



CITY OF MESA
NOTICE OF MEETING & AGENDA - FINAL
CITY COUNCIL

Wednesday, December 8, 2021
5:45 PM

Mesa Council Chambers
57 E. First Street, Mesa, Arizona

PARTICIPATING AND ATTENDING MEETINGS: The public is welcome and encouraged to speak at City Council regular meetings on an agenda item or on an issue that is not specifically on the agenda during "Items from Citizens Present." The public may attend and participate in person, electronically, and telephonically. Speakers will generally be given three minutes.

IN PERSON COMMENT: Submit a blue speaker/comment card to the City Clerk prior to the meeting. You have the choice to have your comments read aloud or to speak. If you choose to speak, your name will be called, and you will be asked to address Council at the lectern.

TELEPHONE COMMENT: Submit an online comment card *at least one hour* prior to the meeting by going to mesaaz.gov/bluecard. At the start of the meeting, **call 888-788-0099 or 877-853-5247 (toll free) using meeting ID 5301232921** and follow the prompts. You will be prompted to unmute your line when it is time for you to speak.

ELECTRONIC COMMENT: Submit an online comment card *at least one hour* prior to the start of the meeting by going to mesaaz.gov/bluecard. The comment will be read during the live meeting that can be watched on local cable Mesa Channel 11 or online at mesaaz.tv/live or <https://facebook.com/CityofMesa>.

For help with the online comment card or for any technical difficulties, please call (480) 644-2099.

CONSENT AGENDA: All items listed 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. Please submit a blue speaker/comment card to the City Clerk before the meeting to move an item off the consent agenda.

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

DECORUM: All persons attending the Council meeting are asked to observe the rules of politeness, propriety, decorum, and good conduct. Any person interfering with the meeting will be asked to leave or removed from the meeting and will not be allowed to return. To give everyone an opportunity to speak, comments are generally limited to three minutes unless otherwise determined by the Mayor. Comments must be relevant to the item being discussed, except during Items from Citizens Present. Councilmembers are generally not permitted to discuss or take legal action on any matters raised by the public that are not specifically on the agenda. If you are with a group, please designate a spokesperson. When it is your turn, please step up to the lectern, speak clearly into the microphone, and begin by stating your name and address for the record. If you have materials to hand out, please give them to the City Clerk for distribution to the Council and staff. Eleven copies of each document are needed to insure there are enough handouts. Political campaigning is prohibited by state law.

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. 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 Jennifer Duff – District 4
Councilmember Mark Freeman – District 1
Councilmember Julie Spilsbury – District 2
Councilmember Francisco Heredia – District 3
Councilmember David Luna – District 5
Councilmember Kevin Thompson – District 6

Mayor's Welcome**Roll Call****Invocation: moment of silence****Pledge of Allegiance****Awards, Recognitions and Announcements**

1 Appointment of Holly Moseley as the City Clerk (effective January 28, 2022.)

2 Take action on all consent agenda items.

Items on the Consent Agenda

***3 [21-1002](#) Approval of minutes of previous meetings as written.**

4 Take action on the following liquor license applications:

***4-a [21-1341](#) St. Clair Winery & Tasting Room LLC**

This is a one-day wine festival event to be held on Saturday, January 15, 2022, from 12:00 P.M. to 9:00 P.M. at Riverview Park, 2100 West Rio Salado Parkway. **(District 3)**

***4-b [21-1342](#) St. Timothy Roman Catholic Parish**

This is a one-day event to be held on Friday, January 21, 2022, from 5:00 P.M. to 9:00 P.M., 1730 W Guadalupe Road. **(District 3)**

***4-c [21-1343](#) Superstition Farm Inc.**

This is a one-day event to be held on Friday, December 31, 2021, from 9:00 P.M. to 1:00 A.M. on Saturday, January 1, 2022, 3440 South Hawes Road. **(District 6)**

***4-d [21-1272](#) Georgia Leadership Foundation Inc.**

This is a one-day event to be held on Saturday, January 15, 2022, from 12:00 P.M. to 9:00 P.M. at 2100 West Rio Salado Parkway. **(District 3)**

***4-e** **[21-1273](#)** Mesa Drummer Bar & Grill

A bar is requesting a new Series 6 Bar License for Tree Top Construction LLC, 1211 North Country Club Drive, Suite 9; Amy S. Nations, agent. This is an ownership transfer. The existing license held by WA Inc. will revert to the State for modification. **(District 1)**

***4-f** **[21-1274](#)** The Lounge Social House

A social meeting center and Internet cafe is requesting a new Series 6 Bar License for Akaarre and Associates LLC, 1457 West Southern Avenue Suite 107; Jermaine A. Prince, agent. There is no existing license at this location. **(District 3)**

***4-g** **[21-1276](#)** Organic Bean Café & Wine

A café is requesting a new Series 7 Beer and Wine Bar License for Organic Bean Café and Wine LLC, 40 North Macdonald, Suite 1N; Charles Bryan Wennerlund, agent. There is no existing license at this location. **(District 4)**

***4-h** **[21-1277](#)** Beer World

A convenience store is requesting a new Series 10 Beer and Wine Store License for Roy and Daughters LLC, 1530 North Country Club Drive, Suite 20; Jeffrey Craig Miller, agent. The existing license held by JR Retail LLC will revert to the State. **(District 3)**

***4-i** **[21-1278](#)** Baci Italian Bistro

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for ATS-A-Nice Operations LLC, 8830 East Germann Road, Suite 182; Gary John Livacari, agent. The existing license held by Baci Hospitality Group Inc. will revert to the State. **(District 6)**

***4-j** **[21-1279](#)** Dolce Vita

A grocery and eatery that serves lunch and dinner is requesting a new Series 12 Restaurant License for Dolce Vita Group LLC, 5251 East Brown Road, Suite 104; Fabrizio Cali, agent. There is no existing license at this location. **(District 5)**

***4-k [21-1280](#) Zona Cantina + Cocina**

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Alvarizon Enterprises LLC, 5609 E McKellips Road, Suite 101-102; Jared Michael Repinski, agent. The existing license held by El Autentico 1010 LLC will revert to the State. **(District 5)**

5 Take action on the following contracts:***5-a [21-1285](#) Ratification of the Emergency Purchase of Three Dispatch Phone Devices/Positions (Additions) for Public Safety Communications as requested by the Mesa Police Department **(Citywide)****

This emergency purchase provided three Intrado Phone Positions for Police Public Safety Communications. Intrado provides the computerized phone system and maintenance for the 911 and non-emergency calls to Mesa. This emergency purchase was necessary in order to have phones in place in time for Queen Creek dispatching, and to be put on Intrado's installation schedule.

The Police Department and Purchasing recommend ratifying the purchase using the H-GAC Buy cooperative contract with Intrado Life & Safety Solutions Corporation, at \$72,000, based on estimated requirements. This purchase is funded by the Regional Dispatch System IGA with the Town of Queen Creek.

5-b [21-1284](#) Purchase of a Software Solution for the Department of Innovation and Technology **(Citywide)*

This purchase will provide Cribl Logstream Software as a Service (SaaS), for aggregation, filtering, and compression of the City's security log data. Initially, this will be leveraged to reduce overall costs and accommodate future Smart-City data growth for analyzing threats to the City on high-cost, consumption-priced security analysis platforms.

The Department of Innovation and Technology and Purchasing recommend authorizing the purchase using the Omnia Partners cooperative contract with Insight Public Sector, at \$56,039.31, based on estimated requirements. This purchase is funded by the Arizona Department of Homeland Security (AZDOHS) 2021 Urban Area Security Initiative (UASI) Grant Program.

5-c 21-1281 Purchase of One Water Tanker/Tender (Replacement) for the Mesa Fire and Medical Department **(Citywide)*

This purchase is for one 2022 E-One Water Tanker/Tender that will replace a 1995 Water Tanker/Tender as part of the ongoing apparatus replacement schedule. The unit that is being replaced has met the established criteria and will be sold by a sealed bid process.

The Mesa Fire and Medical Department and Purchasing recommend authorizing the purchase using the Sourcewell cooperative contract with H & E Equipment Services, at \$511,850. This purchase is funded by 2018 Public Safety Bonds.

5-d 21-1289 Dollar-Limit Increase to the Term Contract for Tires for the Materials and Supply Warehouse (for the Fleet Services and Mesa Fire and Medical Departments) **(Citywide)*

This contract provides Bridgestone and Goodyear tires for Fleet Services and Mesa Fire and Medical. The dollar-limit increase is needed due to tire price increases throughout the industry.

The Business Services Department and Purchasing recommend increasing the dollar-limit by \$125,000, from \$175,000 to \$300,000 annually, with Redburn Tire Company and Purcell Tire Company, based on estimated usage.

5-e 21-1283 Purchase of Two Street Sweepers (Replacements) for the Transportation Department **(Citywide)*

One of the sweepers will be assigned to the Asphalt Workgroup to be used to sweep millings in preparation for asphalt paving, as well as storm debris clean-up. The second sweeper will be assigned to the Street Sweeping Operation and will serve as a necessary backup unit. Two sweepers are being replaced as part of the ongoing vehicle replacement program. Both sweepers have met the established criteria and will be either traded, auctioned, sold, or deployed to special uses.

The Fleet Services and Transportation Departments and Purchasing recommend authorizing the purchase using the State of Arizona cooperative contract with Freightliner of Arizona, at \$615,142.50. This purchase is grant funded by the Maricopa Association of Governments and the Local Streets Fund.

5-f [21-1286](#) Three-Year Term Contract with Two Years of Renewal Options for Non-Mechanical Water Meters for the Water Resources Department **(Citywide)*

This contract will provide for the purchase of 1½" and 2" non-mechanical cold-water meters required for the Smart metering project and ongoing department meter maintenance and operations.

An evaluation committee recommends awarding the contract to the highest scored proposals from Badger Meter, Inc. and Core and Main, LP, at \$1,750,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

5-g [21-1288](#) One-Year Term Contract with Four Years of Renewal Options for Temporary Water Treatment and Water Reclamation Plant Operator Services for the Water Resources Department **(Citywide)*

The Water Resources Department needs to maintain its staffing levels of qualified water and wastewater operators to properly operate its treatment plants. The resulting contract will allow the department the ability to acquire temporary qualified staffing to fill vacancies at the plant until positions are filled through HR. In the current economic climate, this issue is not specific to Mesa but is recognized within the water industry and among other jurisdictions in the valley that operate their own plants.

An evaluation committee recommends awarding the contract to the qualified proposals from Smith Temporaries, Inc., dba CornerStone Staffing; and Operational Technical Services, Inc., at \$1,500,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

***5-h 21-1310 Fire Station Exhaust Systems Project - 16 Locations (Citywide)**

The scope of this project includes installations of vehicle exhaust gas removal systems at 16 fire stations: 202, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 216, 217, 2202, and the Volunteer Center. These systems are magnetically connected to the tailpipe of each vehicle while it is outside the building bay. An extraction fan is activated that pulls the gas out and away from the building via mechanical ducting. This ducting is on a track that allows the vehicle to then be brought into the bay while continually removing the exhaust gasses. The system will automatically activate when a vehicle is started in the building as well as detach and return to its stored position as the vehicle leaves the station. This will reduce the collection of carcinogenic gasses in the vehicle bays of the station reducing the exposure to staff.

Staff recommends awarding the project to lowest responsible bidder, Rossman Enterprises Inc., dba MagneGrip, in the amount of \$835,564.06, and authorizing a change order allowance in the amount of \$167,112.81 (20%), for a total amount of 1,002,676.87. This project is funded by the FEMA Assistance to Firefighters Grant and the City of Mesa Capital General Fund.

6 Take action on the following resolutions:

- *6-a 21-1338 Approving and authorizing the City Manager to enter into an Office of Justice Programs Grant Contract to accept up to \$750,000 in grant funds. The funds will be used by the Police Department for personnel and other program costs associated with the development of a comprehensive approach to address hate crimes in the City of Mesa. (Citywide)**
- *6-b 21-1294 Extinguishing a 20-foot Public Utilities Easement (PUE) located at 1810 South Crismon Road to accommodate a new mixed-use development called "The Falls at Crismon Commons"; requested by the property owner. (District 6)**
- *6-c 21-1308 Approving and authorizing the the City Manager to enter into an Intergovernmental Agreement with the Arizona Department of Water Resources for the Regional Water - Use it Wisely™ media campaign. (Citywide)**
- *6-d 21-1307 Authorizing the City Manager to enter into a Sixth Amendment to the Development Agreement, a First Amendment to the Amended and Restated Ground and Air Lease, and a First Amendment to the Amended and Restated License Agreement for the development commonly known as The GRID, a project on City-owned property, generally located at the southwest corner of Main Street and Pomeroy at 233 East Main Street and 34 South Pomeroy and granting an option to purchase the associated land and air rights. (District 4)**

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

***7-a [21-1291](#)** ANX21-00799 (**District 6**) Annexing property located within the 4200 to 4400 blocks of South Sossaman Road (west side). Located west of Sossaman Road and north of the Warner Road alignment (101.1± acres). Initiated by the applicant, Sean Lake on behalf of Pew & Lake PLC, The Dale C. Morrison Trust, owner.

***7-b [21-1254](#)** ZON21-00798 (**District 6**) Within the 4200 to 4400 blocks of South Sossaman Road (west side). Located west of Sossaman Road and north of the Warner Road alignment (101.1± acres). Rezone from Agriculture (AG) to Light Industrial with a Planned Area Development overlay (LI-PAD) and Site Plan Review. This request will allow for an industrial development. Sean Lake on behalf of Pew & Lake PLC, applicant; The Dale C. Morrison Trust, owner.

Staff Recommendation: Approval with conditions

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

***7-c [21-1239](#)** ZON21-00566 (**District 5**) Within the 6400 block of East McDowell Road (north side) and within the 2800 block of North Ramada (west side). Located west of Power Road on the north side of McDowell Road (4.1± acres). Rezone from Office Commercial (OC) to Single Residence 9 with a Planned Area Development Overlay (RS-9-PAD). This request will allow for the development of a single residence subdivision. Grant Taylor, applicant; DeMichele Family, LLC, owner.

Staff Recommendation: Approval with conditions

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

***7-d [21-1240](#)** ZON21-00892 (**District 6**) Within the 4400 to 4700 blocks of South Power Road (east side) and within the 6800 to 7000 blocks of East Warner Road (south side). Located at the southeast corner of Power Road and Warner Road (40± acres). Modification of the Planned Area Development Overlay (PAD) and Site Plan Modification. This request will allow for commercial development. Sean Lake, Pew & Lake, PLC, applicant; Power 40, LLC, owner.

Staff Recommendation: Approval with conditions

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

- *7-e [21-1265](#)** Amending Title 5 of the Mesa City Code (Business Regulations), Chapter 4 entitled “Mobile Food Vendors” to exempt mobile food vendors who are operating at special events from licensing requirements on a limited basis, and to modify requirements for the location of mobile food vendor operations, including distance requirements and related exemptions for operation in or near areas zoned for residential use, effective March 1, 2022. **(Citywide)**

8 Discuss, receive public comment, and take action on the following ordinance, and take action on the following resolution relating to property located at the northwest corner of East Elliot and South Signal Butte Roads:

- *8-a [21-1242](#)** ZON21-00540 **(District 6)** An ordinance within the 10500 to 10800 blocks of East Elliot Road (north side) and within the 3500 block of South Signal Butte Road (west side). Located on the northwest corner of Signal Butte Road and Elliot Road (25.7± acres). Rezone from Agriculture (AG) to Light Industrial (LI) with a Planned Area Development (PAD) Overlay, Site Plan Review, and Special Use Permit. This request will allow for a commercial and industrial development. Adam Baugh, Withey Morris, PLC, applicant; Whane of Mesa, LP, owner.

Staff Recommendation: Approval with conditions

P&Z Board Recommendation: Approval with conditions (Vote: 5-1)

- *8-b [21-1270](#)** A resolution approving and authorizing the City Manager to enter into a Development Agreement relating to 25 +/- acres of property located at the northwest corner of East Elliot Road and South Signal Butte Road for the primary purpose of prohibiting certain land uses. **(District 6)**

9 Take action on the following subdivision plat:

- *9-a [21-1268](#)** “Menlo Circle” **(District 1)** Within the 2100 block of East Menlo Circle (both sides) and within the 2100 block of East Hermosa Vista Drive (north side). Located south of the 202 Red Mountain Freeway and east of Gilbert Road (1.94 ± acres). Mason Bradshaw and Amanda Lyn Bradshaw, Trustees of the Mason Mark Bradshaw and Amanda Lyn Bradshaw Revocable Living Trust and Menlo Holdings, LLC, developers; Gerald Hughes, EPS Group, surveyor.

Items not on the Consent Agenda**10 Take action on the following resolution relating to a development called Residences on First Phase Three:**

- 10-a [21-1306](#)** Approving and authorizing the City Manager to enter into a Sale and Purchase Agreement, Development Agreement, and a Government Property Lease Excise Tax (GPLET) Lease Agreement for the development of 1.48± acres of city-owned property located in downtown Mesa near the southeast corner of South Macdonald and West 1st Avenue called Residences on First Phase Three. **(District 4)**

11 Conduct a public hearing and take action on a resolution on the continuation of the Mesa Town Center Improvement District No. 228.

- 11-a [21-1212](#)** A public hearing on the continuation of the Mesa Town Center Improvement District No. 228.

- 11-b [21-1213](#)** A resolution approving the continuation of the Mesa Town Center Improvement District No. 228 for an additional five years. **(District 4)**

On October 7th, 1985, the City established the Mesa Town Center Improvement District to provide enhanced municipal services for the Town Center. Approval of the resolution will continue the Mesa Town Center Improvement District for an additional five years.

12 Conduct a public hearing and take action on the following ordinances adopting modified City-owned utility terms/rates/fees/charges:

- 12-a [21-1311](#)** Conduct a public hearing on modifications to terms/rates/fees/charges of City-owned utilities: items 12-b through 12-f.

- 12-b [21-1227](#)** Modifying terms/rates/fees/charges for electric utility services. **(Districts 1 and 4)**

- 12-c [21-1229](#)** Modifying terms/rates/fees/charges for natural gas utility services. **(Citywide)**

- 12-d [21-1231](#)** Modifying terms/rates/fees/charges for water utility services. **(Citywide)**

- 12-e [21-1233](#)** Modifying terms/rates/fees/charges for wastewater utility services. **(Citywide)**

- 12-f [21-1235](#)** Modifying terms/rates/fees/charges for solid waste utility services. **(Citywide)**

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.