



City of Mesa
Notice of Meeting Agenda - Final
City Council

Monday, April 1, 2024
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 Michael Heiden of La Mesa Ministries

Pledge of Allegiance

Awards, Recognitions and Announcements

1 Take action on all consent agenda items.

Items on the Consent Agenda

*2 [24-0009](#) Approval of minutes of previous meetings as written.

3 Take action on the following liquor license applications:

*3-a [24-0280](#) American Patriots Riders Club

This is a one-day event to be held on Friday, April 19, 2024, from 5:00 P.M. to 8:00 P.M., at Desert Wind Harley Davidson, 922 South Country Club Drive. **(District 4)**

*3-b [24-0282](#) Ultimate Imaginations Inc.

This is a one-day event to be held on Saturday, April 20, 2024, from 12:00 P.M. to 10:00 P.M., in the streets of the Mesa downtown entertainment district on North Macdonald, between Pepper Place and Main Street. **(District 4)**

*3-c [24-0281](#) Las Sendas Elementary School Parent Teacher Organization

This is a one-day event to be held on Saturday, April 27, 2024, from 6:00 P.M. to 10:00 P.M. at Las Sendas Community Association, 7900 East Eagle Crest Drive. **(District 5)**

*3-d [24-0284](#) Mariscos Mazatlan XX

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Mariscos Mazatlán XX LLC, 1352 East Broadway Road - Francisco Gilberto Rivas, agent. There is no existing license at this location. **(District 4)**

***3-e** [24-0283](#) Total Wine & More #1014

A liquor retailer is requesting a new Series 09S Liquor Store License with sampling privileges for Arizona Fine Wine and Spirits LLC, 1834 South Signal Butte Road - Ryan Witner Anderson, agent. This is a location transfer. The existing license held by Arizona Fine Wine and Spirits LLC will revert to the State for modification. **(District 5)**

***3-f** [24-0285](#) Revel Surf Beach Grill Pavilion

A surf park with a restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Revel Surf LLC, 4503 South Power Road - Lauren Kay Merrett, agent. There is no existing license at this location. **(District 6)**

4 **Take action on the following contracts:**

***4-a** [24-0254](#) Downtown Restaurant Incubator Project - Guaranteed Maximum Price (GMP) **(District 4)**

This GMP includes the complete design of the building renovations including all floors and the exterior improvements for the City owned building at 111 West Main Street. Construction will include all main floor interior improvements needed for the development and operation of food business concepts including a commercial shared use kitchen with appliances, dining/service areas, bathrooms, office and education spaces, and production areas. Exterior improvements include façade renovation, patio space, signage, and roof repairs. The interior basement and second floors will not be fully constructed or furnished under this contract.

Staff recommend awarding a Design-Build contract to 180 Degrees Design Build in the amount of \$4,566,648.90 and authorizing a change order allowance in the amount of \$456,600.00 (10%) for a total amount of \$5,023,248.90. This project is funded by the American Rescue Plan Act (ARPA).

***4-b** **24-0259** Gateway Library - Construction Manager at Risk (CMAR), Guaranteed Maximum Price (GMP) No. 2 of 3 (**District 6**)

This GMP No. 2 is for the construction of a new 28,000 square foot, modern library to serve residents of all ages in the southeast portion of Mesa. Amenities included will be similar to the Red Mountain and Dobson Ranch Libraries. Technology will be utilized to streamline services. GMP No. 1 was awarded previously for HVAC, electrical equipment, utility pipe, and other associated material purchases only.

Staff recommends awarding a construction services contract to the CMAR, Willmeng Construction Inc., in the amount of \$23,069,601, and authorizing a change order allowance in the amount of \$1,153,480 (5%), for a total amount of \$24,223,081. This project is funded by 2018 General Obligation Bonds and General Obligation Fund.

***4-c** **24-0291** Fire Station 223 - Pre-Construction Services and Construction Manager at Risk (CMAR) (**District 1**)

A pre-construction services contract is needed to develop the project design, review the design for constructability, prepare cost estimates, and develop the project schedule and project phasing plan.

Staff recommend selecting Willmeng Construction Inc. as the CMAR for this project and awarding a pre-construction services contract in the amount of \$100,825. This project is funded by 2022 Public Safety Bonds.

***4-d** **24-0292** Fire Station 224 - Pre-Construction Services and Construction Manager at Risk (CMAR) (**District 6**)

A pre-construction services contract is needed to develop the project design, review the design for constructability, prepare cost estimates, and develop the project schedule and project phasing plan.

Staff recommend selecting Core Construction Inc. as the CMAR for this project and awarding a pre-construction services contract in the amount of \$106,056. This project is funded by 2022 Public Safety Bonds.

***4-e** **24-0257** Use of a Cooperative Contract for Risers, Steps, and Riser Skirting for the Parks, Recreation and Community Facilities (Replacement) **(Citywide)**

Current Convention Center risers, steps, and riser skirting are between 17 and 30 years old and are due for replacement. The new equipment will be consistent with the existing style and features owned by the Convention Center but with a modernized appearance and enhanced safety features. By upgrading, the department anticipates increased setup efficiency and reduced labor costs.

The Parks, Recreation and Community Facilities Department and Procurement Services recommend authorizing the purchase using the Texas Association of School Boards, Inc. Cooperative contract with StageRight at \$130,000, based on estimated requirements. This purchase is funded by the Transient Lodging Tax.

***4-f** **24-0256** Three-Year Term Contract with Two Years of Renewal Options for Philips CityTouch Streetlight Monitoring System with Nodes for the Transportation Department (Sole Source) **(Citywide)**

This purchase will provide a CityTouch streetlight monitoring and dimming system and a ten-year service plan with web application access and training for all users. The Philips CityTouch system was originally installed for the dimming pilot study during the Streetlight Master Plan for its ease of use and reliability.

The Transportation Department and Procurement Services recommend awarding the contract to the sole source vendor, Consolidated Electrical Distributors dba Arizona Electric Supply Inc. (a Mesa Business) at \$1,782,000 annually with an annual increase allowance of up to 5% or the adjusted Producer Price Index. This purchase is funded by the Transportation budget through the Lifecycle Program Budget Fund.

***4-g** **24-0258** Use of a Cooperative Contract for the Purchase of One 5-Yard Mini Concrete Mixer Body Truck (Addition) for the Transportation Department **(Citywide)**

This Mini Concrete Mixer Truck will be an essential piece of equipment for the Transportation Concrete Repair work group. The mixer truck will allow staff to pick up concrete material directly from the plant, which will result in improved response times for repairs and enhanced public satisfaction.

The Fleet Services and Transportation Department and Procurement Services recommend authorizing the purchase using the State of Arizona cooperative contract with Freightliner of Arizona LLC at \$210,000 based on estimated requirements. This purchase will be funded by Local Street Sales Tax.

5 Take action on the following resolutions:

- *5-a [24-0200](#) Modifying fees and charges for the Parks, Recreation and Community Facilities Department. **(Citywide)** Resolution No. 12165
- *5-b [24-0242](#) Extinguish a portion of a 20-foot Public Utilities Easement located at 2055 West Riverview Auto Drive to allow for construction of a new multi-family development, requested by the property owner. **(District 3)** Resolution No. 12166
- *5-c [24-0245](#) Approving and authorizing the City Manager to enter into a memorandum of understanding between the City of Mesa and RN 1 Real Estate, LLC (AKA, Culdesac) for approximately 25-acres of City-owned land at the southwest corner of University and Mesa Drives and the next steps for development of the property. Resolution No. 12167
- *5-d [24-0307](#) Approving and authorizing the acquisition of natural gas pipeline transmission capacity through participation in the bidding process, and approving entry of associated contracts upon a successful bid, for additional natural gas transportation capacity at its Clausen Gate Station. Resolution No. 12169

6 Introduction of the following ordinances and setting April 15, 2024 as the date of the public hearing on these ordinances:

- *6-a [24-0249](#) ZON23-00940 "Larry H. Miller Ford" **(District 4)** Within the 1600 to 1900 blocks of South Mesa Drive (east side) and within the 400 to 600 blocks of East Auto Center Drive (both sides). Located north of Baseline Road on the east side of Mesa Drive (26± acres). Rezone from Light Industrial with a Planned Area Development overlay (LI-PAD) to Light Industrial with a new Planned Area Development overlay (LI-PAD) and Major Site Plan Modification. This request will allow for the modification to two automobile dealerships. LHM MFD LLC, owner; Andrew Valestin, Kimley-Horn and Associates Inc., applicant. Ordinance No. 5848

Staff Recommendation: Approval with conditions

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

7 Take action on the following subdivision plats:

- *7-a** [24-0246](#) SUB23-00962 “Enclave at Mountain Bridge” (**District 5**) Within the 9000 block of East Jaeger Street (both sides). Located south of McKellips Road and west of Ellsworth Road (3.3± acres). Reserve 100 LLC, developer; James G. Spring, Atwell, surveyor.

Items not on the Consent Agenda**8 Hear a presentation and discussion on the Heat Relief Program and heat relief services offered in the City of Mesa and Maricopa County, including the impact on vulnerable populations and the necessity for multi-agency collaboration, and take action on the following related resolution:**

- 8-a** [24-0250](#) Approving and authorizing the City Manager, or designee, to enter into an Intergovernmental Agreement with Maricopa County to accept annual funds from April, 1, 2024 to December 31, 2026 relating to the provision of Heat Relief Services in Mesa, including a Day Respite Center for May-September 2024. (**Citywide**) Resolution No. 12168

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