



City of Mesa
Notice of Meeting Agenda - Final
City Council

Monday, May 20, 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 agendized 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 reunion 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 Ben Druyer with Mesa Baptist Church.

Pledge of Allegiance

Awards, Recognitions and Announcements

1 Take action on all consent agenda items.

Items on the Consent Agenda

*2 [24-0012](#) Approval of minutes of previous meetings as written.

3 Take action on the following liquor license applications:

*3-a [24-0482](#) House of Refuge Inc.

This is a one-day event to be held on Saturday, June 22, 2024, from 6:00 P.M. to 9:30 P.M. at Coulter Infiniti located at 6225 East Test Drive. **(District 6)**

*3-b [24-0483](#) Carniceria Los Amigos III

A meat market is requesting a new Series 10 Beer & Wine Store License for Carniceria Los Amigos III LLC, 6102 East Main Street - Maria Monica Gonzalez Vera, agent. There is no existing license at this location. **(District 2)**

*3-c [24-0488](#) OSG Cafe

A restaurant that serves breakfast, lunch, and dinner is requesting a new Series 12 Restaurant License for Tear it up Burgers LLC, 6810 East Main Street - Carlotta Ranae Wheeler, agent. There is no existing license at this location. **(District 2)**

*3-d [24-0489](#) Tom's BBQ

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Becerra's BBQ LLC, 5005 East McKellips Road - Victor Manuel Becerra Padilla. The existing license held by RT BBQ Inc. will revert to the State. **(District 2)**

***3-e** [24-0485](#) Kpot Korean BBQ & Hot Pot

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for KHP Mesa LLC, 1940 West Rio Salado Parkway Suite 103 - 107 - Jing Lin, agent. There is no existing license at this location. **(District 3)**

***3-f** [24-0486](#) Macayos Mexican Food

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Macayo Restaurant Group LLC, 1920 South Dobson Road - Andrea Dahlman Lewkowitz. The existing license held by Kind Macayo LLC will revert to the State. **(District 3)**

***3-g** [24-0484](#) Asadero El Atascadero

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Asadero El Atascadero LLC, 1038 East Main Street - Brandon Samuel Owen Tasen. The existing license held by Cholulas Hibachi Grill LLC will revert to the State. **(District 4)**

***3-h** [24-0487](#) Macayos Mexican Food

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Macayo Restaurant Group LLC, 6538 East Superstition Boulevard - Andrea Dahlman Lewkowitz. The existing license held by Kind Macayo LLC will revert to the State. **(District 6)**

4 **Take action on the following contracts:*****4-a** [24-0404](#) Public Safety Campus Microgrid - Pre-Construction Services Contract and Construction Manager at Risk (CMAR) **(District 4)**

The CMAR for this services contract will work closely with the project team to develop the project design, review the design for constructability, prepare cost estimates, develop the project schedule and project phasing plan, and develop the Guaranteed Maximum Price (GMP) for the project.

Staff recommends selecting Ameresco Inc. as the CMAR for this project and awarding them a Pre-Construction Services contract in the amount of \$195,324. This project is funded by Utility Systems Revenue Obligations.

***4-b** **24-0465** Three-Year Term Contract with Two-Year Renewal Options for Fire Department Uniforms for the Mesa Fire and Medical Department (MFMD) **(Citywide)**

This contract provides MFMD members work uniforms such as shirts, hats, outwear, pants, shorts, dress uniform items, etc. which are worn during their normal daily work activities. All services and supplies are provided to furnish new garments including measuring, tailoring and alterations, screen printing, and embroidering. Department personnel are required to have uniforms as the base layer of their protective ensembles. Uniforms display members' names, rank, and attributes and provide a professional first impression when interacting with the public.

A committee representing MFMD and Procurement Services evaluated responses and recommend awarding the contract to the highest scored, responsive, and responsible proposals from Matlick Enterprises Inc. dba United Fire Equipment Company, Galls Parent Holding LLC dba Galls LLC, and Sling Style Design at \$925,000 annually, with an annual increase allowance of up to 5% or the adjusted Producer Price Index.

***4-c** **24-0466** Dollar Limit Increase to the Term Contract for Faux Trees for Pole Treatments for the Department of Innovation and Technology (Single Bid Response) **(Citywide)**

This contract provides for the modification of City cellular towers to look like faux trees and includes installation, maintenance, repair services, and other related products as needed. The initial purchase is for three installations at Pioneer Park, Reed Skate Park, and Acacia Park. This change is to accommodate design changes to meet Parks, Recreation and Community Facilities' specifications.

The Department of Innovation and Technology and Procurement Services recommends increasing the dollar limit with Cell Trees, Inc. Year 1 by \$371,000, from \$179,000 to \$550,000, and Years 2 and 3 by \$200,000, from \$50,000 to \$250,000 annually, with an annual increase allowance of up to 5% or the adjusted Consumer Price Index.

- *4-d** [24-0491](#) Purchase of Filter Media for Four Tertiary Filters (Replacement) for the Water Resources Department (Greenfield Water Reclamation Plant Joint Venture fund) (Sole Source) **(Citywide)**

The tertiary filters at the Greenfield Water Reclamation Plant are losing performance as the filter media are reaching the end of their operational life and need to be replaced. These filters have been in constant service since October of 2022.

The Water Department and Procurement Services recommend awarding the contract to the sole source vendor, Aqua-Aerobics Systems, Inc. at \$131,000 based on estimated requirements.

5 Take action on the following resolutions:

- *5-a** [24-0448](#) Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with Gilbert Unified School District #41 for reimbursement of the salary and benefits of two Mesa Police Officers to perform School Resource Officer duties. **(Citywide)** Resolution No. 12192
- *5-b** [24-0455](#) Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with Apache Junction, Chandler, Gilbert, Paradise Valley, Scottsdale, Tempe, and Queen Creek to form the East Valley Critical Incident Response Team (EVCIRT). Resolution No. 12193
- *5-c** [24-0505](#) Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with Mesa Unified School District No. 4 for the shared use of City and District facilities and general cooperation. **(Citywide)** Resolution No. 12194
- *5-d** [24-0506](#) Approving and authorizing the City Manager to enter into a Cooperative Adaptive Recreation Program Agreement with the Mesa Unified School District No. 4 for cooperative adaptive recreation programs. **(Citywide)** Resolution No. 12195
- *5-e** [24-0522](#) Approving and authorizing the City Manager to accept funds of \$11,898,571 for the implementation of the City of Mesa Electric Mobility Charging Hub Network through a grant agreement with the Federal Highway Administration. **(Citywide)** Resolution No. 12196
- *5-f** [24-0468](#) Authorizing and supporting the submittal of a grant application by Alice Cooper's Rock Solid Teen Centers to the Tohono O'odham Nation in the amount of \$40,000 and authorizing the City Manager to accept and administer subsequent awarded funds as a pass-through grant. Resolution No. 12197

- *5-g [24-0469](#) Authorizing and supporting the submittal of a grant application by Child Crisis Arizona to the Tohono O'odham Nation in the amount of \$10,000 and authorizing the City Manager to accept and administer subsequent awarded funds as a pass-through grant. Resolution No. 12198
- *5-h [24-0470](#) Authorizing and supporting the submittal of a grant application by Desert Sounds Performing Arts to the Tohono O'odham Nation in the amount of \$17,000 and authorizing the City Manager to accept and administer subsequent awarded funds as a pass-through grant. Resolution No. 12199
- *5-i [24-0471](#) Authorizing and supporting the submittal of a grant application by Gene Lewis Boxing Club to the Tohono O'odham Nation in the amount of \$8,500, and authorizing the City Manager to accept and administer subsequent awarded funds as a pass-through grant. Resolution No. 12200
- *5-j [24-0472](#) Authorizing and supporting the submittal of a grant application by Save the Family Foundation of Arizona to the Tohono O'odham Nation in the amount of \$40,000, and authorizing the City Manager to accept and administer subsequent awarded funds as a pass-through grant. Resolution No. 12201
- *5-k [24-0473](#) Authorizing and supporting the submittal of a grant application by Tooth B.U.D.D.S. Inc. to the Tohono O'odham Nation in the amount of \$10,000, and authorizing the City Manager to accept and administer subsequent awarded funds as a pass-through grant. Resolution No. 12202
- *5-l [24-0521](#) Authorizing and supporting the submittal of a grant application by City of Mesa Community Services Department Office of Homeless Solutions to the Tohono O'odham Nation in the amount of \$324,450, and authorizing the City Manager to accept and administer subsequent awarded funds. Resolution No. 12203
- *5-m [24-0499](#) Submitting to the voters at the November 5, 2024 election a question proposing a permanent adjustment of \$148 million to the 1979-80 expenditure base limit that is used to calculate the City's annual expenditure limitation. This will not increase taxes and is estimated to provide expenditure capacity for 30 years. **(Citywide) (5 votes required)** Resolution No. 12204
- *5-n [24-0474](#) Extinguishing a portion of a 20-foot water line easement located at 5341 South Power Road to accommodate construction of a hotel; requested by the property owner. **(District 6)** Resolution No. 12205
- *5-o [24-0493](#) Extinguishing six drainage easements located at 10036 E Germann Road to accommodate development of a manufacturing pad; requested by the property owner. **(District 6)** Resolution No. 12206

6 Introduction of the following ordinance and setting June 3, 2024 as the date of the public hearing on this ordinance:

- *6-a** [24-0481](#) ZON23-00796 "Pecos & Mountain" (**District 6**) Within the 11200 block of East Pecos Road (north side). Located west of Meridian Road and north of Pecos Road (2± acres). Major Site Plan Modification and amending the conditions of approval for Case No. Z14-057. This request will allow for an industrial development. Ian Mulich, Pinnacle Design Inc., applicant; High Voltage Holdings, LLC, owner. Ordinance No. 5856

Staff Recommendation: Approval with conditions_

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

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

- *7-a** [24-0401](#) 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** [24-0421](#) 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 on the 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** [24-0418](#) 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** [24-0422](#) 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** [24-0413](#) 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)

8 Take action on the following subdivision plats:

- *8-a** [24-0479](#) SUB23-00327 "The Lofts at Superstition Vistas" (**District 2**) Within the 1100 block of South Rowen (east side) and within the 7300 block of East Southern Avenue (north side). Located west of Sossaman Road on the north side of Southern Avenue (1.8± acres). Lavigna Investments Corporation, developer; Bruce R. Heyse, BRH Surveying, LLC, surveyor.
- *8-b** [24-0480](#) SUB23-00988 "Avalon Ranch" (**District 6**) Within the 6800 to 7000 blocks of East Elliot Road (south side) and within the 3600 to 3800 blocks of South Power Road (east side). Located south of Elliot Road and east of Power Road (12± acres). Avalon Ranch, LLC, developer; Michael A. Banta, Rick Engineering Company, surveyor.

9 Take action on the following resolution and discuss, receive public comment, and take action on the following ordinance relating to property located west of Ellsworth Road and north of Elliot Road:

***9-a** [24-0551](#) Resolution approving and authorizing the City Manager to enter into a Development Agreement with Ellsworth Land LP, a Limited Partnership on approximately 7.5 acres of land located within the 3400 blocks of South Ellsworth Road (west side) and within the 9000-9100 block of East Peterson Avenue (south side) located west of Ellsworth Road and north of Elliot Road, to primarily prohibit residential uses on the property. **(District 6)** Resolution No. 12207

***9-b** [24-0420](#) 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)

10 Take action on and adopt the tentative FY 2024/25 Budget.

***10-a** [24-0523](#) Take action on and adopt the tentative FY 2024/25 Budget.

Items not on the Consent Agenda

11 Conduct a public hearing and take action on the following resolution relating to the annual assessments for the Mesa Town Center Improvement District No 228:

11-a [24-0498](#) Conduct a public hearing on the annual assessments for the Mesa Town Center Improvement District No 228.

11-b [24-0497](#) A resolution approving the 2024 District Assessments for Mesa Town Center Improvement District No. 228. The proposed final assessments do not include any rate increases. **(District 4)** Resolution No. 12208

12 Conduct a public hearing and take action on the following resolution regarding a new General Plan:

12-a [24-0437](#) Conduct a public hearing on a new City of Mesa general plan - the Moving Forward Together: Tomorrow's Mesa 2050 General Plan.

12-b [24-0438](#) A resolution adopting, and submitting to the voters for ratification at the November 5, 2024 election, the City of Mesa's new general plan - the Moving Forward Together: Tomorrow's Mesa 2050 General Plan - setting forth the comprehensive, long-range plan and policies to guide Mesa's future growth and development. The Mesa 2050 General Plan will not change current zoning or increase taxes. **(Citywide) (5 votes required)** Resolution No. 12209

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

14 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.