



# COUNCIL MINUTES

May 6, 2024

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on May 6, 2024, at 6:02 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 Angel McCombs with Spiritual Assembly of the Baha'is of Mesa.

Pledge of Allegiance was led by Vice Mayor Heredia.

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 Somers, that the consent agenda items be approved.

Upon tabulation of votes, it showed:

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

NAYS – None

NAYS – Giles

Vice Mayor Heredia declared the motion carried unanimously by those present.

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

Minutes from the February 15, 2024, Strategic Planning Session; February 22, March 14 and 21, 2024, Study Sessions; and April 15, 2024, Regular Council meeting.

3. Take action on the following recommendation made by the Judicial Advisory Board:

- \*3-a. Reappointing City Magistrate David Allen to a two-year term beginning July 1, 2024, and ending June 30, 2026.

Vice Mayor Heredia acknowledged and congratulated City Magistrate David Allen on his reappointment.

4. Take action on the following liquor license applications:

- \*4-a. Tre Bella by Wedgewood Weddings

A wedding venue is requesting a location and ownership transfer of a Series 6 Bar License for Wedgewood Beverage Inc., 113, 117, 119 West Main Street - Andrea Dahlman Lewkowitz, agent. There is no existing license at this location. **(District 4)**

- \*4-b. Real Deal Smoke & Vape

A tobacco shop is requesting a new Series 10 Beer & Wine Store License for Cloud Chaserz LLC, 835 East Southern Avenue Suite 1 - Jeffrey Craig Miller, agent. The existing license held by Real Deal Smoke & Vape LLC will revert to the State. **(District 4)**

5. Take action on the following contracts:

- \*5-a. Use of a Cooperative Contract to Purchase Furniture for the New City Hall and Conference Rooms. **(Citywide)**

The City will relocate the Council Chambers to the newly constructed City Hall located on the northeast corner of Main and Center Streets. The construction project is nearing completion and furniture is needed for the new facility.

The Engineering Department, Business Services Department, and Procurement Services recommend authorizing the purchase using the State of Arizona cooperative contract with Corporate Interior Systems at \$481,000, based on estimated requirements. Funded by Capital General Fund.

- \*5-b. Three-Year Term Contract with Two-Year Renewal Options for Modular Furniture Disassembly, Relocation, and Installation Services for the Business Services Department. **(Citywide)**

This contract will provide a qualified contractors list to perform modular furniture disassembly, relocation, and installation services at various locations throughout the City. Contractors may also be requested to clean panels before installation and move other items such as filing cabinets, chairs, appliances, etc. The City has several projects underway that require disassembly, relocation, and installation services that are critical to the success of the projects. Upcoming future projects may include the CK Luster

Building, Police Headquarters, and the Mesa Center for Higher Education. Other projects will be on an as-needed basis.

A committee representing the Business Services Department and Procurement Services evaluated responses. The evaluation committee recommend awarding the contract to the three highest scored responses from Elontec LLC, the Manning Group LLC, and Modlogics LLC at \$450,000 annually with an annual increase allowance of up to 5% or the adjusted Consumer Price Index.

- \*5-c. Dollar Limit Increase to the Term Contract for Maintenance, Repair, Operating Supplies (MRO), and Related Services Use as requested by the Business Services Department. **(Citywide)**

This contract provides MRO supplies, parts, equipment, and materials for the purchase of bins, totes, divider crates, storage containers, and other miscellaneous items for the new Police Department Evidence Building.

The Business Services Department, Mesa Police Department, and Procurement Services recommend increasing the dollar limit with Grainger by \$500,000, from \$700,000 to \$1,200,000, for the remaining term of the contract.

- \*5-d. Central Mesa Reuse Pipeline - Construction Manager at Risk (CMAR), Guaranteed Maximum Price (GMP) No. 6 of 6. **(District 2)**

GMP No. 6 includes the construction of the north segment of the proposed 36-inch reuse pipeline. The reuse line will be installed via open cut trenching and tunneling, and the scope includes all related appurtenances on the 36-inch water line.

Staff recommend awarding a contract to Garney Companies, in the amount of \$58,142,323 (GMP No. 6) and authorizing a change order allowance amount of \$1,162,847 (2%), for a total authorized amount of \$59,305,170. This project is funded by the Water Utility Systems Revenue Obligations.

- \*5-e. Greenfield Water Reclamation Plant (GWRP) Blower System Electrical Improvements Guaranteed Maximum Price (GMP) No. 2 of 2. **(Citywide)**

GMP No. 2 includes the installation of the electrical equipment that was ordered in GMP No. 1. The electrical equipment to be installed includes various switchgears, transformers, a transfer controller, and associated equipment.

Staff recommends awarding a contract to Ludvik Electric in the amount of \$3,771,417.00 (GMP No. 2) and authorizing a change order allowance in the amount of \$188,570.85 (5%), for a total amount of \$3,959,987.85. This project is funded by the Greenfield Water Reclamation Plant Joint Venture Fund with contributions coming from its partners based on usage. Funding will be split amongst the three partners, Mesa: \$1,655,274.93 (41.8%); Gilbert: \$1,576,075.16 (39.8%); and Queen Creek: \$728,637.76 (18.4%).

- \*5-f. Use of a Cooperative Term Contract with Renewal Options for on-call Training Services for the Water Resources Department. **(Citywide)**

Water Resources initiated a paid certification incentive program in August 2023 for field staff to obtain Arizona Department of Environmental Quality (ADEQ) certifications. The goal of the program is to increase staff's general knowledge and improve eligibility for

promotional opportunities. The new program has resulted in the department conducting more ADEQ certification trainings more frequently and beyond what they can support through in-house staff. The department has one Safety Coordinator so utilizing the Scottsdale contract would allow for additional training opportunities when in-house training is not possible.

Water Resources and Procurement Services recommend authorizing the purchase using the City of Scottsdale cooperative contract with ETC Compliance Solutions, Workplace Safety Specialists, and KUV Consultants LLC at \$150,000 annually, with an annual increase allowance of up to 5% or the adjusted Consumer Price Index.

- \*5-g. Dollar Limit Increase to the Term Contract for Custodial Services - Zone 5 for the Parks, Recreation and Community Facilities Department. **(Citywide)**

This increase provides additional custodial services for the new Economic Development building at 120 North Center Street.

The Parks, Recreation and Community Facilities Department and Procurement Services recommend increasing the dollar limit for the Zone 5 contractor Varsity Contractor's Inc. dba Varsity Facility Services, a KBS Company, by \$33,010.74 from \$1,323,766.71 to \$1,356,777.45 annually, with an annual increase allowance of up to 5% or the adjusted Consumer Price Index.

- \*5-h. Use of Cooperative Term Contracts with Renewal Options for Vehicle Equipment Upfit and Installation Services for the Fleet Services Department. **(Citywide)**

The Maricopa County contract provides for the purchase and installation of vehicle equipment and lighting at an established hourly labor rate. The Contractors provide specialized turnkey vehicle equipment (lights, push-bars, consoles, wiring, etc.) and installation services for the Fleet Services and other service vehicles for the City on an as-needed basis. The City of Phoenix contracts provide for the purchase and installation of emergency vehicle equipment and lighting at an established hourly labor rate to provide specialized turnkey emergency vehicle equipment (lights, sirens, push-bars, detainee cages, consoles, wiring, etc.) and installation services for Mesa Police and Mesa Fire and Medical Department vehicles.

Fleet Services is requesting to utilize twelve (12) of the County vendors and three (3) of the City of Phoenix vendors. There has been a significant increase in the number of vehicles Fleet Services has received this past year and is expected this current fiscal year due to delays in getting vehicles over the past few years. These vehicles will require lighting, emergency lighting, and equipment upfitting. Multiple vendors will help to try to keep up with the demand as City staff are unable to absorb the additional workload.

The Fleet Services Department and Procurement Services recommend authorizing the purchase using the Maricopa County contract with Arizona Truck Pros, BTE Body Company Inc., Drake Truck Bodies LLC, JAR Capital Group Inc., JB Poindexter & Co. Inc., Knapheide Truck Equipment Company Phoenix, Nescon LLC, Norwood Equipment Inc., Pride Outfitting LLC, RWC International Ltd, United Truck & Equipment, and Utility Crane & Equipment; and the City of Phoenix contract with Arizona Emergency Products Inc., Don Chalmers Ford dba MHQ of Arizona, and Kenco LLC dba LSH Lights at \$2,800,000 annually with an annual increase allowance of up to 5% or the adjusted Consumer Price Index.

- \*5-i. Use of a Cooperative Contract for the Purchase of Three Slurry Seal Trucks (Two Replacements/One Addition) for the Transportation Department. **(Citywide)**

This purchase will replace two older slurry trucks that have reached the end of their useful life and provide one additional to ensure adequate spares needed to support Transportation's pavement preservation maintenance program.

Fleet Services, the Transportation Department, and Procurement Services recommend authorizing the purchase using the Sourcewell cooperative contract with Rush Truck Centers of Arizona dba Rush Truck Center Phoenix at \$2,107,585.71, based on estimated requirements. This purchase is funded by Local Street Sales Tax.

- \*5-j. Three-Year Term Contract with a Three-Year Renewal Option for the Development, Management, and Implementation of the Trees are Cool - Growing the Next Generation of Tree Stewards in the Desert Southwest Project for the Environmental and Sustainability Department (US Forest Service Grant) (Single Response). **(Citywide)**

In partnership with the City of Mesa, Mesa Public Schools (MPS), and Trusts for Public Lands, Arizona Sustainability Alliance (AZSA) will develop, manage, and implement the U.S. Forest Service grant funded Trees Are Cool - Growing the Next Generation of Tree Stewards in the Desert Southwest project.

An evaluation committee representing Environmental and Sustainability, Mesa Public Schools, and Procurement Services recommend awarding the single, responsive, and responsible proposal from Arizona Sustainability Alliance up to \$673,000 for the total term of the project based on the term of the grant.

- \*5-k. Three-Year Term Contract with Two-Year Renewal Options for Temperature Controlled Locking Drug Cabinets for the Mesa Fire and Medical Department (Single Bid). **(Citywide)**

Mesa Fire and Medical Department (MFMD) provides pharmaceuticals to patients during emergency response calls. Many of these pharmaceuticals cannot tolerate the intense Arizona heat and require a temperature-controlled environment. Some of the pharmaceuticals fall into the narcotic category, and per City policy, must be stored in a controlled locked container. This contract will provide for the purchase of replacement cabinets and additional cabinets for new emergency response vehicles and facilities.

Mesa Fire and Medical Department and Procurement Services recommend awarding the contract to the single, responsive, and responsible bidder, Budd Medical and Fire Equipment LLC at \$125,000 annually with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index. Funded by General Fund operating budget and Capital General Fund.

- \*5-l. Fire Station 205 Rebuild - Construction Manager at Risk (CMAR) Selection and Pre-Construction Services Contract. **(District 2)**

Rebuild of Fire Station 205 is needed as the current station does not have the capacity for additional growth. Rebuilding the station will allow the Mesa Fire and Medical Department to continue to support the current and future call volume demands in the area with a facility that is adequately sized to meet current standards for staff.

Staff recommend approving the selection of FCI Constructors Inc. as the CMAR for this project and awarding them a Pre-Construction Services contract in the amount of \$99,360.00. This project is funded by 2022 Public Safety bonds.

6. Take action on the following resolutions:

- \*6-a. ZON23-00343 "The Craftsman on Elliot." (**District 6**) Within the 8200 to 8400 blocks of East Elliot Road (north side), within the 3400 to 3500 blocks of South Hawes Road (west side), and within the 3400 to 3600 blocks of the South 82nd Street alignment (east side). Located north of Elliot Road and west of Hawes Road (22± acres). Council Use Permit (CUP) and Site Plan Review. This request will allow for a mixed-use development. Stechnij H/Glenda TR/et al., owner; Cory Bruce, Ware Malcomb, applicant. – Resolution No. 12188

Staff Recommendation: Approval with conditions

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

- \*6-b. ZON22-00779 "Gallery Park Freeway Landmark Monument." (**District 6**) Within the 4900 to 5200 blocks of South Power Road (east side) and within the 6800 to 7000 blocks of East Ray Road (north side). Located south of the Loop 202 SanTan Freeway on the east side of Power Road (42± acres). Council Use Permit. This request will allow for a Freeway Landmark Monument. POWER 202 MIXED-USE LLC, owner; Ralph Pew, Pew & Lake, applicant. – Resolution No. 12189

Staff Recommendation: Approval with conditions

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

- \*6-c. Extinguishing two temporary drainage easements located at 10631 East Southern Avenue to allow for the development of a multi-family project; requested by the property owner. (**District 5**) – Resolution No. 12190
- \*6-d. Extinguishing a public utility easement, a portion of a public utilities and facilities easement, a controlled vehicular access easement, and drainage tracts located at 3615 South Power Road, to allow for a new subdivision plat; requested by the developer. (**District 6**) – Resolution No. 12191

7. Introduction of the following ordinances and setting May 20, 2024 as the date of the public hearing on these ordinances:

- \*7-a. Amending Section 10-4-6 of the Mesa City Code to modify the existing speed limit from 30 mph to 25 mph on North 32nd Street between McKellips Road and McDowell Road as recommended by the Transportation Advisory Board. (**District 1**) – Ordinance No. 5850
- \*7-b. ZON23-00743 "Central Mesa Reuse Pipeline." (**District 1**) Within the 3600 block of East Thomas Road (north side) and within the 3600 block of North Val Vista Drive (east side). Located east of Val Vista Drive on the north side of Thomas Road (0.8± acres). Rezone from General Industrial (GI) to Public and Semi-Public with a Bonus Intensity Zone overlay (PS-BIZ), Council Use Permit (CUP), and Site Plan Review. This request will allow for the development of a steel reclaimed water storage tank. City of Mesa, owner; Brian Border, City of Mesa, applicant. – Ordinance No. 5851

Staff Recommendation: Approval with conditions

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

- \*7-c. ZON21-00874 "Cottages on Sossaman." (**District 2**) Within the 100 block of North Sossaman Road (west side). Located north of Main Street and west of Sossaman Road (2.8± acres). Rezone from Limited Commercial (LC) 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. CBJ LAND LLC, owner; Alex Hayes, Withey Morris Baugh PLC, applicant. – Ordinance No. 5852

Staff Recommendation: Approval with conditions

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

- \*7-d. ZON23-01002 "Whataburger - Power & Broadway." (**District 2**) Within the 300 block of South Power Road (east side) and within the 6800 block of East Broadway Road (north side). Located north of Broadway Road on the east side of Power Road (1± acres). Major Site Plan Modification and amending the conditions of approval for Case No. Z91-038. This request will allow for a restaurant with a drive-thru facility. WNDG LLC, owner; David Cox, applicant. – Ordinance No. 5853

Staff Recommendation: Approval with conditions

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

- \*7-e. ZON22-00214 "Venture on Country Club." (**District 4**) Within the 1300 to 1500 blocks of South Country Club Drive (west side). Located south of Southern Avenue on the west side of Country Club Drive (3± acres). Rezone from Limited Commercial (LC) to Limited Commercial with a Planned Area Development overlay (LC-PAD), Council Use Permit (CUP), and Site Plan Review. This request will allow for a multiple residence development. Venture on Country Club LLC, owner; Lindsay Schube, Gammage & Burnham PLC, applicant. – Ordinance No. 5854

Staff Recommendation: Approval with conditions

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

- \*7-f. ZON23-00174 "SWC Ellsworth Rd and Peterson Ave." (**District 6**) Within the 3400 to 3600 blocks of South Ellsworth Road (west side) and within the 9000 to 9200 blocks of East Peterson Avenue (south side). Located north of Elliot Road on the west side of Ellsworth Road (7.5± acres). Rezone from Planned Employment Park with two Planned Area Development overlays (PEP-PAD-PAD) and Limited Commercial with two Planned Area Development overlays (LC-PAD-PAD) to Limited Commercial (LC) and Site Plan Review. This request will allow for a large commercial development. ELLSWORTH LAND LP, owner; Michelle Santoro, Gammage & Burnham PLC, applicant. – Ordinance No. 5855

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 ordinance:

- \*8-a. ZON23-00378 "Montorres." (**District 4**) Within the 300 block of North Alma School Road (east side). Located south of University Drive and east of Alma School Road (1± acre). Rezone from Office Commercial (OC) to Limited Commercial with a Bonus Intensity Zone overlay (LC-BIZ), Site Plan Review, and Council Use Permit. This request will allow for a mixed-use development. Yesica Montoya Moreno, owner; Tim Boyle, applicant. – Ordinance No. 5849

Staff Recommendation: Approval with conditions

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

9. Take action on the following subdivision plats:

- \*9-a. SUB22-00914 "The Grove on Main Condominium." (**District 4**) Within the 0 to 100 block of South Mesa Drive (east side), the 0 to 100 block of South Udall (east and west sides), and the 0 to 100 block of South LeSueur (west side). Located east of Mesa Drive and south of Main Street (4.6± acres). Property Reserve Arizona LLC, owner; Kirk J. Pangus, HilgartWilson LLC, surveyor.

**Items not on the Consent Agenda**

10. Items from citizens present.

There were no items from citizens present.

11. Adjournment.

Without objection, the Regular Council Meeting adjourned at 6:11 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 6<sup>th</sup> day of May 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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