



**City of Mesa**  
**Notice of Meeting Agenda - Final**  
**City Council**

**Monday, January 22, 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 Ann Lyter with Velda Rose United Methodist Church.

## Pledge of Allegiance

## Awards, Recognitions and Announcements

### 1 Take action on all consent agenda items.

#### Items on the Consent Agenda

\*2 [24-0004](#) Approval of minutes of previous meetings as written.

### 3 Take action on the following liquor license applications:

\*3-a [24-0062](#) Save the Family Foundation of Arizona

This is a one-day event to be held on Saturday, February 17, 2024, from 11:00 A.M. to 5:00 P.M. at the Mesa Convention Center's north lot located 359 North Center Street. **(District 4)**

\*3-b [24-0063](#) Family Dollar #25078

A general merchandise retailer is requesting a new Series 10 Beer and Wine Store License for Family Dollar Inc., 1021 East Main Street - Anita Martinez, agent. There is no existing license at this location. **(District 4)**

### 4 Take action on the following contracts:

\*4-a [23-1374](#) One-Year Term Contract for Dynamo Playground Equipment Repair and Replacement Parts for the Parks, Recreation and Community Facilities Department (Sole Source) **(Citywide)**

The City has seven parks that have playground equipment manufactured by Dynamo Industries. This contract will provide maintenance, repairs, and add-on equipment for all of the City's Dynamo playground equipment.

The Parks, Recreation and Community Facilities Department and Purchasing recommend awarding the contract to the sole source vendor, Dynamo Industries at \$300,000 annually, based on estimated usage.

**\*4-b     [24-0071](#)     Purchase of a Large Explosive Ordinance Disposal (EOD) Robot (Replacement) for the Mesa Police Department **(Citywide)****

The Police Department's Bomb Team operates as a Regional Response Team which responds to calls for services within several other cities in the valley. During certain situations, the team uses EOD robots to respond to potential threats. This purchase will replace the Department's existing, older EOD robot with one that has cutting-edge technology for safeguarding our communities.

A committee representing the Police Department and Purchasing evaluated responses and recommend awarding the contract to the highest-scored proposal from Remotec Inc. at \$415,000, based on requirements. This purchase is funded by Grant Funds and General Funds.

**\*4-c     [24-0070](#)     Cooperative Contract Use for the Purchase of One Heavy-Duty Backhoe Loader (Replacement) for the Energy Resources Department **(Citywide)****

This purchase is for a new backhoe loader that will support Gas Utility. It is a critical piece of equipment used for many functions at job sites such as excavation and backfill of gas mains/services, moving and positioning of steel plates, installation and removal for shoring in bell holes, carrying heavy equipment to job sites, and job site clean-up.

The Fleet Services and Energy Resources Departments and Purchasing recommend authorizing the purchase using the State of Arizona cooperative contract with Empire Southwest, LLC dba Empire Machinery (a Mesa business) for \$172,582.92, based on estimated requirements. This purchase is funded by the Utility Replacement Extension & Renewal Fund.

**\*4-d     [24-0074](#)     Ratification of the Emergency Purchase for Fiber Optic Cabling Repairs for the Engineering Department **(Citywide)****

On October 23, 2023, a subcontractor for Gigapower, LLC struck and damaged City fiber optic cables during directional drilling to install new conduits, resulting in a brief broadband outage and posed the potential for additional disruptions. This damage significantly impacted City conduits and the fiber optic network, which is vital for public safety, and presented a heightened risk of losing connectivity at key sites. In response, the City employed BPG Technologies for the urgent repairs on the affected conduit and fiber optic cables.

The Engineering Department and Purchasing recommend ratifying the purchase using the State of Arizona contract with BPG Technologies, LLC for \$111,540. This purchase is funded by Subcontractor Reimbursement.

**\*4-e     [24-0072](#)     Cooperative Contract Use for the Purchase of Two Crew Cab Utility Service Trucks (Replacements) for the Energy Resources and Water Resources Departments **(Citywide)****

This purchase will provide two, 2025 Utility Service Trucks to support Gas Utility's and Water Utility's daily operations. The new trucks will be replacing trucks that have met the established replacement criteria.

The Fleet Services, Water Resources, and Energy Resources Departments and Purchasing recommend authorizing the purchase using the State of Arizona cooperative contract with Freightliner of Arizona, LLC for \$572,517.42. This purchase is funded by the Utility Replacement Extension & Renewal Fund - Gas and Water Sub Funds.

**\*4-f     [24-0076](#)     Nine-Month Term Contract for Public Safety Microwave Radio Network Equipment **(Lifecycle Replacement/Upgrade)** for the Department of Innovation and Technology **(Citywide)****

The City operates a point-to-point microwave radio network that complements the City's fiber optic network. The City's microwave project will upgrade fifteen of the microwave links that have equipment that is no longer supported by the manufacturer and does not support the transmission protocols and bandwidths required for current and future technologies. This contract will support the first three microwave link upgrades. The requested equipment is for radio tower communication sites throughout the TOPAZ Regional Wireless Cooperative (TRWC) and is part of a multi-year improvement plan.

Department of Innovation and Technology and Purchasing recommend authorizing the purchase using the State of Arizona cooperative contract with Aviat U.S., Inc. at \$300,000, based on estimated requirements. Costs are shared between members of the TRWC (City of Mesa 65.37%, Town of Gilbert 16.52%, City of Apache Junction 10.45%, Fort McDowell Yavapai Nation 1.71%, Superstition Fire & Medical District 0.82%, Town of Queen Creek 5.09%, and Rio Verde Fire District 0.04%).

- \*4-g**     **24-0078**     Three-Year Term Contract with Two Years of Renewal Options for Repair and Refurbishment Services for Metal Bins and Roll-Off Containers for the Solid Waste Department **(Citywide)**

This contract will provide repair and refurbishment services for the City's metal bins used to service commercial solid waste customers. The City owns approximately 5,000 metal front load bins and approximately 300 per year need to be repaired or refurbished before being placed back into service.

A committee representing the Solid Waste Department and Purchasing evaluated responses and recommend awarding the contract to the highest-scored proposal from Southlands Engineering, LLC at \$250,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

- \*4-h**     **24-0079**     Dollar Limit Increase to the Term Contract for Renewal Options for Residential Refuse and Recycling Containers for the Solid Waste Department **(Citywide)**

This increase is requested to offset additional costs associated with a new barrel contract that has decreased credits to the City under the barrel buy-back program; the completion of two large trailer park barrel conversion projects in late 2023; and to stay ahead of anticipated service demand-led growth.

The Solid Waste Department and Purchasing recommend increasing the dollar limit with Duramax Holdings, LLC dba Otto Environmental Systems; Schaefer Plastics North America, LLC; Rehrig Pacific Company; and Tank Holding Corp. dba Snyder Refuse; Years One through Three by \$360,000 annually for Mesa, from \$1,640,000 to \$2,000,000 annually, based on estimated usage, with an annual increase allowance of up to 5%, or the adjusted Producer Price Index.

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

- \*5-a**     **24-0073**     Modifying fees and charges for the Police Department by establishing a new fee of \$46 per hour of video reviewed, prorated by the minute, for public records requests of police video recordings. **(Citywide)** Resolution No. 12144

- \*5-b**     **24-0064**     Approving and authorizing the City Manager to accept funds of \$1,061,626.00 for non-functional turf removal at City of Mesa parks through a grant agreement with the Water Infrastructure Finance Authority of Arizona. **(Citywide)** Resolution No. 12145

- \*5-c**     **24-0082**     Approving a Substantial Amendment to the City of Mesa's Annual Action Plan for FY 2022/2023 and FY 2023/2024 and authorizing the City Manager to sign and submit the Amendment to the U.S. Department of Housing and Urban Development (HUD). **(Citywide)** Resolution No. 12146

- \*5-d**     [24-0075](#)     Extinguishing portions of a 17-foot public utility easement, a 20-foot public utilities and facilities easement, and a 50-foot public utilities and facilities easement located at 1836 West Main Street to allow for construction of a multi-family development, requested by the property owner. **(District 3)** Resolution No. 12147
- \*5-e**     [24-0077](#)     Extinguishing a portion of a 10-foot sewer easement located at 1461 West Southern Avenue to allow for construction of a new medical office building, requested by the property owner. **(District 3)** Resolution No. 12148
- \*5-f**     [24-0059](#)     Extinguishing the following easements located at 3729 South 79th Street: a sewer easement, an emergency and service access easement, portions of a drainage easement, and two vehicular non-access easements dedicated on Lots 140, 141 and Tract A of A Replat for Hawes Crossing Village 2- Parcel B to correct an error to the dimensions of Lots 140 and 141 on the subdivision plat, requested by the developer. **(District 6)** Resolution No. 12149

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

- \*6-a**     [24-0032](#)     ZON22-00054 "Agritainment District at Pioneer Crossing" **(District 1)** Within the 3600 to 3800 blocks of East Thomas Road (south side), within the 3400 to 3600 blocks of North Val Vista Drive (both sides). Located south of Thomas Road on the east and west sides of Val Vista Drive (17.7± acres total). Rezone 13.8± acres from Single Residence-6 with a Planned Area Development overlay (RS-6-PAD) to Multiple Residence-2 with a Planned Area Development overlay (RM-2-PAD). This request will correct the ordinance map for Ordinance No. 5683; Rezone 1.0± acres from Mixed Use with a Planned Area Development overlay (MX-PAD) to Single Residence-6 with a Planned Area Development overlay (RS-6-PAD). This request will modify the Pioneer Crossing Planned Area Development and allow for the development of a commercial development. This request will also correct the ordinance map for Ordinance No. 5683; Rezone 2.91± acres from Mixed Use with a Planned Area Development overlay (MX-PAD) to Mixed Use with a Planned Area Development overlay (MX-PAD) and Site Plan Review. Todd R/Lisa K Burden, Burden West Limited Partnership LLP, and Reserve 100 LLC, owners; Ralph Pew, Pew & Lake PLC, applicant. Ordinance No. 5841

Staff Recommendation: Approval with conditions

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

- \*6-b**     [24-0030](#)     ANX23-00480 **(District 5)** Annexing property located west of Ellsworth Road on the north side of Southern Avenue (4± acres). This request has been initiated by the applicant, Shaine Alleman, Tiffany & Bosco P.A., for the owners, Coconut Properties LLC, and Bart Clune Dillon. Ordinance No. 5844

- \*6-c**     [24-0031](#)     ZON23-00478 "88 Southern Townhomes" (**District 5**) Within the 8800 to 9000 blocks of East Southern Avenue (north side) and within the 1100 block of South 88th Street (east side). Located west of Ellsworth Road on the north side of Southern Avenue (4.4± acres). Rezone from Agriculture (AG) to Multiple Residence-2 with a Planned Area Development Overlay (RM-2-PAD) and Site Plan Review. This request will allow for a multiple residence development. Coconut Properties LLC and Bart Clune Dillon, owners; Shaine Alleman, Tiffany & Bosco P.A., applicant. Ordinance No. 5843

Staff Recommendation: Approval with conditions

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

**7        Take action on the following subdivision plats:**

- \*7-a**     [24-0061](#)     SUB23-00820 "Cadence at Gateway Phase 3 - Parcel C1 & Tract C2" (**District 6**) Within the 10000 block of East Williams Field Road (north side) and within the 5900 block of South Crismon Road (east side). Located on the northeast corner of Williams Field and Crismon Roads (3.02± acres). PPGN-Crismon, LLLP, developer; Robert A. Johnston, EPS Group, surveyor.

**Items not on the Consent Agenda**

**8        Conduct a public hearing on the following minor General Plan amendment and zoning case, and take action on the respective resolution and ordinance related to the SEC Center Street & Lynwood Lane development:**

- 8-a**     [24-0080](#)     Conduct a public hearing on minor General Plan amendment ZON23-00842 and zoning case ZON22-01274.
- 8-b**     [24-0060](#)     ZON23-00842 "SEC Center Street & Lynwood Lane" (**District 1**) Within the 2200 block of North Center Street (east side) and within the 2200 block of North Pasadena (west side). Located north of McKellips Road on the east side of Center Street (8.6± acres). Minor General Plan Amendment. This request will change the General Plan Character Area designation from Neighborhood with a Large Lot/Rural Sub-type and Neighborhood with a Manufactured Home Sub-type to Neighborhood with a Traditional Sub-type. Brighton Homes, owner; Sean Lake, Pew & Lake PLC, applicant. Resolution No. 12150

Staff Recommendation: Adoption

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

- 8-c**      **24-0033**      ZON22-01274 "SEC Center Street & Lynwood Lane" (**District 1**) Within the 2200 block of North Center Street (east side) and within the 2200 block of North Pasadena (west side). Located north of McKellips Road on the east side of Center Street (8.6± acres). Rezone 8.4± acres from Single Residence-43 (RS-43) to Small Lot Single Residence-3.0 with a Planned Area Development overlay (RSL-3.0-PAD) and 0.2± acres from Multiple Residence-4 (RM-4) to RSL-3.0-PAD. This request will allow for a single residence development. Brighton Homes, owner; Sean Lake, Pew & Lake PLC, applicant. Ordinance No. 5842

Staff Recommendation: Approval with conditions

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

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

**10        Adjournment.<sup>1</sup>**

<sup>1</sup> 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.