



City of Mesa
Notice of Meeting Agenda - Final
City Council

Monday, November 18, 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 Reverend Mindy Tucker with Unity of Mesa.

Pledge of Allegiance

Awards, Recognitions and Announcements

1 Take action on all consent agenda items.

Items on the Consent Agenda

*2 [24-0701](#) Approval of minutes of previous meetings as written.

3 Take action on the following liquor license applications:

*3-a [24-1162](#) Maskadores Taco Shop

A restaurant that serves breakfast, lunch, and dinner is requesting a new Series 12 Restaurant License for Maskadores Mesa PLLC, 2706 East University Drive Suite 6 - Theresa June Morse, agent. There is no existing license at this location. **(District 1)**

*3-b [24-1163](#) Pei Wei Asian Kitchen

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Pei Wei Asian Diner LLC, 1902 South Val Vista Drive Suite 101 - Patrick Edward Castle, agent. There is no existing license at this location. **(District 2)**

*3-c [24-1161](#) Harkins Theatres

A theater is requesting a new Series 12 Restaurant License for Harkins Cinemas LLC, 6950 East Superstition Springs Boulevard - Andrea Dahlman Lewkowitz, agent. The existing license held by Harkins Cinemas LLC will remain at the location in non-use (inactive) status until it's either sold or transferred to a different location. **(District 6)**

4 Take action on the following contracts:

- *4-a** [24-0990](#) One-Year Term Contract of Excess Workers' Compensation Insurance and Workers' Compensation Self-Insurance Surety Bond **(Citywide)**

As a self-insured entity for the administration of workers' compensation benefits, Arizona statute requires the City to obtain excess workers' compensation insurance and to provide a security deposit based on the total unpaid losses of open compensable workers' compensation claims, which is accomplished through securing a surety bond.

Staff recommends the purchase of an excess workers' compensation insurance policy, through the City's insurance broker, Arthur J Gallagher & Co., with a self-insured retention up to \$2 million per accident/injury/illness (with exceptions) for a premium up to \$675,000 and a workers' compensation self-insurance surety bond for the bond rate up to \$12.00 per every \$1,000 of unpaid losses.

- *4-b** [24-1118](#) One-Year Term Contract for DNA Crime Lab Supplies for the Mesa Police Department (Sole Source) **(Citywide)**

The Biology Unit of the Forensic Services Division completes DNA analysis of samples from criminal investigations conducted by the Mesa Police Department as well as Gilbert, Queen Creek, and the Tempe. The Police Department is requesting the purchase of reagents and consumables to determine the quantity of DNA present, to make copies of DNA, and to detect DNA on genetic instruments.

The Mesa Police Department and Procurement Services recommend awarding the contract to the sole source vendor, Thermo Fisher Scientific at \$250,000, based on estimated requirements.

- *4-c** [24-1119](#) Three-Year Term Contract with Renewal Options for Drone as First Responder Technology for the Mesa Police Department (Funded by Public Safety Sales Tax Funds) **(Citywide)**

The Police Department uses Unmanned Aerial Systems (UAS) for traffic collision investigation, patrol operations, and tactical operations. The Police Department has evaluated various options and has found that Aerodome has the technology that is needed to improve response times to emergency calls for service as well as provide information to responding officers.

The Mesa Police Department and Procurement Services recommend awarding the contract to the sole source vendor, Aerodome, Inc., at \$340,000, annually with an annual increase allowance of up to 5% or the adjusted Consumer Price Index.

***4-d** **24-1137** Use of a Cooperative Contract for Command Response Vehicle (CRV) Systems Upgrade for the Mesa Fire and Medical Department (Capital General Fund) **(Citywide)**

The Mesa Fire and Medical Department CRV has several systems that have reached end of life and need to be updated with current technologies to ensure the CRV will meet current and future performance requirements. CTS is the only vendor that can upgrade all the systems as part of the lifecycle project.

The Mesa Fire and Medical Department and Procurement Services recommend authorizing the purchase using the Mohave cooperative contract with Corporate Technology Solutions, LLC (CTS) at \$110,000, based on estimated requirements.

***4-e** **24-1120** Use of a Cooperative Contract for On-Call Manhole Rehabilitation Services for the Water Resources Department **(Citywide)**

The Water Resources Department performs manhole rehabilitations primarily to ensure safety by maintaining the structural integrity of the manhole, which prevents water infiltration and sewage exfiltration. Rehabilitation is more cost-effective than replacement, reducing long-term maintenance expenses, minimizing service disruptions, and extending the lifespan of these assets.

The Water Resources Department and Procurement Services recommend authorizing the purchase using the City of Peoria cooperative contract with Pipeline Video Inspection, LLC dba Southwest Environmental at \$1,000,000 annually, with an annual increase allowance of up to 5% or the adjusted Consumer Price Index.

***4-f** **24-1121** Three-Year Term Contract with Two-Year Renewal Options for Heavy-Duty (OEM) Cab and Chassis Parts for the Fleet Services Department **(Citywide)**

This contract will be used to purchase heavy duty Original OEM cab and chassis parts required for various pieces of rolling stock equipment owned by the City of Mesa. The City's Fleet Services Department performs repairs on-site and requires a variety of parts to keep the City's vehicles and equipment in good working condition.

The Fleet Services Department and Procurement Services recommend awarding the contract to the lowest, responsive, and responsible bidders: Cummins, Inc. (a Mesa business); Freightliner of Arizona, LLC; RWC International dba RWC Group; and Rush Truck Centers of Arizona, Inc. (a Mesa business) at \$1,500,000 annually, with an annual increase allowance of up to 5% or the adjusted Producer Price Index.

***4-g** [24-1122](#) Award of a Group on the Term Contract for Heavy-Duty Truck Brake and Wheel Parts for the Fleet Services Department **(Citywide)**

This contract provides brake and wheel parts for the repair of heavy-duty City vehicles. On August 19th, 2024, Council approved the award of Group 4 to Kal Partz. On September 26, 2024, Kal Partz notified the City that they were closing their business. RWC International LTD is the next lowest bidder for Group 4 (Haladex).

The Fleet Services Department and Procurement Services recommend awarding the contract to RWC International LTD, at \$325,000, annually, with an annual increase allowance of up to 5% or the adjusted Producer Price Index. The total annual contract amount of \$325,000 is for all awarded vendors under this contract.

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

***5-a** [24-1096](#) Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with Mesa Unified School District No. 4 for the cooperative use and purchase of IT and related services to reduce operation and capital costs. **(Citywide)** Resolution No. 12295

***5-b** [24-1123](#) ZON23-00935 "Mesa Shopping Center - Final Phase" **(District 4)** Within the 300 block of East Southern Avenue (south side) and within the 1200 block of South Mesa Drive (west side). Located west of Mesa Drive and south of Southern Avenue (7.5± acres). Major Site Plan Modification. This request will allow for a limited service restaurant with a drive-thru facility. Red Mountain Asset Fund II LLC, Red Mountain Asset Fund I LLC and MacFrugals's Plaza LLC, owners; John Clay, Red Mountain Group, applicant. Resolution No. 12296

Staff Recommendation: Approval with conditions

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

6 **Introduction of the following ordinances and setting December 2, 2024 as the date of the public hearing on these ordinances:**

***6-a** [24-1198](#) Amending Title 6, Chapter 10 of the Mesa City Code entitled "Public Park Regulations", including proposed changes to camping restrictions and a reclassification of the applicable penalty for certain violations to decrease the penalty. **(Citywide)** Ordinance No. 5891

***6-b** [24-1199](#) Amending Title 6, Chapter 1 of the Mesa City Code to add a new Section 23 entitled "Urban Camping" related to camping on certain City property. **(Citywide)** Ordinance No. 5892

- *6-c** [24-1124](#) ZON23-00771 "The Five Six" (**District 2**) Within 100 block of North 56th Street (east side) and the 100 block of North 57th Street (west side). Located west of Recker Road and north of Main Street (1± acre). 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. Johnstar LLC, Property owner; Tim Boyle, Atmosphere Architects, applicant. Ordinance No. 5893

Staff Recommendation: Approval with conditions

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

- *6-d** [24-1126](#) ZON23-00994 "ESS - Bldg E" (**District 2**) Within the 4400 to 4600 blocks of East Southern Avenue (north side) and within the 4500 block of East Flower Circle (west side). Located north of Southern Avenue and east of Greenfield Road (7.2± acres). Rezone from Single Residence-6 with a Planned Area Development Overlay (RS-6-PAD) and Limited Commercial (LC) to Limited Commercial with a Planned Area Development Overlay (LC-PAD), Council Use Permit, and Major Site Plan Modification. This request will allow for the expansion of a mini-storage facility. Bebes Nirvana LP, owner; Tim Nielsen, Farnsworth Construction Co., applicant. Ordinance No. 5894

Staff Recommendation: Approval with conditions

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

- *6-e** [24-1127](#) ZON24-00602 "Mesa Royale" (**District 4**) Within the 600 block of West Main Street (north side). Located west of Country Club on the north side of Main Street (3.3± acres). Rezone from General Commercial (GC) to GC with a Planned Area Development Overlay (GC-PAD), Council Use Permit (CUP), and Site Plan Review. This request will allow for a multiple residential development. Mesa Royale East Motel LLC, Nuevas Vistas on Main, LLC, and Mesa Royale West LLC, owners; Benjamin W. Graff, Esq., Quarles & Brady LLP, applicant. Ordinance No. 5895

Staff Recommendation: Approval with conditions

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

- *6-f [24-1128](#) ZON24-00649 "Avalon Ranch Lots 4, 5 & 6" (**District 6**) Within the 3600 block of South Power Road (east side). Located south of Elliot Road on the east side of Power Road (2.2± acres). Rezone from Limited Commercial to Limited Commercial with a Bonus Intensity Zone Overlay (LC-BIZ) and Major Site Plan Modification. This request will allow for a modification to a group commercial center. Avalon Ranch, LLC, owner; David Lack, Avalon Development, applicant. Ordinance No. 5896

Staff Recommendation: Approval with conditions

P&Z Board Recommendation: Approval with conditions

7 Take action on the following resolutions declaring titles and schedules of terms/rates/fees/charges to be public records and available to the public, and introducing the following ordinances regarding titles and schedules for City-owned utility terms/rates/fees/charges and setting December 2, 2024 as the date of the public hearing on these ordinances:

- *7-a [24-1138](#) A resolution declaring proposed titles and schedules of terms/rates/fees/charges for electric utility services to be a public record. (**Districts 1, 3 and 4**) Resolution No. 12297
- *7-b [24-1145](#) An ordinance adopting titles and schedules of terms/rates/fees/charges for electric utility services. (**Districts 1, 3 and 4**) Ordinance No. 5897
- *7-c [24-1139](#) A resolution declaring proposed titles and schedules of terms/rates/fees/charges for natural gas utility services to be a public record. (**Citywide**) Resolution No. 12298
- *7-d [24-1146](#) An ordinance adopting titles and schedules of terms/rates/fees/charges for natural gas utility services. (**Citywide**) Ordinance No. 5898
- *7-e [24-1140](#) A resolution declaring proposed titles and schedules of terms/rates/fees/charges for water utility services to be a public record. (**Citywide**) Resolution No. 12299
- *7-f [24-1147](#) An ordinance adopting titles and schedules of terms/rates/fees/charges for water utility services. (**Citywide**) Ordinance No. 5899
- *7-g [24-1141](#) A resolution declaring proposed titles and schedules of terms/rates/fees/charges for wastewater utility services to be a public record. (**Citywide**) Resolution No. 12300
- *7-h [24-1148](#) An ordinance adopting titles and schedules of terms/rates/fees/charges for wastewater utility services. (**Citywide**) Ordinance No. 5900

- *7-i [24-1142](#) A resolution declaring proposed titles and schedules of terms/rates/fees/charges for solid waste utility services to be a public record. **(Citywide)** Resolution No. 12301
- *7-j [24-1149](#) An ordinance adopting titles and schedules of terms/rates/fees/charges for solid waste utility services. **(Citywide)** Ordinance No. 5901
- *7-k [24-1143](#) A resolution declaring proposed terms/rates/fees/charges for utility service fees to be a public record. **(Citywide)** Resolution No. 12302
- *7-l [24-1150](#) An ordinance modifying terms/rates/fees/charges for utility service fees. **(Citywide)** Ordinance No. 5902
- *7-m [24-1144](#) A resolution declaring proposed titles and schedules of terms/rates/fees/charges for terms and conditions for the sale of utilities to be a public record. **(Citywide)** Resolution No. 12303
- *7-n [24-1151](#) An ordinance adopting titles and schedules of terms/rates/fees/charges for terms and conditions for the sale of utilities. **(Citywide)** Ordinance No. 5903

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

- *8-a [24-1114](#) Proposed amendments to Title 4, Chapters 3 and 9 of the Mesa City Code pertaining to electric vehicle charging standards for new construction. The amendments pertain to requirements for installation of certain infrastructure to aid in providing electric vehicle charging in single family and multiple residential developments. Ordinance No. 5890
- *8-b [24-1053](#) Proposed amendments to Section 11-43-7 of Title 11 of the Mesa City Code pertaining to Freeway Landmark Monuments. The proposed text amendments codify development standards currently contained within the Freeway Landmark Monument Design Guidelines. The amendments also include but are not limited to modifying the eligible location standards; modifying the number, sign area, and height requirements; adding spacing requirement; modifying height measurements; modifying design standards; adding electronic message display standards; adding provisions setting forth the required approvals and review process and a process to allow for the modification of development standards; adding sign permit and maintenance standards; and the repeal of the design guidelines. **(Citywide)** Ordinance No. 5886

Staff Recommendation: Adoption

P&Z Board Recommendation: Adoption (4-0)

Items not on the Consent Agenda

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.