the General Plan Character Area designation from Mixed Use Activity to Employment. Evergreen-Greenfield & McKellips Land, L.L.C, owner; Jazzmine Clifton, Evergreen Development, applicant. – Resolution No. 12293

Staff Recommendation: Adoption

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

- 9-b. ZON23-00653 "The Landing at Falcon Field." (**District 2**) Within the 4600 to 4800 blocks of East McKellips Road (south side), the 1700 to 2000 blocks of North 48th Street (west side), and the 1700 to 2000 blocks of North 46th Street (east side). Located east of Greenfield Road and south of McKellips Road (34± acres). Rezone from Light Industrial (LI) to Light Industrial with a Planned Area Development overlay (LI-PAD), Site Plan Review, and revocation of a Council Use Permit (CUP). This request will allow for an industrial development. Evergreen-Greenfield & McKellips Land, L.L.C, owner; Jazzmine Clifton, Evergreen Development, applicant. – Ordinance No. 5888

Staff Recommendation: Approval with conditions

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

- 9-c. Approving and authorizing the City Manager to enter into a Development Agreement with Evergreen-Greenfield & McKellips Land, L.L.C. to develop an industrial campus known as "The Landing at Falcon Field" on approximately 33 acres of real property within the 4600 to 4800 block of East McKellips Road (south side), the 1700 to 2000 block of North 48th Street (west side), and the 1700 to 2000 block of North 46th Street (east side), generally located east of Greenfield Road and south of McKellips Road in Mesa, Arizona. The development agreement prohibits and restricts certain uses on the property. (**District 2**). – Resolution No. 12294

Mayor Giles stated that pending no objection of the Council, Items 9-a, 9-b, and 9-c would be voted on in one motion.

It was moved by Councilmember Spilsbury, seconded by Councilmember Somers, that Resolution Nos. 12293, 12294 and Ordinance No. 5888 be adopted.

Upon tabulation of votes, it showed:

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

NAYS – None

ABSENT – Heredia

Mayor Giles declared the motion carried unanimously by those present.

10. Items from citizens present.

There were no items from citizens present.

11. Adjournment.

Without objection, the Regular Council Meeting adjourned at 6:07 p.m.

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JOHN GILES, MAYOR

ATTEST:

\_\_\_\_\_  
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 4<sup>th</sup> day of November 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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