

Monday, December 9, 2024
5:45 PM



City Hall Council Chambers
20 East Main Street

City Council Agenda

Mark Freeman
Mayor

Rich Adams
Councilmember, District 1

Julie Spilsbury
Councilmember, District 2

Francisco Heredia
Councilmember, District 3

Jennifer Duff
Councilmember, District 4

Alicia Goforth
Councilmember, District 5

Scott Somers
Councilmember, District 6

DECORUM: The public is encouraged to attend City of Mesa (City) Council meetings in person, telephonically, or electronically. All persons attending the meeting are asked to observe the rules of politeness, propriety, decorum, and good conduct. Disrupting the meeting may result in being asked to leave or being removed, and you may be prohibited from attending meetings for a period of time.

ACCESSIBILITY: The City 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.

PARTICIPATION: Members of the public at the meeting may address the City Council with comments on a specific agenda item or during "Items from Citizens Present." **To request to speak in person, submit a blue speaker card to the City Clerk prior to the start of the 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 request to speak telephonically, submit the online Council Meeting Speaker/Comment Card to the City Clerk at least one hour before the start of the meeting.

For agenda 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 are requested.

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.

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.

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 the agenda indicates, the City Council may vote to go into executive session which will not be open to the public [A.R.S. § 38-431.03]. 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)].

Visit <https://www.mesaaz.gov/government/city-council-meetings> for additional meeting and participation information.

Mayor's Welcome

Roll Call

Invocation by Pastor Jose Luis Amaya with Iglesia de Cristo Elim Betel Church.

Pledge of Allegiance

Awards, Recognitions and Announcements

1 Take action on all consent agenda items.

Items on the Consent Agenda

*2 [24-0703](#) Approval of minutes of previous meetings as written.

3 Take action on the following liquor license applications:

*3-a [24-1246](#) Echo Karaoke

A dinner theater restaurant that serves dinner is requesting a new Series 12 Restaurant License for Echo Venues LLC, 1844 West Broadway Road - Jason Paul Doty, agent. There is no existing license at this location. **(District 3)**

*3-b [24-1247](#) K Town

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Dessert27 USA Inc., 1832 West Broadway Road Suite 100 - Kim Kwanghan, agent. The existing license held by K Town LLC will revert to the State. **(District 3)**

*3-c [24-1248](#) La Famiglia Pizza & Pasta

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for La Famiglia Lipari LLC, 1859 West Guadalupe Road Suite 101 - Levi Joseph Love, agent. The existing license held by Polita VII LLC will revert to the State. **(District 3)**

*3-d [24-1249](#) Pizza Mart

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Arizona Pizza Mart LLC, 1329 East Main Street - Rueben Elias Doster, agent. The existing license held by Pizza Mart East Mesa LLC will revert to the State. **(District 4)**

***3-e** **24-1251** Tacos & Hot Dogs Los Mayitos

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Hot Dogs Los Mayitos LLC, 330 South Gilbert Road Suite 1 - Sheyla Maritza Ruiz Tellechea, agent. There is no existing license at this location. **(District 4)**

***3-f** **24-1252** The Stone House

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for AZ Stone 1 LLC, 6910 East Hampton Avenue - Keith Brian Turner, agent. There is no existing license at this location. **(District 6)**

***3-g** **24-1250** Steadfast Diner

A restaurant that serves breakfast, lunch, and dinner is requesting a new Series 12 Restaurant License for Steadfast Diner LLC, 5149 South Inspirian Parkway - Theresa June Morse, agent. The existing license held by Handlebar Diner LLC will revert to the State. **(District 6)**

4 **Take action on the following contracts:*****4-a** **24-1217** Pecos Road Basins And Storm Drain Improvements - Pre-Construction Services and Construction Manager At Risk (CMAR) **(District 6)**

This project consists of regional drainage improvements to approximately 3 miles of the Pecos Road corridor from Meridian Road to Ellsworth Road. The pre-construction phase work involves developing the project design, performing potholing, reviewing the design for constructability, preparing cost estimates, developing the project schedule, the project phasing plan and the Guaranteed Maximum Price (GMP). The GMP will be brought to Council for review and approval.

Staff recommends selecting Sundt Construction, Inc. as the CMAR for this project, and awarding a pre-construction services contract in the amount of \$417,900, and authorizing a change order allowance in the amount of \$41,790 (10%), for a total amount of \$459,690. This project is funded by Local Street Sales Tax and the Transportation Fund.

- *4-b** **24-1241** Use of a Cooperative Contract for a One-Year Term with a One-Year Renewal Option for Unmanned Aerial Systems, Remotely Operated Devices, and Related Goods and Services for the Mesa Police Department **(Citywide)**

The Police Department currently uses Unmanned Aerial Systems (UAS) and has identified increasing needs to procure and deploy various unmanned devices to facilitate operations in a safe and efficient manner. Some of the drones that will be purchased under this contract are mini drones and tethered drones. Mini drones are used to assist with clearing the interior of structures and small spaces the full-size drones are unable to access. The tethered drones will be used for special events that allow for prolonged fixed coverage for events.

The Mesa Police Department and Procurement Services recommend authorizing the purchase using the State of Arizona cooperative contract with Innovative UAS dba Gresco Supply at \$190,000 annually, with an annual increase allowance of up to 5% or the adjusted Consumer Price Index.

- *4-c** **24-1238** Dollar Limit Increase to the Term Contract for Hardware Supplies and Related Services for Citywide Use **(Citywide)**

This contract supplies various City Departments with hardware supplies in a walk-in or internet purchase manner. Purchases include anything that can be found in-store or online from The Home Depot. The dollar limit increase is needed due to increased usage by departments and product cost increases.

The Business Services Department and Procurement Services recommend increasing the dollar limit with Home Depot U.S.A., Inc. by \$200,000, from \$500,000 to \$700,000 annually, with an annual increase allowance of up to 5% or the adjusted Consumer Price Index.

- *4-d** **24-1239** 5-Year Term Contract for Solid Waste Disposal Processing for the Solid Waste Department **(Citywide)**

This contract allows the City of Mesa to transfer and dispose of solid waste materials collected by the Solid Waste Department to disposal facilities in and around the City. In addition, this contract allows Mesa residents to self-haul solid waste to the contracted facilities.

A committee representing the Solid Waste and Energy and Sustainability Departments and Procurement Services evaluated responses and recommend awarding the contract to the highest scored proposals from Waste Management of Arizona, Inc. (a Mesa business) and Allied Waste Transportation, Inc. dba Republic Services of Phoenix (a Mesa business) at \$4,000,000 annually, with an annual increase allowance of up to 5% or the adjusted Consumer Price Index.

4-e [24-1240](#) Dollar Limit Increase to the Term Contract for Refuse Truck Body Repair Services for the Fleet Services Department **(Citywide)*

The City of Mesa manages a fleet of over 80 refuse trucks and performs in-house repairs but sometimes require contractors to service its refuse trucks when Original Equipment Manufacturer repairs are required or when City staff are unable to take on additional work. Refuse truck repairs are critical in providing collection services to City of Mesa residents. The dollar limit increase is needed due to unexpected repair costs and staffing shortages which have led to increased usage.

The Fleet Services Department and Procurement Services recommend increasing the dollar limit with American Equipment; AMREP Manufacturing, Co.; Balar Equipment; BTE Body Co.; Short Equipment; Spartan Truck Manufacturing; and Terrific Trucks and Equipment by \$500,000, from \$300,000 to \$800,000 annually, with an annual increase allowance of up to 5% or the adjusted Consumer Price Index.

4-f [24-1242](#) Three-Month Extension and Dollar Limit Increase to the Term Contract for Light-Duty and Police Vehicle Maintenance and Repair Services for the Fleet Services Department **(Citywide)*

This contract provides non-exclusive vendors for the maintenance and repair of the City's fleet of sedans, light-duty trucks, sport utility vehicles, and vans. The contract has been extended to allow sufficient time to complete a thorough and in-depth solicitation for a new contract. This extension will provide the City with the time required to ensure a comprehensive process, allowing for proper evaluation and selection. The dollar limit increase is needed to cover maintenance and repair services for the remaining contract term.

The Fleet Services Department and Procurement Services recommend increasing the dollar limit with Larry H. Miller Ford Mesa (a Mesa business); B&T Vivian Investment Company, LLC. dba Thompson's Auto Repair & Towing (a Mesa business); Viking Auto Repair, dba Dave's Auto Repair Clinic (a Mesa business); Friendly Auto Centers, LLC. (a Mesa business); and Henry Brown Buick GMC, LLC.; by \$500,000, from \$800,000 to \$1,300,000 through April 30, 2024.

- *4-g** **24-1243** Six-Month Extension and Dollar Limit Increase to the Term Contract for Automobile Dealers Eligibility List for Citywide Departments as Requested by the Fleet Services Department **(Citywide)**

This contract provides a non-exclusive, pre-approved list of full-service auto dealers to provide the City price quotes on the purchase, delivery, warranties, and full-service maintenance (if needed) of new vehicles on an as-needed basis. This contract is in its last year and has been extended by six months to allow ample time to complete the solicitation for a new contract. The dollar limit increase is needed to cover planned vehicle purchases for the remaining contract term.

The Fleet Services Department and Procurement Services recommend increasing the dollar limit with Courtesy Auto of Mesa, LLC. dba Courtesy Chrysler Dodge Jeep Ram of Superstition Springs (a Mesa business); Courtesy Chevrolet; Larry H. Miller Ford (a Mesa business); Midway Chevrolet Company, LLC. dba Midway Chevrolet; PFVT Motors, LLC. dba Peoria Ford; and San Tan Auto Partners, LLC. dba San Tan Ford; by \$3,600,000, from \$9,400,000 to \$13,000,000 through the remaining term of the contract.

- *4-h** **24-1268** Dollar Limit Increase to the Term Contract for Slurry Seal Emulsion for the Transportation Department **(Citywide)**

The Transportation Department's contract for Slurry Seal Emulsion was terminated due to the supplier not being able to provide the materials. The Transportation Department is in the process of rebidding the contract and has obtained quotes from other suppliers, with Ergon Asphalt and Emulsions, Inc. submitting the lowest quote. The dollar limit increase is needed to pay remaining invoices for the slurry seal project.

The Transportation Department and Procurement Services recommend increasing the dollar limit with Ergon Asphalt and Emulsions, Inc. by \$17,000, from \$100,000 to \$117,000.

5 Take action on the following resolutions:

- *5-a** **24-1219** Adopting and publishing the City of Mesa 2050 Transportation Master Plan as a guiding document regarding the vision for transportation investment and policy in the City of Mesa. **(Citywide)** Resolution No. 12310
- *5-b** **24-1220** Approving and authorizing the City Manager to enter into a Memorandum of Understanding with Valley Metro Rail, Inc. for safety and security services for light rail vehicles, park-and-rides and other related buildings located within the City of Mesa. **(Districts 3 and 4)** Resolution No. 12311

- *5-c** [24-1222](#) Recommend approval of a locally preferred alternative (LPA) extending streetcar east on Rio Salado Parkway from the current streetcar terminus at Marina Heights to Dobson Road, south on Dobson Road terminating at Main Street. Resolution No. 12312
- *5-d** [24-1261](#) Approving and authorizing the sale of the real property and improvements located at 6030 South Kent Street and 6035 South Kent Street in Mesa, Arizona, known as the Arizona Laboratories for Security Defense Research (AZLabs), and authorizing the execution of necessary documents for the sale. **(District 6)** Resolution No. 12314
- *5-e** [24-1221](#) Extinguishing a portion of three separate 20-foot public utilities and facilities easements located at 6131 East Southern Avenue to allow for the expansion of an existing Walmart retail store, requested by the property owner. **(District 6)** Resolution No. 12315

6 Introduction of the following ordinances and setting January 13, 2025 as the date of the public hearing on these ordinances:

- *6-a** [24-1230](#) ZON24-00015 "5308 E. Main Modern" 2.3± acres located approximately 600 feet east of the northeast corner of North Higley Road and East Main Street. Rezone from Limited Commercial (LC) to Multiple Residence-4 with a Bonus Intensity Zone Overlay (RM-4-BIZ) and Site Plan Review to allow for a multiple residence development. John Saliba, Saliba Hogan Investments LLC, owner; John Fox, applicant. **(District 2)** Ordinance No. 5910

Staff Recommendation: Approval with conditions

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

- *6-b** [24-1234](#) ZON24-00752 "Banner Gateway Residences" 10.5± acres located approximately 1,350 feet east of the northeast corner of East Banner Gateway Drive and South Greenfield Road. Rezone from Light Industrial (LI) to Multiple Residence-4 with a Planned Area Development Overlay (RM-4-PAD) and Site Plan Review to allow for a multiple residence development. CRISKO LLC/KAY AND JUDY TOOLSON JOINT REVOCAB, owner; Brennan Ray, Burch & Cracchiolo, P.A., applicant. **(District 2)** Ordinance No. 5911

Staff Recommendation: Approval with conditions

P&Z Board Recommendation: Approval with conditions (6-1)

- *6-c** **24-1228** ZON23-00970 "Legacy Square," 2.2± acres located at the northwest corner of South Pomeroy and East 2nd Avenue, approximately 250 feet west of the intersection of South Mesa Drive and East 2nd Avenue. Rezone from Downtown Residence-2 (DR-2) and Downtown Residence-3 (DR-3) to Downtown Core (DC) and Site Plan Review to allow for a multiple residence development. Legacy Square Opzone LLC, owner; Travis Taylor, Westates Companies, applicant. **(District 4)** Ordinance No. 5912

Staff Recommendation: Approval with conditions

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

- *6-d** **24-1233** ZON24-00745 "Black Rock Coffee Bar" 0.7± acres located at 1050 South Country Club Drive, approximately 850 feet north of the northwest corner of West Southern Avenue and South Country Club Drive. Major Site Plan Modification for the development of a limited-service restaurant with a drive-thru facility. Red Mountain Asset Fund I, LLC, owner; Catherine Atchley, Atwell LLC, applicant. **(District 4)** Ordinance No. 5913

Staff Recommendation: Approval with conditions

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

- *6-e** **24-1232** ZON24-00711 "Lot 7 at Thomas Road" 1± acre located at the northeast corner of East Thomas Road and North 55th Place, approximately 2,600 feet west of North Recker Road and East Thomas Road. Rezone from Light Industrial with a Planned Area Development Overlay (LI-PAD) to Light Industrial with a Planned Area Development and Bonus Intensity Zone Overlays (LI-PAD-BIZ) and Site Plan Review to allow for an industrial development. Resident Plumber, LLC; owner; Marian McKersie, RKA Architects, applicant. **(District 5)** Ordinance No. 5914

Staff Recommendation: Approval with conditions

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

- *6-f** **24-1225** ZON24-00636 "Red Mountain Storage Expansion" 4.2± acres located at 5612 East McDowell Road, approximately ½ mile east from the northeast corner of East McDowell Road and Higley Road. Major Site Plan Modification and a Council Use Permit to allow for an expansion of an existing mini-storage facility. Casa de Amigos Mobile Home Estates, LP, owner; Philip A Gollon, ARC Services Inc., applicant. **(District 5)** Ordinance No. 5915

Staff Recommendation: Approval with conditions

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

- *6-g** [24-1231](#) ZON24-00656 "AZ4 Expansion - MPCA," 16± acres located at the northwest corner of East Pecos Road and South Mountain Road. Major Site Plan Modification and amending condition of approval No. 1 for Case No. Z15-024 to allow for an expansion to an existing manufacturing plant. MGC Pure Chemicals America INC, owner; Brandon Linville, Gray AE, PSC, applicant. **(District 6)** Ordinance No. 5916

Staff Recommendation: Approval with conditions

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

- *6-h** [24-1226](#) ZON24-00426 "WM Fuel Mesa 1646" Within the 6000 to 6200 blocks of East Southern Avenue (south side). Located west of Superstition Springs Boulevard on the south side of Southern Avenue. Major Site Plan Modification and amending condition of approval Number One for Case No. Z99-043. This request will allow for a Service Station. Trent Rachel, Retail Trust III, owner; Ryan Alvarez, Kimley-Horn, applicant. **(District 6)** Ordinance No. 5917

Staff Recommendation: Approval with conditions

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

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

- *7-a** [24-1206](#) Proposed amendments to Chapters 6, 7, 8, 81, and 87 of Title 11 of the Mesa City Code pertaining to adaptive reuse. The text amendments include but are not limited to adding Chapter 81:Adaptive Reuse Permit; modifying land use tables to permit multiple residential use in Commercial, Industrial, and Downtown Districts if they qualify for an Adaptive Reuse Permit; adding definitions for Adaptive Reuse, Adaptive Reuse Permit, Existing Commercial, Office, and Mixed-use Building, Low-income Housing, Moderate-income Housing, and Multiple Residence Reuse. **(Citywide)** Ordinance No. 5904

Staff Recommendation: Adoption

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

- *7-b** [24-1129](#) Proposed amendments to Chapter 67 and 87 of Title 11 of the Mesa City Code pertaining to residential zoning application review time frames. The text amendments include, but are not limited to, adding a time frame for administrative completeness review for residential zoning applications; adding a process for residential zoning applications that are deemed incomplete; adding a time frame for approving or denying residential zoning applications; providing exceptions from the residential zoning application time frames; and adding a definition of residential zoning application. **(Citywide)** Ordinance No. 5905

Staff Recommendation: Adoption

P&Z Recommendation: Adoption (Vote: 7-0)

***7-c** [24-1130](#) An ordinance repealing Mesa City Code Title 8, Chapter 1, in its entirety and adopting a new replacement Mesa City Code Title 8, Chapter 1 titled "Backflow Prevention and Cross-Connection Control." **(Citywide)** Ordinance No. 5909

***7-d** [24-1125](#) ZON23-00859 "Fiesta Redefined" **(District 3)** Within the 1300 to 1600 blocks of South Longmore (east side), within the 1300 block of West Southern Avenue (south side), and within the 1200 to 1600 blocks of South Alma School Road (west side). Located south of Southern Avenue and west of Alma School Road (80± acres). Rezone from Limited Commercial (LC) to Infill Development District-2 (ID-2). This request will allow for a mixed-use development. Verde Fiesta I, LLC and MMCP, LLC, owner; Wendy Riddell, Berry Riddell, LLC, applicant. Ordinance No. 5906

Staff Recommendation: Approval with conditions

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

8 Take action on the following zoning case ordinance and the following intergovernmental and development agreement resolution, both related to billboards on the Mesa Community College campus:

***8-a** [24-1211](#) Approving and authorizing the City Manager to enter into an Intergovernmental and Development Agreement with Maricopa County Community College District and Mesa Community College primarily to allow the construction and operation of two billboards on the Mesa Community College campus and ensure revenue generated from the billboards is used to provide financial support to Mesa residents to attend Mesa Community College. **(District 3)** Resolution No. 12316

***8-b** [24-1207](#) ZON24-00767 "MCC Billboards" **(District 3)** 134.5± acres located at the southeast corner of South Dobson Road and West Southern Avenue. Rezone from Public and Semi-Public (PS) to Public and Semi-Public with a Billboard Overlay (PS-BO) to allow for two billboards. Maricopa County Community College District, owner; Reese Anderson, Pew and Lake PLC, applicant. Ordinance No. 5907

Staff Recommendation: Approval with conditions

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

9 Take action on the following zoning case ordinance and the following development agreement resolution, both related to Komatsu Sales & Service Facility:

- *9-a** [24-1067](#) ZON24-00474 "Komatsu Sales & Service Facility" (**District 6**) Within the 9900 block of East Pecos Road (south side) and within the 6800 to 7200 blocks of South Crismon Road (west side). Located south of Pecos Road and west of Crismon Road (22.4± acres). Rezone from Light Industrial (LI) to Light Industrial with a Planned Area Development overlay (LI-PAD) and Site Plan Review. This request will allow for an industrial development. Sunbelt Mesa Ellsworth LP, owner; Jeff Ducay, Cawley Architects, applicant. Ordinance No. 5908

Staff Recommendation: Approval with conditions

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

- *9-b** [24-1255](#) A resolution approving and authorizing the City Manager to enter into a development agreement with Komatsu America Corp. and Sunbelt Mesa Ellsworth, L.P. related to the design, construction, and dedication of right of way for the intersection of Crismon Road and Pecos Road. (**District 6**) Resolution No. 12317

10 Take action on the following subdivision plat:

- *10-a** [24-1224](#) SUB24-00699 "Map of Dedication for Destination at Gateway (Berge)" (**District 6**) Within the 6000 to 6400 blocks of South Signal Butte Road (both sides), the 10800 to 11200 blocks of East Gatewood Auto Drive (both sides), the 6000 to 6200 blocks of South Parkwood (both sides) and the 6200 to 6400 blocks of South Mountain Road (west side). Located south of Williams Field Road and east of Signal Butte Road (21.9± acres). BCB Group Investments, LLC, Developer; Robert A. Johnston, EPS Group, Surveyor.

Items not on the Consent Agenda

11 Conduct a public hearing

- 11-a** [24-1223](#) Public hearing prior to the release of the petition for signatures for the proposed annexation case ANX23-01004, 30± acres located at the southeast corner of North Hawes Road and East McDowell Road. This request has been initiated by the applicant, Pew and Lake PLC; applicant, for the owner, Colleen Horcher Trust. (**District 5**)

12 Hear a presentation and take action on the City of Mesa Fiscal Year 2024 Annual Comprehensive Financial Report and Single Audit Report:

- 12-a** [24-1044](#) Accepting the City of Mesa's Annual Comprehensive Financial Report (ACFR) and Single Audit Report for the Fiscal Year ended June 30, 2024.

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.