



City of Mesa
Notice of Meeting Agenda - Final
City Council

Monday, September 11, 2023
5:45 PM

Council Chambers
57 East 1st Street

DECORUM: The public is encouraged to attend City Council meetings in person, telephonically, or electronically. All persons attending the City Council meeting are asked to observe the rules of politeness, propriety, decorum, and good conduct. Anyone disrupting the meeting will be asked to leave or will be removed and may not be allowed to return.

PARTICIPATION: Members of the public at the meeting may address the City Council by providing comments on a specific agenda item or during "Items from Citizens Present." **To request to speak, submit a blue speaker card to the City Clerk prior to the start of a meeting.** When called to speak, please step up to the lectern, speak clearly into the microphone, and begin by stating your name and address for the record. To give everyone an opportunity to speak, comments are generally limited to three minutes unless otherwise determined by the Mayor. If you are with a group, please designate a spokesperson.

For agenda items, comments should be relevant to the item being discussed. During "Items from Citizens Present," the speaker may address the City Council on more general issues. Councilmembers are normally not permitted to discuss or take legal action on any matters raised by the public that are not specifically on the agenda.

If you would like handouts distributed to the City Council, please give them to the City Clerk at the time you submit your blue speaker card. Eleven copies of each document is requested.

CONSENT AGENDA: All items listed on the agenda 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. To request removal of an item from the consent agenda, please submit a blue speaker card to the City Clerk prior to the start of the meeting.

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.

Servicios en Español: Si necesita asistencia o servicio de interpretación en Español, comuníquese con la Ciudad al menos 48 horas antes de la reunión al 480-644-2767.

For more information regarding City Council meetings, including agendas, approved minutes and ways to participate electronically, please visit <https://www.mesaaz.gov/government/city-council-meetings>.

NOTICE: 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, but 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 Francisco Heredia - District 3
Councilmember Mark Freeman - District 1
Councilmember Julie Spilsbury - District 2
Councilmember Jennifer Duff - District 4
Councilmember Alicia Goforth - District 5
Councilmember Scott Somers - District 6

Mayor's Welcome

Roll Call

Invocation by Pastor Jared Moore with Trinity Church.

Pledge of Allegiance

Awards, Recognitions and Announcements

1 Take action on all consent agenda items.

Items on the Consent Agenda

*2 [23-0780](#) Approval of minutes of previous meetings as written.

3 Take action on the following contracts:

*3-a [23-0970](#) Award of One Additional Vendor to the Cooperative Use Term Contract for Heavy-Duty Truck, Construction, Industrial Fleet and Equipment Parts, Services, and Accessories for the Fleet Services Department **(Citywide)**

This contract provides a full line of parts, accessories, and services for City-owned OEM heavy-duty trucks, construction, and industrial fleet equipment. Adding RDO Equipment Co. will provide for purchases that are not currently contracted.

The Fleet Services Department and Purchasing recommend awarding one additional vendor using the Maricopa County cooperative contract with RDO Equipment Co. No additional funds are requested.

4 Take action on the following resolutions:

*4-a [23-0944](#) Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with Pinal County (County) for the replacement of a City of Mesa (City) gas line within County right-of-way. The City will reimburse the County for the costs of \$562,143. This project is funded by the 2010 Gas Bonds. Resolution No. 12090

*4-b [23-0951](#) Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with the Pinal County Sheriff's Office and the Mesa Police Department for cooperative law enforcement training. **(Citywide)** Resolution No. 12091

- *4-c [23-0952](#) Approving and authorizing the City Manager to enter into a Fiber License Agreement with Zayo Group, LLC for the placement of a fiber optic cable network within the public right-of-way. **(Citywide)** Resolution No. 12092
- *4-d [23-0953](#) Extinguishing a portion of a 60-foot temporary retention easement located at 5818 East Baseline Road; requested by the developer. **(District 2)** Resolution No. 12093

5 Take action on the following resolution and introduction of the following ordinance relating to the City of Mesa Personnel Rules, and setting September 18, 2023 as the date of the public hearing on the ordinance:

- *5-a [23-0977](#) Resolution declaring the document filed with the City Clerk and entitled "City of Mesa Personnel Rules" effective October 18, 2023, to be a public record and providing availability of the documents for public use and inspection. **(Citywide)** Resolution No. 12094
- *5-b [23-0976](#) Ordinance repealing the existing Personnel Rules applicable to City of Mesa employees and adopting new Personnel Rules. **(Citywide)** Ordinance No. 5810

6 Introduction of the following ordinances and setting September 18, 2023 as the date of the public hearing on these ordinances:

- *6-a [23-0963](#) 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)

- *6-b [23-0969](#) 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)

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

- *7-a** [23-0894](#) ZON23-00282 "Mountain America Credit Union Mesa Branch" (**District 6**)
Within the 4900 block of South Power Road (east side). Located north of Ray Road on the east side of Power Road (1± acres). Major Site Plan Modification and amending the conditions of approval for Case No. ZON21-00069. This request will allow for a financial institution with a drive-thru. Michael Sanders, Sanders Associates Architects, applicant; POWER 202 MIXED-USE LLC, owner. Ordinance No. 5809

Staff Recommendation: Approval with conditions

P&Z Board Recommendation: Approval with conditions (Vote: 7-0)

8 Take action on the following subdivision plats:

- *8-a** [23-0973](#) SUB22-00181 "Gilbert & McKellips" (**District 1**) Within the 1800 block of East McKellips Road (north side). Located west of Gilbert Road on the north side of McKellips Road (5.2± acres). Arcadia Capital Group LLC, developer. Douglas B. Toney, surveyor.
- *8-b** [23-0974](#) SUB23-00424 "63rd Street and Broadway Road" (**District 2**) Within the 6300 block of East Broadway Road (north side) and within the 300 block of South 63rd Street (east side) and within the 6300 block of East Baywood Avenue (south side). Located north of Broadway Road on the east side of 63rd Street (3.9± acres). CWRP Baywood MOB Owner LLC, developer; Geoffrey K. Brimhall, surveyor.

Items not on the Consent Agenda**9 Take action on the following contract:**

- 9-a** [23-0975](#) Signal Butte Water Treatment Plant Expansion - Construction Manager at Risk (CMAR), Guaranteed Maximum Price (GMP) No. 1 (**District 6**)

This is the first of two GMP projects. GMP No. 1 includes the construction of a second 8-million-gallon storage reservoir as well as plant redundancies which are vital to ensuring that the plant operates efficiently and reliably until full build-out.

Staff recommends awarding a construction services contract to the CMAR, McCarthy Building Companies Inc., in the amount of \$56,603,484.00 (GMP), and authorizing a change order allowance in the amount of \$2,830,174.20 (5%), for a total amount of \$59,433,658.20. This project is funded by Utility Systems Revenue Obligations.

10 Items from citizens present. (Maximum of three speakers for three minutes per speaker.)

11 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.