



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

**Monday, July 11, 2022
5:45 PM**

**Council Chambers
57 East 1st Street**

PARTICIPATING AND ATTENDING MEETINGS: The public is welcome and encouraged to speak at City Council regular meetings on an agenda item or on an issue that is not specifically on the agenda during "Items from Citizens Present." The public may attend and participate in person, electronically, and telephonically. Speakers will generally be given three minutes.

IN PERSON COMMENT: Submit a blue speaker/comment card to the City Clerk prior to the meeting. You have the choice to have your comments read aloud or to speak. If you choose to speak, your name will be called, and you will be asked to address Council at the lectern.

TELEPHONE COMMENT: Submit an online comment card at least one hour prior to the meeting by going to mesaaz.gov/bluecard. At the start of the meeting, call 888-788-0099 or 877-853-5247 (toll free) using meeting ID 5301232921 and follow the prompts. You will be prompted to unmute your line when it is time for you to speak.

ELECTRONIC COMMENT: Submit an online comment card at least one hour prior to the start of the meeting by going to mesaaz.gov/bluecard. The comment will be read during the live meeting that can be watched on local cable Mesa Channel 11 or online at mesaaz.tv/live or <https://facebook.com/CityofMesa>.

For help with the online comment card or for any technical difficulties, please call (480) 644-2099.

CONSENT AGENDA: All items listed 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. Please submit a blue speaker/comment card to the City Clerk before the meeting to move an item off the consent agenda.

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. Si necesita asistencia o traducción en español, favor de llamar al menos 48 horas antes de la reunión al 480-644-2767.

DECORUM: All persons attending the Council meeting are asked to observe the rules of politeness, propriety, decorum, and good conduct. Any person interfering with the meeting will be asked to leave or removed from the meeting and will not be allowed to return. To give everyone an opportunity to speak, comments are generally limited to three minutes unless otherwise determined by the Mayor. Comments must be relevant to the item being discussed, except during Items from Citizens Present. Councilmembers are generally not permitted to discuss or take legal action on any matters raised by the public that are not specifically on the agenda. If you are with a group, please designate a spokesperson. When it is your turn, please step up to the lectern, speak clearly into the microphone, and begin by stating your name and address for the record. If you have materials to hand out, please give them to the City Clerk for distribution to the Council and staff. Eleven copies of each document are needed to insure there are enough handouts. Political campaigning is prohibited by state law.

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. 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 Jennifer Duff - District 4
Councilmember Mark Freeman - District 1
Councilmember Julie Spilsbury - District 2
Councilmember Francisco Heredia - District 3
Councilmember David Luna - District 5
Councilmember Kevin Thompson - District 6**

Mayor's Welcome

Roll Call

Invocation by Reverend Jen Lambert with Red Mountain United Methodist Church.

Pledge of Allegiance

Awards, Recognitions and Announcements

1 Take action on all consent agenda items.

Items on the Consent Agenda

*2 [22-0449](#) Approval of minutes of previous meetings as written.

3 Take action on the following liquor license applications:

*3-a [22-0885](#) AJ's #61

A grocery store is requesting to add sampling privileges to the existing Series 9 Liquor Store License for Raley's Arizona LLC, 1836 South Val Vista Drive; Michael Joseph Basha, agent. The existing license held by Raley's Arizona LLC. will revert to the State for modification. **(District 2)**

*3-b [22-0886](#) Cobblestone Auto Spa & Market #17

A carwash and convenience store is requesting a new Series 10 Beer and Wine Store License for Cobblestone Flex & Fuel OPCP LLC, 7215 South Ellsworth Road; Amy S. Nations, agent. There is no existing license at this location. **(District 6)**

*3-c [22-0887](#) Family Dollar #32694

A general merchandise retailer is requesting a new Series 10 Beer and Wine Store License for Family Dollar Inc., 6036 East Main Street; Brenda E. Sallard, agent. There is no existing license at this location. **(District 2)**

*3-d [22-0888](#) Main Street Mart

A convenience store is requesting a new Series 10 Beer and Wine Store License for The Main Street Mart LLC, 714 East Main Street; Gazal Kaur Nagi, agent. There is no existing license at this location. **(District 4)**

***3-e** [22-0889](#) Burritoholics

A restaurant that serves breakfast, lunch, and dinner is requesting a new Series 12 Restaurant License for Burritoholics LLC, 216 West Main Street; Obed De La Cruz, agent. There is no existing license at this location. **(District 4)**

***3-f** [22-0890](#) First Watch Restaurant 204

A restaurant that serves breakfast and lunch is requesting a new Series 12 Restaurant License for First Watch Restaurants Inc., 1665 South Dobson Road; Joanne Karen Feinstein, agent. There is no existing license at this location. **(District 3)**

***3-g** [22-0891](#) First Watch Restaurant 205

A restaurant that serves breakfast and lunch is requesting a new Series 12 Restaurant License for First Watch Restaurants Inc., 1939 South Val Vista Drive, Suite 108; Joanne Karen Feinstein, agent. There is no existing license at this location. **(District 2)**

***3-h** [22-0892](#) Konakava

A bar that serves breakfast, lunch, and dinner is requesting a new Series 12 Restaurant License for Konakava LLC, 1457 West Southern Avenue, Suite 1; Kelly Jo Corno, agent. There is no existing license at this location. **(District 3)**

***3-i** [22-0893](#) Mesa Sakura Sushi

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Mesa Sakura Sushi Inc., 1545 South Power Road, Suite 116; Yung Lau, agent. There is no existing license at this location. **(District 6)**

***3-j** [22-0894](#) Native Grill & Wings

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Kind Native LLC, 318 East Brown Road, Suite 112; Navayogasingam Thuraisingam, agent. The existing license held by Hot Toys LLC, will revert to the State. **(District 1)**

4 Take action on the following contracts:

- *4-a** [22-0900](#) Dollar-Limit Increase to the Term Contract for Hosted Event Booking Solution for the Parks, Recreation and Community Facilities Department **(Citywide)**

PRCF's facility, room, and resource reservation management solution FastBook for the Convention Center, Amphitheatre, and The Post has reached end of life. The dollar-limit increase is needed to purchase the hosted subscription and thereafter, ongoing annual maintenance services.

The Parks, Recreation and Community Facilities Department, Innovation and Technology Department, and Purchasing recommend increasing the dollar-limit with Ungerboeck Systems International, Inc., Year 7 by \$61,065, from \$63,000 to \$124,065 and thereafter by \$25,560, from \$63,000 to \$88,560 annually, based on estimated requirements.

- *4-b** [22-0899](#) Use of a Cooperative Contract for a Seven-Month Term Contract with Four Years of Renewal Options for High Availability Data Storage (Replacement/Upgrade) for the Transportation Department (as requested by the Department of Innovation and Technology) **(Citywide)**

This purchase is part of the City's Lifecycle Management Program to replace and upgrade aging hardware that has reached its end of life. The servers used by the Transportation Department to operate and maintain the Intelligent Transportation Systems (ITS) Network have reached the serviceable end of life and need to be replaced. The solution will provide the ITS Network with triple the storage and computing capabilities which will maintain the current traffic signal system and expand the data collection practices utilizing high resolution data for improved performance of the City's 493 traffic signals and associated ITS devices.

The Department of Innovation and Technology, Transportation Department and Purchasing recommend authorizing the purchase using the Strategic Alliance for Volume Expenditures (S.A.V.E.)/City of Tempe cooperative contract with IT Partners, at \$96,168 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index. This purchase is funded by Transportation Department FY 2023 Lifecycle Funds.

***4-c** [22-0897](#)

Three-Year Term Contract with Two Years of Renewal Options for Binocular Night Vision Devices for the Mesa Police Department **(Citywide)**

This contract will provide binocular night vision devices for the Mesa Police SWAT Team. This device has been purchased in the past and will maintain a consistent inventory. This equipment is interoperable between agencies.

The Police Department and Purchasing recommend awarding the contract to the lowest, responsive, and responsible bidder, Mile High Shooting Accessories, at \$165,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index. The initial purchase is grant funded by Arizona Department of Homeland Security.

***4-d** [22-0895](#)

Purchase of Two CNG Powered Automated Side-Loader (ASL) Refuse Trucks (One Addition and One Replacement) and Two CNG Front-Loader Refuse Trucks (Additions) for the Environmental Management and Sustainability Department **(Citywide)**

One ASL is being replaced as part of the ongoing vehicle replacement program. This refuse truck has met the established criteria and will be either traded, auctioned, sold, or deployed to special uses. One ASL and two front loaders will be additions to the fleet. These are growth trucks to the Solid Waste fleet and with these vehicle additions, Environmental Management and Sustainability will have a total of 56 ASL vehicles and 17 front loaders. The department has been replacing diesel trucks with CNG trucks as part of the conversion of the fleet. This purchase supports the City's Climate Action Plan.

The Fleet Services and Environmental Management and Sustainability Departments and Purchasing recommend authorizing the purchase using the State of Arizona Department of Administration cooperative contract with Rush Truck Centers of Arizona, dba Rush Truck Center Phoenix, for \$1,932,684.54. This purchase is funded by the Solid Waste Development Fee and Utility Replacement Renewal and Extension Fund.

***4-e** **22-0898** Dollar-Limit Increase to the Term Contract for Brigade Driving and Safety Solution for the Environmental Management and Sustainability Department **(Citywide)**

The department requests a one-time dollar limit increase to replace camera kits (equipment/products) for 11 Solid Waste trucks. The purpose of the system is to monitor and record what is occurring in and around the vehicle as it is being operated, and to act as a record of documentation in matters of disputes, public safety, and claims of damage to persons and/or property. This system enhances the department's safety program and provides better customer service in situations of questionable service and provide a safety tool while on route and serving the community.

The Environmental Management and Sustainability Department and Purchasing recommend increasing the dollar-limit with Mountain Regional Equipment Solutions, Inc., Year 3 by \$75,000, from \$50,000 to \$125,000.

***4-f** **22-0896** Use of a Cooperative Contract for the Purchase of Two Heavy-Duty Compressed Natural Gas (CNG)-Powered Construction Trucks with Dump Bodies (Additions) for the Energy Resources Department as requested by the Fleet Services Department **(Citywide)**

These heavy-duty dump trucks are required for excavating and construction activities for gas services and mains. Gas crews use these trucks to perform many functions such as, excavation and backfilling gas mains/services, filling dirt at job sites, transporting spoils to the landfills, and transporting heavy equipment and materials to job sites. CNG-powered vehicles are quieter, have similar performance, and produce fewer greenhouse gases and tailpipe emissions. This purchase supports the City's Climate Action Plan.

The Fleet Services and Energy Resources Departments and Purchasing recommend authorizing the purchase using the State of Arizona Department of Transportation cooperative contract with Freightliner of Arizona, at \$565,656.74. This purchase is funded by the Capital Utility Fund.

- *4-g** [22-0901](#) Use of a Cooperative Contract for a Four-Month Term Contract with Four Years of Renewal Options for Wastewater Sampling for the Water Resources Department (**Citywide**)

This contract will provide for the collection of wastewater samples for the Greenfield Water Reclamation Plant and delivery to the City's Compliance Laboratory for testing. Sampling services will assist the City in remaining compliant with EPA guidelines and ADEQ Permitting requirements.

The Water Resources Department and Purchasing recommend authorizing the purchase using the Strategic Alliance for Volume Expenditures (S.A.V.E.)/City of Tempe cooperative contract with Western Environmental Equipment Company, Inc., at \$190,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

- *4-h** [22-0904](#) Red Mountain Park Expansion Project - Construction Manager at Risk (CMAR), Second Guaranteed Maximum Price (GMP No. 2) (**District 5**)

This is the second, and final, GMP for this CMAR project. The scope of work is the completion of additional sports fields, parking lots, irrigation system improvements, new restroom/storage buildings, and landscape/miscellaneous improvements.

Staff recommends awarding the contract the selected CMAR, Valley Rain Construction Corp., in the amount of \$25,899,133.73, (GMP No. 2), and authorizing a change order allowance in the amount of \$1,294,956.69 (5%), for a total amount of \$27,194,090.42. This project is funded by 2018 General Obligation bonds and Capital General Funds.

- *4-i** [22-0911](#) Ellsworth Road and Gateway Boulevard Utility and Roadway Improvements - Construction Manager at Risk (CMAR), Guaranteed Maximum Price No. 1 (GMP No. 1) (**District 6**)

The first GMP for this project is for procurement of critical materials (water, sewer, storm drain pipe) and other associated tasks. These things are needed for constructing City roadway and utility infrastructure to aid in the development of the east side of the Phoenix-Mesa Gateway Airport.

Staff recommends awarding a contract for this project to Sundt Construction, Inc., in the amount of \$4,714,052, and authorizing a change order allowance in the amount of \$471,405 (10%), for a total amount of \$5,185,457. This project is funded by the Utility Systems Revenue Obligations, 2020 Street Bonds, and the Transportation fund.

***4-j** **[22-0905](#)** Ratification of the Emergency Purchase for Dobson Ranch Library Structural Column Repairs **(District 3)**

During the demolition phase of construction to the Dobson Library, the removal of landscape retaining walls and concrete walkways exposed structural damage to lower portions of two three-foot diameter concrete columns at the front entrance to the library. To avoid construction delays and mitigate the risk of further structural damage, an emergency purchase was issued on March 30, 2022 for the structural repairs that included the removal of corroded rebar and concrete, welding new rebar in place, and adding new concrete.

This emergency purchase resulted in a construction contract with Restruction, a division of Structural Preservation Systems, LLC, in the amount of \$30,000, and an authorized change order allowance of \$10,000, for a total contract amount of \$40,000.

***4-k** **[22-0915](#)** Southeast Mesa Library Project - Pre-Construction Services and Construction Manager at Risk (CMAR) **(District 6)**

The approved 2018 General Obligation Bond program include the construction of a new library to serve the southeast portion of the City of Mesa. This new library, located at 5036 South Eastmark Parkway, is anticipated to be approximately 30,000 square feet, and will include amenities similar to the Red Mountain and Dobson Ranch Libraries.

Staff recommends selecting Willmeng Construction Inc., as the CMAR for this project, and awarding a pre-construction services contract in the amount of \$186,334. This project is funded by the 2018 General Obligation Bond program.

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

***5-a** **[22-0884](#)** Extinguishing a drainage easement and drainage covenant located at 10655 East Southern Avenue, to accommodate construction of a new frozen custard restaurant; requested by the property owner. **(District 5)**

***5-b** **[22-0941](#)** Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with the Arizona Department of Health Services (ADHS) to receive \$25 per per hour, with an annual maximum of \$10,000, to provide immunization services to the public. **(Citywide)**

***5-c** **[22-0868](#)** Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with the Gilbert Unified School District for Surveillance System Emergency Access. **(Citywide)**

- *5-d [22-0913](#) Approving and authorizing the City Manager to enter into the Second Amendment to the Intergovernmental Agreement with the City of Tempe to provide for two additional five-year terms and increase Tempe's contribution from \$15,000 to \$20,000 per year for the Regional Water - Use it Wisely™ media campaign. **(Citywide)**
- *5-e [22-0864](#) Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with the Town of Gilbert for Cooperative Law Enforcement Training Operations. **(Citywide)**
- *5-f [22-0914](#) Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with the Phoenix-Mesa Gateway Airport Authority for the Aviation Way Improvements Project, from Ellsworth Road to the future Gateway Boulevard, near the intersection of Ellsworth Road and Williams Field Road. **(District 6)**
- *5-g [22-0912](#) Approving and authorizing the City Manager to enter into a License Agreement with Arizona State University to provide entrepreneurial and innovation program within The Studios at Mesa City Center located at 59 East 1st Street. **(District 4)**
- *5-h [22-0902](#) Approving and authorizing the City Manager to enter into a Lease Agreement with Aster Aging, Inc., for a portion of City-owned property at the Mesa Senior Center, located at 247 North Macdonald. **(District 4)**
- *5-i [22-0903](#) Approving and authorizing the City Manager to enter into a Lease Agreement with Oakwood Creative Care, Inc., for a portion of City-owned property at the Mesa Senior Center located at 247 North Macdonald. **(District 4)**
- *5-j [22-0880](#) Approving and authorizing the City Manager to enter into a Mesa Subrecipient Agreement with A New Leaf, Inc. for the operation of a bridge to housing program at the Helaman House, 1311 East University Drive, that will provide emergency temporary housing and other emergency programs and services through December 31, 2024, and to be funded with Coronavirus State and Local Fiscal Recovery Funds in the amount of \$2,500,000. **(District 4)**
- *5-k [22-0909](#) Approving the transfer of ownership of a City-owned parcel of real property and improvements located in Mesa, Arizona to A New Leaf, Inc., and authorizing the City Manager to execute documents to facilitate the transfer. **(District 4)**

The property is located near the intersection of Mesa Drive and Main Street ("Main Property"), acquired and/or improved with CDBG program funds, and is currently leased by A New Leaf. The transfer is recommended by City staff and meets the City Council-approved criteria for the disposition of City-owned property encumbered by CDBG funding to a nonprofit agency.

- *5-l** [22-0942](#) Approving the transfer of ownership of a City-owned parcel of real property and improvements located in Mesa, Arizona to A New Leaf, Inc., and authorizing the City Manager to execute documents to facilitate the transfer. **(District 4)**

The property is located near the intersection of and University Drive and Country Club Drive (“University Property”), acquired and/or improved with CDBG program funds, and is currently leased by A New Leaf. The transfer is recommended by City staff and meets the City Council-approved criteria for the disposition of City-owned property encumbered by CDBG funding to a nonprofit agency.

- *5-m** [22-0766](#) Approving and authorizing the City Manager to enter into a Fiber License Agreement with Google Fiber for the placement of a fiber optic cable network within the public right-of-way. **(Citywide)**

- *5-n** [22-0906](#) Approving and authorizing the City Manager to enter into a Fiber License Agreement with SiFi Networks Mesa LLC for the placement of a fiber optic cable network within the public right-of-way. **(Citywide)**

- *5-o** [22-0907](#) Approving and authorizing the City Manager to enter into a Fiber License Agreement with Wyverd Connect LLC for the placement of a fiber optic cable network within the public right-of-way. **(Citywide)**

- *5-p** [22-0908](#) Approving and authorizing the City Manager to enter into a Fiber License Agreement with Ubiquity Arizona, LLC for the placement of a fiber optic cable network within the public right-of-way. **(Citywide)**

6 Introduction of the following ordinances and setting August 22, 2022 as the date of the public hearing on these ordinances:

- *6-a** [22-0845](#) ZON22-00268 **(District 6)** Within the 9200 to 9600 blocks of East Pecos Road (north side) and the 6400 to 6800 blocks of South Ellsworth Road (east side). Located north of Pecos Road and east of Ellsworth Road (87± acres). Rezone from Agricultural (AG) to Light Industrial with a Planned Area Development overlay (LI-PAD) and Site Plan Review. This request will allow for an industrial development. Gammage and Burnham, PLC, applicant; Pacific Proving LLC, owner.

Staff Recommendation: Approval with conditions

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

- *6-b** [22-0867](#) ZON22-00260 (**District 5**) Within the 9100 block of East University Drive (south side) and the 300 block of North Ellsworth Road (west side). Located south of University Drive and west of Ellsworth Road (4± acres). Rezone from Multiple Residence 4 (RM-4) to Limited Commercial (LC) and Site Plan Review. This request will allow for the development of a restaurant with drive-thru. Benjamin Tate, Withey Morris, PLC, applicant; Valencia Heights LLC, owner.

Staff Recommendation: Approval with conditions

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

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

- *7-a** [22-0844](#) ZON22-00237 (**District 1**) Within the 0 to 200 blocks of North Val Vista Drive (west side). Located north of Main Street on the west side of Val Vista Drive (4± acres). Council Use Permit (CUP) and Site Plan Modification. This request will allow for the development of a mini-storage facility with RV and boat storage. Nathan Palmer, applicant; Intelliguard Group, LLC, owner.

Staff Recommendation: Approval with conditions

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

- *7-b** [22-0840](#) ZON21-00793 (**District 4**) Within the 450 blocks of West Holmes Avenue (south side). Located west of Country Club Drive and north of the US 60 Superstition Freeway (0.8± acres). Rezone from Limited Commercial (LC) 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. Brian Fracasse, Fracasse Architecture, LLC, applicant; RWI Properties LLC, owner.

Staff Recommendation: Approval with conditions

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

- *7-c** [22-0842](#) ZON22-00157 (**District 5**) Within the 4400 to 5200 blocks of East McKellips Road (north side); within the 2000 to 2800 blocks of North Greenfield Road (east side); within the 4400 to 5200 blocks of East McDowell Road (south side); and within the 2000 to 2800 blocks of North Higley Road (west side). Located north of McKellips Road and east of Greenfield Road (575.5± acres). Falcon Field Design Guidelines Update. This request will modify the existing Design Guidelines to guide future development at Falcon Field Airport. City of Mesa, applicant; City of Mesa, owner.

Staff Recommendation: Approval with conditions

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

8 Discuss, receive public comment, and take action on the following annexation and zoning ordinances pertaining to the CapRock Mesa Legacy Industrial Project development:

***8-a** [22-0846](#) ANX22-00020 (**District 6**) Annexing property located north of Pecos Road and east of Ellsworth Road (37.7± acres). Initiated by the applicant, Gammage and Burnham; for the owner, Pacific Proving LLC.

***8-b** [22-0773](#) ZON22-00085 (**District 6**) Within the 10000 to 10400 blocks of East Pecos Road (north side). Located east of Ellsworth Road and west of Signal Butte Road, on the north side of Pecos Road (38+ acres). Rezone from Agricultural (AG) to Light Industrial with a Planned Area Development overlay (LI-PAD) and Site Plan Review. This request will allow for an industrial development. Gammage and Burnham, PLC, applicant; Pacific Proving LLC, owner.

Staff Recommendation: Approval with conditions

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

9 Take action on the following subdivision plats:

***9-a** [22-0881](#) “MONTE VILLAGRO” (**District 5**) Within the 7600 block of East University Drive (south side) and within the 300 block of North Sossaman Road (east side). Located on the southeast corner of University Drive and Sossaman Road (1.7± acres). Lavigna Investments Corporation, developer; Bruce R. Heyse, surveyor.

***9-b** [22-0882](#) “WILLIS INDUSTRIAL PARK” (**District 6**) Within the 9300 to 9500 blocks of East Willis Road (south side). Located north of Germann Road on the east side of Ellsworth Road (64.5± acres). Mutual Development Partners, developer; Geoffrey K. Brimhall, surveyor.

Items not on the Consent Agenda

10 Conduct a public hearing on the following proposed annexation cases:

10-a [22-0878](#) Public hearing prior to the release of the petition for signatures for the proposed annexation case ANX22-00161, located south of Brown Road on the west side of Crismon Road. (8± acres). This request has been initiated by the applicant, Pew & Lake, PLC, for the owner, KMC Holdings LLC. (**District 5**)

10-b [22-0879](#) Public hearing prior to the release of the petition for signatures for the proposed annexation case ANX22-00266, located north of Pecos Road on the east side of South Ellsworth Road (89.8± acres). This request has been initiated by the applicant, Gammage & Burnham, for the owner, Pacific Proving LLC. (**District 6**)

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

- 11-a** [22-0181](#) ZON21-00940 (**District 2**) Within the 3100 block of East Southern Avenue (south side) and the 1200 block of South 32nd Street (west side). Located east of Lindsay Road on the south side of Southern Avenue (2.4± acres). Rezone from Single Residence 9 (RS-9) to Multiple Residence 3 with a Planned Area Development overlay (RM-3-PAD) and Site Plan Review. This request will allow for a multiple residence development.

Staff Recommendation: Approval with conditions

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

Legal protest. An affirmative vote of three-fourths of the members of City Council is required to adopt this Ordinance, pursuant to A.R.S. § 9-462.04(H).

12 Items from citizens present. (Maximum of three speakers for three minutes per speaker.)**13 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.