



City of Mesa
Notice of Meeting Agenda - Final
City Council

Monday, July 8, 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 reunión al 480-644-2767.

For more information regarding City Council meetings, including agendas, approved minutes and ways to participate electronically, please visit <https://www.mesaaz.gov/government/city-council-meetings>.

NOTICE: Pursuant to A.R.S. § 38-431.02, notice is hereby given that the City Council will hold a meeting open to the public at the date and time above. If indicated in the agenda, pursuant to A.R.S. § 38-431.03, the City Council may vote to go into executive session which will not be open to the public. Members of the City Council may appear at the meeting in person, telephonically, or electronically. Children are welcome at City Council meetings, but please remember meetings are video recorded; by allowing your child to attend, you consent to your child being recorded. A.R.S. § 1-602(A)(9).

Mayor John Giles
Vice Mayor Francisco Heredia - District 3
Councilmember Mark Freeman - District 1
Councilmember Julie Spilsbury - District 2
Councilmember Jennifer Duff - District 4
Councilmember Alicia Goforth - District 5
Councilmember Scott Somers - District 6

Mayor's Welcome

Roll Call

Invocation by Reverend Dr. Derrick Elliott with Desert Heritage Church.

Pledge of Allegiance

Awards, Recognitions and Announcements

1 Take action on all consent agenda items.

Items on the Consent Agenda

*2 [24-0016](#) Approval of minutes of previous meetings as written.

3 Take action on the following liquor license applications:

*3-a [24-0690](#) Baja Joe's

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Cardamon Family Ventures LLC, 1927 North Gilbert Road Suite 5 - 7 - Don Charles Cardamon, agent. The existing license held by Baja Joe's LLC will revert to the State. **(District 1)**

*3-b [24-0679](#) Skyline Liquor & Foods

A convenience store is requesting a new Series 9 Liquor Store License for Liquor Empire LLC, 415 South Higley Road Suite 101 - Paramjit Singh, agent. This is an ownership transfer; therefore, the existing license held by Skyline Liquor Inc. will revert to the State for modification. **(District 2)**

*3-c [24-0691](#) Nail 21 Lounge

A nail salon is requesting a new Series 7 Beer & Wine Bar License for JV Consultant LLC, 1702 South Val Vista Drive Suite 105 - Justin Saad Delly, agent. There is no existing license at this location. **(District 2)**

***3-d** [24-0693](#) [Ramos Redux](#)

A restaurant that serves lunch and dinner is requesting a new Series 7 Beer & Wine Bar License for Alysia Kay Gratton Ramos, Sole Proprietor, 1526 East Main Street. The existing Series 12 Restaurant License held by Casa Ramos II LLC will remain active at the location. The new Series 7 Beer & Wine Bar License will be held on inactive status at this same location until it has either been sold or transferred to a different location. **(District 4)**

***3-e** [24-0683](#) [Mr Brews Taphouse Red Mountain](#)

A restaurant that serves lunch and dinner is requesting a new Series 12G Restaurant License with growler privileges for Rocky Point North LLC, 1157 North Ellsworth Road Suite 101-103 - John Edward Milleson, agent. There is no existing license at this location. **(District 5)**

***3-f** [24-0681](#) [Arizona Rebel Republic](#)

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Magicwebb Concepts LLC, 4425 South Mountain Road Suite 111-112 - Jeffrey Craig Miller, agent. There is no existing license at this location. **(District 6)**

***3-g** [24-0678](#) [Beast of Bourbon](#)

A pub is requesting a new Series 6 Bar License for Diamondback Group LLC, 2235 South Power Road Suite 127 - Amy S. Nations, agent. The existing series 12 Restaurant License will revert to the State and then be replaced with the new Series 6 Bar License. **(District 6)**

***3-h** [24-0682](#) [Russo's New York Pizzeria](#)

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for 3 Nine Enterprise LLC, 4537 South Power Road Suite 101 - Phuong My Barth, agent. There is no existing license at this location. **(District 6)**

***3-i** [24-0680](#) [Speedway #1509](#)

A convenience store is requesting a new Series 9 Liquor Store License for Western Refining Retail LLC, 7226 South Ellsworth Road - Andrea Dahlman Lewkowitz, agent. This existing Series 10 Beer and Wine Store License held by Western Refining Retail LLC will revert to the State. **(District 6)**

4 Take action on the following contracts:

- *4-a** **24-0689** Central Mesa Reuse Pipeline Plant, Construction Manager At Risk (CMAR),
Guaranteed Maximum Price (GMP) No. 3 of 3 (**District 1**)

GMP No. 3 includes the construction of the proposed Intermediate Pump Station to facilitate delivery of reclaimed water to the Gila River Indian Community (GRIC) delivery point.

Staff recommend awarding a contract for this project to Garney Companies, in the amount of \$15,040,620 (GMP No. 3), and authorizing a change order allowance in the amount of \$752,031 (5%), for a total amount of \$15,792,651. This project is funded by the Water Utility Systems Revenue Obligations.

- *4-b** **24-0667** Westwood Street Improvements - Construction Manager at Risk (CMAR),
Guaranteed Maximum Price (GMP) No. 1 of 1 (**District 3**)

This project will include the installation of new water and gas pipes on Westwood between University Drive and Rio Salado Parkway and on 6th Street between Extension and Country Club Drive, and raised crosswalks at three locations on Westwood, and the replacement of traffic signals and equipment at two intersections.

Staff recommend awarding a contract to FPS Civil LLC in the amount of \$7,960,775.03 (GMP), and authorizing a change order allowance in the amount of \$796,077.50 (10%), for a total amount of \$8,756,852.53. This project is funded by Utility Systems Revenue Obligations, Local Streets Fund, and Special Programs Fund.

- *4-c** **24-0670** Purchase of One Electric Forklift (Addition) for the Mesa Police Department
(**Citywide**)

This purchase will provide one Turret Truck Forklift for use in the new Police Evidence building. The forklift is fully electric as part of the City's green initiative and will assist staff in safely and efficiently moving evidence items within the warehouse.

The Police Department and Procurement Services recommend authorizing the purchase using the Sourcwell cooperative contract with Naumann/Hobbs Material Handling at \$116,000, based on estimated requirements. This purchase is funded by Public Safety Sales Tax.

- *4-d** **24-0673** Three-Year Term Contract with Two Years of Renewal Options for Polymers for Water Treatment Plants for the Water Resources Department (Single Bid Response) **(Citywide)**

This contract will provide for the purchase and delivery of various polymer products that are used in the water treatment process at the Brown Road and Signal Butte Water Treatment Plants. Polymers are critical in treating raw water to meet water quality standards under the Safe Water Drinking Act.

The Water Resources Department and Procurement Services recommend awarding the contract to the single, responsive, and responsible bidder, Polydyne, Inc. at \$320,000 annually, based on estimated requirements.

- *4-e** **24-0671** Three-Year Term Contract with Eight Years of Renewal Options for the Purchase and Maintenance of Two Ion Chromatographs (One Replacement and One Addition) for the Water Resources Department **(Citywide)**

Water Resources is required to analyze microbial, inorganic, and organic compliance samples for the City's water and wastewater programs. Testing is crucial as drinking water must meet water quality standards under the Safe Drinking Water Act. Wastewater must be tested to determine if it meets permits for discharge.

Water Resources Compliance Laboratory is replacing one ion chromatograph that has reached the end of its service life and is no longer supported by the vendor. The second unit is being purchased to meet increased testing demands as the City has experienced significant system growth, since the original purchase of the first unit more than 20 years ago.

A committee representing the Water Resources Department and Procurement Services evaluated responses and recommend awarding the contract to the highest-scored proposal from Brinkmann Instruments, Inc. dba Metrohm USA, Inc., Year 1 at \$203,000, and Years 2 through 11 at \$43,000 annually, based on estimated requirements.

4-f [24-0674](#) Three-Year Term Contract with Two Years of Renewal Options for Traffic Signal Maintenance Services for the Transportation Department **(Citywide)*

This contract will provide for the maintenance, modification, and installation services of the City's Intelligent Transportation System (ITS), traffic signals, and other related ITS equipment.

A committee representing the Transportation Department and Procurement Services evaluated responses and recommend awarding the contract to the highest-scoring proposal B&F Contracting, Inc. at \$4,320,000 annually, based on estimated requirements. This contract is funded by the Local Streets Fund and Capital Improvement Program Projects.

4-g [24-0672](#) Use of Cooperative Contracts for Term Contracts for PC Cycle Replacement and Supplemental Computers, Ruggedized Laptops, and Tablets for Citywide Departments **(Citywide)*

These contracts will provide for the City's PC Cycle Replacement program and supplemental computer equipment purchases for citywide departments to meet their current and future technology needs both known and unknown.

The Department of Innovation and Technology and Procurement Services recommend authorizing the purchase using the OMNIA National Cooperative Purchasing Alliance and Mohave Educational cooperative contracts; with Dell Marketing LP and Apple Computer, Inc.; at \$4,000,000 annually, based on estimated requirements. These contracts are funded: \$3,250,000 by DoIT PC Lifecycle Funding FY 2024 and FY 2025, and \$750,000 by various City Departments for supplemental purchases throughout the year.

5 Take action on the following resolutions:

***5-a [24-0687](#) Approving and authorizing the City Manager to enter into a memorandum of understanding between the City of Mesa and Habitat Fenix, LLC establishing the framework and key concepts for negotiation of future agreements for the redevelopment of approximately 41,585 sq ft of City-owned land at the southeast corner of Pepper Place and Macdonald (Green Parking Lot). **(District 4)** Resolution No. 12239**

***5-b [24-0688](#) Approving and authorizing the City Manager to enter into an Amended and Restated Intergovernmental Agreement between the Arizona Board of Regents for and on behalf of Arizona State University and the City of Mesa for the development, operation, and maintenance of educational facilities in downtown Mesa, with terms that allow for the sale, transfer, lease, and license of City real property and improvements. **(Citywide)** Resolution No. 12240**

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

- *6-a** [24-0646](#) Proposed amendments to Section 11-7-2 of Title 11 of the Mesa City Code, Zoning Ordinance, allowing Banquet and Conference Centers in certain Employment Districts. Ordinance No. 5861

Staff Recommendation: Adoption

P&Z Board Recommendation: Adoption (Vote: 6-0)

- *6-b** [24-0645](#) Proposed amendments to Chapters 24 and 87 of Title 11 of the Mesa City Code, Zoning Ordinance, pertaining to the Downtown Events (DE) Overlay District including but not limited to revising the boundaries of the DE Overlay District, creating an exception to the maximum consecutive days for City special events in the DE Overlay District, and adding definitions related to City special events. **(Citywide)** Ordinance No. 5862

Staff Recommendation: Adoption

P&Z Board Recommendation: Adoption (Vote: 6-0)

- *6-c** [24-0666](#) Amending the Mesa City Code by repealing existing Chapter 10 of Title 8 and adopting a new replacement Title 8 Chapter 10 entitled "Municipal Water System" that establishes revised and additional terms, conditions, and limitations regarding City water utility service; including setting revised water demand limits and establishing permitting requirements for large water customer users and making other clarifying edits. **(Citywide)** Ordinance No. 5863

- *6-d** [24-0644](#) ZON23-00465 "Smiles for Special Needs" **(District 1)** Within the 1800 block of East Brown Road (north side). Located west of Gilbert Road and north of Brown Road (1± acres). Rezone from Single Residence-9 (RS-9) to Office Commercial (OC) and Site Plan Review. This request will allow for a day care center. Smiles for Special Needs LLC, owner; Vanessa MacDonald, Pew & Lake PLC, applicant. Ordinance No. 5864

Staff Recommendation: Approval with conditions

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

7 Take action on the following off track betting license applications:

- *7-a** [24-0676](#) Turf Paradise

New Off-Track Betting License for Turf Paradise, TP Racing LLLP to telecast at JJ Madison's, located at 430 North Power Road, JJ Madison's Corp. - Vincent Acri Francia, applicant. **(District 2)**

***7-b [24-0675](#) Turf Paradise**

New Off-Track Betting License for Turf Paradise, TP Racing LLLP to telecast at O'Kelley's Sports Bar & Grill, located at 2120 West Guadalupe Road Suite 14-19, Glenbeigh, Inc. - Vincent Acri Francia, applicant. **(District 3)**

Items not on the Consent Agenda

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

9 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.