



City of Mesa

Council Chambers
57 E. First Street

City Council

Meeting Agenda - Final

Monday, April 17, 2017

5:45 PM

CITIZEN PARTICIPATION

All citizens are permitted and encouraged to speak on agenda items including and preceding "Items from citizens present." If you are interested in speaking on such an agenda item, please fill out a blue card in the back of the room and give it to the City Clerk. When the Council considers the item, you will be called to the podium to provide your comments.

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.

Si necesita asistencia o traducción en español, favor de llamar al menos 48 horas antes de la reunión al 480-644-2767.

CONSENT AGENDA

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.

Mayor John Giles

Vice Mayor David Luna - District 5

Councilmember Mark Freeman - District 1

Councilmember Jeremy Whittaker - District 2

Councilmember Ryan Winkle - District 3

Councilmember Chris Glover - District 4

Councilmember Kevin Thompson - District 6

Mayor's Welcome

Roll Call

(Members of the Mesa City Council will attend either in person or by telephone conference call)

Invocation by Beverly George with Soka Gakkai International.

Pledge of Allegiance

Awards, Recognitions and Announcements

1 Take action on all consent agenda items.

Items on the Consent Agenda

***2** [17-0450](#) Approval of minutes of previous meetings as written.

3 Take action on the following liquor license applications:

***3-a** [17-0423](#) Apollo Foundation Inc.

This is a one-day charitable event to be held on Saturday, April 22, 2017 from 3:30 P.M. to 10:00 P.M., at The Eastmark Great Park, 10100 East Ray Road. **(District 6)**

***3-b** [17-0424](#) JDRF International

This is a one-day charitable event to be held on Saturday, April 29, 2017 from 6:00 P.M. to 10:00 P.M., at Sheraton Mesa Hotel, 860 North Riverview. **(District 1)**

***3-c** [17-0425](#) Albertson's #948

A grocery store is requesting a new Series 9 Liquor Store License for Albertson's LLC, 441 North Val Vista Drive - Nicholas Guttilla, agent. The existing license held by Albertson's LLC will change to an inactive status with the State and/or be transferred to a different location. **(District 2)**

***3-d** [17-0426](#) Mesa Liquor

A convenience store is requesting a new Series 9 Liquor Store License for Ornina Team LLC, 1930 East Broadway Road, Suite 2 - Hussam Alyousef, agent. The existing license held by Green Egg LLC will transfer to the applicant. **(District 4)**

***3-e** [17-0427](#) Wine 2 U

A retail store with an existing Series 10 Beer and Wine Store License is requesting to add sampling privileges for Wine 2 U Distribution LLC, 2450 West Broadway Road, Suite 111 - Steven C. Day, agent. The existing license held by Wine 2 U Distribution LLC will revert to the State for modification. **(District 3)**

***3-f** [17-0428](#) Amazing Jake's Food & Fun

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Bash Entertainment LLC, 1830 East Baseline Road - Amy S. Nations, agent. The existing license held by FEC of Mesa LLC will revert to the State. **(District 3)**

***3-g** [17-0429](#) Osteria

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Osteria LLC, 5609 East McKellips Road, Suite A110-111 - Jeffrey Lawrance Golzio, agent. There is no existing license at this location. **(District 5)**

***3-h** [17-0430](#) Sam & Luca

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Sam & Luca LLC, 1959 South Power Road, Suite 104 - Zoran Klisara, agent. There is no existing license at this location. **(District 6)**

***3-i** [17-0431](#) YZ's Karaoke Café

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for YZ's Cuisine LLC, 1350 South Longmore, Suite 36 - Jared Michael Repinski, agent. There is no existing license at this location. **(District 3)**

***3-j** [17-0432](#) Cider Corps

A craft cider company is requesting a new Series 13 Domestic Farm Winery License for Cider Corps LLC, 31 South Robson, Suite 103 - Jason Allen Duren, agent. There is no existing license at this location. **(District 4)**

4 **Take action on the following bingo application:*****4-a** [17-0433](#) Viewpoint Resort Recreation

Cheryl Dewarrat, applicant, 8700 East University Drive. **(District 5)**

5 **Take action on the following contracts:*****5-a** [17-0410](#) One-Year Renewal Contract for the Executive Physical Examination Services as requested by the Human Resources Department **(Citywide)**

This contract provides annual physicals for the City's executive staff as a means of maintaining optimum health. There are approximately 57 position titles eligible to participate in this program.

The Human Resources Department and Purchasing recommend authorizing the renewal with Banner Occupational Health Clinics, at \$88,500, based on estimated requirements.

***5-b** [17-0453](#) Purchase of One Replacement Sport Utility Vehicle (SUV) for the Economic Development Department **(Citywide)**

The vehicle that is being replaced has met established replacement criteria and will be either traded, auctioned, sold, or deployed to special uses as part of the ongoing City of Mesa vehicle replacement program.

The Fleet Services and Economic Development Departments and Purchasing recommend authorizing the purchase from the contract with Berge Ford (a Mesa business), at \$30,508.20. This purchase is funded by the Vehicle Replacement Fund.

***5-c** **17-0412** One-Year Renewal Contract for Phlebotomy Services for the Police Department (**Citywide**)

This contract provides technicians to draw blood samples from suspected impaired motor vehicle operators and or persons involved in other criminal investigations. Additional services, such as urine sampling and exposure draw and delivery of samples to a laboratory for testing that may be required, are also included.

The Police Department and Purchasing recommend authorizing the renewal contract with Desert Testing Services, LLC (a Mesa business), at \$135,000, based on estimated requirements.

***5-d** **17-0413** One-Year Renewal Contract for Protective Equipment for the Police Department (**Citywide**)

The Police Department provides training for a unified law enforcement and medical response to an active shooter situation. In effort to provide realistic and effective interactive training, force-on-force marking cartridges are used during scenarios. Risk of injury to students and actors during this training can be mitigated by using proper protective equipment.

The Police Department and Purchasing recommend authorizing the renewal contract with San Diego Police Equipment Company, at \$50,000, based on estimated requirements.

***5-e** **17-0417** Three-Year Term Contract for Microfilm Conversion Services for the Police Department (**Citywide**)

This contract will provide services to convert Police Department data from microfilm to digital media. The microfilm is becoming worn and damaged and the equipment to read the microfilm is outdated. This service will create redundancy and a recovery process in case of disaster. The conversion will also reduce the need for storage space and make records readily available for viewing.

The evaluation committee recommends awarding the contract to the highest-scored proposal from MetaSource, LLC, at \$100,000 annually, based on estimated requirements.

- *5-f** **17-0406** Five-Year National Cooperative Term Contract for Automotive Lubricants and Related Products for the Fleet Services and Fire and Medical Departments (**Citywide**)

This contract provides automotive lubricants and related products for City vehicles and equipment maintained by Fleet Services as well as Fire vehicles, equipment and apparatus maintained by Fire Maintenance.

The evaluation committee recommends awarding the contract to the highest-scored proposal from North American Lubricants, at \$308,000 annually, based on estimated requirements.

- *5-g** **17-0416** Purchase of Nine Additional Mobile Two-Way Radios, Accessories and Related Equipment for the Fire and Medical Department (**Citywide**)

This purchase will provide nine additional mobile radios along with accessories and other related equipment required for mounting mobile radios in emergency response apparatus. The Fire and Medical Department currently uses the Motorola APX series of portable and mobile two-way digital radios as the standard for firefighters, paramedics and their fleet of emergency response apparatus.

The Fire and Medical Department and Purchasing recommend authorizing the purchase using the State of Arizona cooperative contract with Motorola Solutions, Inc., at \$64,652.12. This purchase is funded by the Capital - General Fund.

- *5-h** **17-0439** Purchase of Replacement/Upgrade Software for IT Firewall Security as requested by the Information Technology Department (**Citywide**)

This purchase will allow the City to retire two aging security appliances that reach end of support in September 2018. In addition, this solution will enable an enhanced firewall security. Key benefits of this solution include virtual private network (VPN) functionality with improved visibility, management, and enhanced security monitoring and protection, unlimited licensing which allows the City to expand usage without purchasing additional individual user licenses, and mobile device security and management.

The Information Technology Department and Purchasing recommend authorizing the purchase from the State of Arizona cooperative contract and lowest quoted vendor, Enterprise Network Solutions, Inc. (a Mesa business), at \$29,497.65.

***5-i** **17-0438** One-Year Term Contract for Motorola Radio Parts Accessories and Services as requested by the Communications Department (**Citywide**)

Both the Police and Fire and Medical Departments have standardized with Motorola two-way portable and mobile radios. The City plans to utilize three existing cooperative contracts with Motorola for miscellaneous radio parts and accessories. Motorola will provide pricing based on the best available contract depending on the parts and services needed.

The Communications Department and Purchasing recommend authorizing purchase using three cooperative contracts: State of Arizona; Maricopa County; and City of Yuma; with Motorola Solutions, Inc., at \$200,000, based on estimated requirements.

***5-j** **17-0441** Purchase of a Replacement Generator and Transfer Switch for the Communications Department (**Citywide**)

Emergency generators are used to power Public Safety radio sites during failure of commercial power. This purchase will provide a replacement for a 17 year-old generator and transfer switch that is no longer feasible to repair.

The Communications Department and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder, Express Electric Co., at \$31,758.47.

***5-k** **17-0415** Three-Year Term Contract for Light-Duty Automotive Body Repair Services for the Fleet Services Department (**Citywide**)

This contract will establish a qualified vendor list of automotive body repair firms to provide non-exclusive repair service, on an as-needed basis. The awarded vendors will provide all labor, tools, materials, garage facility and insurance to perform body and related mechanical repair work for the City's fleet of approximately 1,400 light-duty vehicles.

The evaluation committee recommends awarding the contract to the highest-scored proposals from: Caliber Bodyworks of Arizona, Inc., dba Caliber Collision Mesa-East Main St.; East Valley Collision LLC; LP's Body & Paint Center LLC; and 2nd GEN LLC, dba Maaco Collision Repair & Auto Painting (all Mesa businesses); cumulatively not to exceed \$300,000 annually, based on estimated requirements.

- *5-l** [17-0411](#) One-Year Renewal Contract for Original Equipment Manufacturer (OEM) and Aftermarket Solid Waste Truck Body and Sweeper Body Parts for the Fleet Services Department (**Citywide**)

This contract provides OEM and aftermarket solid waste truck body and sweeper body parts to meet the service requirements of the fleet operations.

The Fleet Services Department and Purchasing recommend authorizing the renewal contract with Arizona Refuse Servicing; Balar Holding, dba Balar Equipment; Laclede Equipment Inc.; McNeilus Truck & Mfg.; Wastebuilt Southwest LLC, dba Stepp Equipment; Wayne Engineering; and Western Refuse & Recycling Equipment Inc.; cumulatively not to exceed \$850,000, based on estimated requirements.

- *5-m** [17-0442](#) Three-Year Term Contract for Automotive Deep Cycle Sealed Case Batteries for the Fleet Services Department (**Citywide**)

This contract will provide automotive gel-type, deep-cycle, sealed case, lead acid batteries for the City's fleet of over 1,400 vehicles.

The Fleet Services Department and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder, Kann Enterprises, Inc., dba Interstate Batteries, at \$150,000 annually, based on estimated requirements.

- *5-n** [17-0440](#) Three-Year Term Contract for Traffic Signal Maintenance Services for the Transportation Department (**Citywide**)

This contract will provide for the maintenance, modification and installation of the City's Intelligent Transportation System (ITS) Traffic Signals and related ITS equipment on an as-needed, where-needed basis. Work includes foundation installation/removal, light and signal pole installation/removal, arm and head installation/removal, trenching, boring, conduit/wire/cable installation/removal, pull box/vault installation/removal, barricade set up, and saw cutting.

The evaluation committee recommends awarding the contract to the highest-scored proposal from Roadway Electric, LLC (Primary); and the second highest-scored proposal from Contractors West, Inc. (a Mesa business) (Secondary); cumulatively not to exceed \$980,000 annually, based on estimated requirements.

***5-o** **17-0409** One-Year Renewal Contract for 15kV Aluminum Electrical Cable for the Materials and Supply Warehouse (for the Energy Resources Department) **(Citywide)**

This contract provides various sizes of cable used in underground installations to distribute primary power between electrical substations and distribution transformers adjacent to customers utilizing electrical service. The cable is used in new construction and overhead-to-underground conversion projects.

The Energy Resources Department and Purchasing recommend authorizing the renewal contract with Western United Electric Supply Corp., at \$324,765, based on estimated requirements.

***5-p** **17-0407** Purchase of One Replacement Lift Truck (Forklift) for the Water Resources Department as requested by the Fleet Services Department **(Citywide)**

The current vehicle has exceeded life cycle replacement and has met established replacement criteria. It will be either traded, auctioned, sold, or deployed to special uses as part of the ongoing City of Mesa vehicle replacement program.

The Fleet Services and Water Resources Departments, and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder, Arnold Machinery, at \$28,661.95. This purchase is funded by the Utility Replacement Extension and Renewal Fund.

***5-q** **17-0414** One-Year Renewal Contract for Replacement Ultraviolet Wastewater Disinfection Parts and Supplies for the Greenfield Water Reclamation Plant for the Water Resources Department (Sole Source) **(Citywide)**

This contract provides replacement parts including ultraviolet lamps, ballasts and other components for the Wedeco Wastewater Disinfection System at the Greenfield Water Reclamation Plant on an as-needed basis. These parts are necessary for wastewater disinfection and regulatory compliance of cleaner wastewater.

The Water Resources Department, and Purchasing recommend authorizing a one-year renewal contract with the sole source manufacturer, Xylem Water Solutions USA, Inc., at \$250,000, based on estimated requirements. This purchase is 58% funded by the Towns of Gilbert and Queen Creek and 42% funded by the Enterprise Fund - Greenfield WRP Joint Venture.

- *5-r** [17-0408](#) Purchase of Two Replacement Pickup Trucks and One Replacement Light-Duty Cab and Chassis Vehicle with a Utility Bed for the Engineering and Water Resources Departments **(Citywide)**

The three vehicles that are being replaced have met established criteria and will be either traded, auctioned, sold, or deployed to special uses as part of the ongoing City of Mesa vehicle replacement program.

The Fleet Services, Engineering and Water Resources Departments, and Purchasing recommend authorizing the purchase from the contract with PFVT Motors Inc., at \$48,591.22; and authorizing purchase from the contract with Berge Ford (a Mesa business), at \$58,067.97; for the total purchase of \$106,659.19. This purchase is funded by the Vehicle Replacement Fund and the Utility Replacement Extension and Renewal Fund.

- *5-s** [17-0444](#) Pioneer Park Improvements Guaranteed Maximum Price (GMP) No.2 **(District 4)**

GMP No. 2 includes the complete construction scope of work for the iconic custom playground that will be installed with the forthcoming Pioneer Park improvements. In addition to the custom play structure, other proposed improvements to the park are the addition of a new water play plaza, new plazas to enhance the train area and historical monuments, remodel and ADA upgrades to the existing restroom, relocation and reconstruction of two basketball courts, expansion of Wi-Fi coverage and infrastructure to support special events, new landscaping in multiple areas, as well as new site furnishings and lighting fixtures throughout the park.

Staff recommends awarding the contract for GMP No. 2 of this project to Haydon Building Corporation in the amount of \$5,754,021, and authorize a 5% change order allowance in the amount of \$287,701.05, which will only be utilized for approved change orders. The total authorized amount recommended for this project is \$6,041,722.05. This project is funded by the 2012 authorized Parks bonds.

6 Take action on the following resolutions:

- *6-a** [17-0371](#) Authorizing and supporting the submittal of a grant application by Arizonans for Children, Inc., to the Fort McDowell Yavapai Nation in the amount of \$15,000 for their Mesa Visitation Center, and authorizing the City Manager to accept and administer subsequent awarded funds as a pass-through grant. **(Citywide)**

- *6-b [17-0372](#) Authorizing and supporting the submittal of a grant application by Child Crisis Arizona to the Fort McDowell Yavapai Nation in the amount of \$10,000 for their Arizona Kinship Services Program, and authorizing the City Manager to accept and administer subsequent awarded funds as a pass-through grant. **(Citywide)**
- *6-c [17-0374](#) Authorizing and supporting the submittal of a grant application by City of Mesa Police Department to the Fort McDowell Yavapai Nation in the amount of \$58,850 for their Mobile Field Force Bicycle Patrol Unit, and authorizing the City Manager to accept and administer subsequent awarded funds. **(Citywide)**
- *6-d [17-0375](#) Authorizing and supporting the submittal of a grant application by City of Mesa Police Department to the Fort McDowell Yavapai Nation in the amount of \$14,900 for Crime Prevention signage and materials, and authorizing the City Manager to accept and administer subsequent awarded funds. **(Citywide)**
- *6-e [17-0376](#) Authorizing and supporting the submittal of a grant application by City of Mesa Police Department to the Fort McDowell Yavapai Nation in the amount of \$7,210 for support training and investigative resource enhancements for the Missing Person's Unit, and authorizing the City Manager to accept and administer subsequent awarded funds. **(Citywide)**
- *6-f [17-0377](#) Authorizing and supporting the submittal of a grant application by East Valley Adult Resources to the Fort McDowell Yavapai Nation in the amount of \$15,000 for their Meals on Wheels program, and authorizing the City Manager to accept and administer subsequent awarded funds as a pass-through grant. **(Citywide)**
- *6-g [17-0378](#) Authorizing and supporting the submittal of a grant application by Gene Lewis Boxing Club to the Fort McDowell Yavapai Nation in the amount of \$7,500 for their "Every Child a Champion" after-school program, and authorizing the City Manager to accept and administer subsequent awarded funds as a pass-through grant. **(Citywide)**
- *6-h [17-0379](#) Authorizing and supporting the submittal of a grant application by Mesa Public Schools to the Fort McDowell Yavapai Nation in the amount of \$128,511 for their Services for Native American Student Success programs at Salk Elementary, Fremont Junior High, and Red Mountain High Schools, and authorizing the City Manager to accept and administer subsequent awarded funds as a pass-through grant. **(Citywide)**

- *6-i** [17-0380](#) Authorizing and supporting the submittal of a grant application by Native American Fatherhood & Families Association to the Fort McDowell Yavapai Nation in the amount of \$300,000 for their Fatherhood is Sacred/Motherhood is Sacred program, and authorizing the City Manager to accept and administer subsequent awarded funds as a pass-through grant. **(Citywide)**
- *6-j** [17-0381](#) Authorizing and supporting the submittal of a grant application by Visit Mesa to the Fort McDowell Yavapai Nation in the amount of \$62,000 for their collaborative/cooperative marketing partnership efforts, and authorizing the City Manager to accept and administer subsequent awarded funds as a pass-through grant. **(Citywide)**
- *6-k** [17-0386](#) Setting May 22, 2017 as the public hearing date to review the proposed FY 2017/18 annual assessments for the Mesa Town Center Improvement District No. 228. The proposed final assessments do not include any rate increases. **(District 4)**
- *6-l** [17-0446](#) Approving and authorizing the City Manager to enter into the First Amendment to the Lease Agreement With Option to Purchase with Benedictine University for the City-owned property located at 225 East Main Street. **(District 4)**
- *6-m** [17-0449](#) Approving and authorizing the City Manager to enter into a Development Agreement with Sunbelt Land Holdings LP relating to property located Northeast of East Elliot Road and South 96th Street for the purpose of “opting-in” to the Elliot Road Technology Corridor zoning overlay. **(District 6)**
- *6-n** [17-0496](#) Approving and authorizing the City Manager to enter into a Utility Services Agreement with T. Golden Foundation, an Arizona Corporation, that modifies the requirements in Section 3 of the Terms and Conditions for the Sale of Utilities to allow for the connection of a building at 12347 South Sossaman Road, a property located outside the City limits. **(District 6)**

7 Take action on the following resolutions relating to Artspace Projects, Inc and Artspace Mesa, LP for development of the property located at 155 South Hibbert:

- *7-a** [17-0447](#) Approving and authorizing the City Manager to enter into an Amendment to the Development Agreement with Artspace Projects, Inc and Artspace Mesa, LP, relating to development of the 1.7± acres of real property at 155 South Hibbert. **(District 4)**

- *7-b** [17-0452](#) Approving and authorizing the City Manager to enter into an Access Easement Agreement with Village Bloom, LLC for portions of City-owned property located at 155 South Hibbert Road. **(District 4)**
- The Access Easement Agreement allows pedestrian and vehicular access between and through the City-owned property and the Village Bloom owned property located at 225 East 1st Avenue.

- *7-c** [17-0482](#) Authorizing a conditional allocation of up to \$500,000 in Fiscal (Program) Year 2017/2018 HOME program funding to Artspace Mesa, LP for the Mesa Artspace Lofts project. **(District 4)**

8 **Introduction of the following ordinances and setting May 8, 2017 as the date of the public hearing on these ordinances:**

- *8-a** [17-0419](#) Z16-056 **(District 6)** The 11500 through 11600 blocks of East Warner Road (south side). Located at the southwest corner of Warner Road and Meridian Road (8 ± acres). Rezone from LC to RSL-3.0; and Site Plan Review. This request will allow the development of a single residence subdivision. Jeff Giles, Clouse Engineering, applicant; 56th MD, Inc., owner.

Staff Recommendation: Approval with conditions

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

- *8-b** [17-0422](#) Z17-007 **(District 1)** The 2300 block of East McKellips Road (north side). Located east of Gilbert Road on the north side of McKellips Road (1.3± acres). Rezone from AG to RM-2 BIZ; and Site Plan Review. This request will allow for a multi-residential development. Porter Kyle, LLC, applicant; Parry Investments, LLC, owner.

Staff Recommendation: Approval with conditions

P&Z Board Recommendation: Approval with conditions (Vote: 4-0)

- *8-c** [17-0418](#) Amending Sections 9-6-1, 9-6-4(D)10 and 9-6-5 of the Mesa City Code to allow for a reduced street lighting pilot program and the use of LED streetlights. **(Citywide)**

The changes would be in effect from June 1, 2017 through December 31, 2019, and would allow the City to determine appropriate night-time lighting levels and the light color or appearance that should be permitted within various areas of the City. The two areas to be included in the street lighting pilot program are within the Desert Uplands Area and City of Mesa Electric Service Area.

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

- *9-a** [17-0334](#) Authorizing a Transaction Privilege and Use Tax Amnesty Program that will be in effect from June 1, 2017 to July 31, 2017. **(Citywide)**

The program will allow delinquent taxpayers to have certain civil penalties and interest liabilities abated during the scheduled time period, and in doing so, it is anticipated that the City will benefit by receiving revenue, resolving aging tax account receivable balances, and clearing delinquent tax returns.

10 Take action on the following subdivision plats:

- *10-a** [17-0177](#) "Red Mountain Business Park" **(District 5)** The 3200 through 3400 blocks of North Higley Road (west side). Located south of the Loop 202 Red Mountain Freeway on the west side of Higley Road. 6 LI Industrial lots (8.8 ± acres). 75 Cactus, LLC, owner; David S. Klein, Superior Surveying Services, Inc., surveyor.

- *10-b** [17-0420](#) "Las Palomas Senior Living" **(District 5)** The 9000 - 9100 blocks of East Brown Road (north side). Located west of Ellsworth Road on the north side of Brown Road (9.01 ± acres). S-K Mesa Opportunity II, LLC, owner; R. Reece Henry, Olsson Associates, surveyor.

Items not on the Consent Agenda

11 Introduction of the following ordinance and setting May 8, 2017 as the date of the public hearing on this ordinance:

- 11-a** [17-0421](#) Z17-005 **(District 6)** The 9700 through 9800 blocks of East Southern Avenue (south side) and the 9700 through 9800 blocks of East Hampton Avenue (north side). Located west of Crismon Road and south of Southern Avenue (19.4± acres). Rezone from RS-43 to PEP and RM-2 PAD; and Site Plan Review. This request will allow for a multi-residential development and a future office development. Brennan Ray, Burch and Cracchiolo, applicant; Montgomery 320, LLC, owner.

Staff Recommendation: Denial

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

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

13 Adjournment.

The Council may vote to hold an executive session for the purposes of obtaining legal advice from the City Attorney (A.R.S. §38-431.03A(3)) or to discuss and instruct the City Attorney regarding the City's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation. (A.R.S. §38-431.03A(4))