



COUNCIL MINUTES

January 13, 2025

The City Council of the City of Mesa met in the Council Chambers at City Hall, 20 East Main Street, on January 13, 2025, at 5:45 p.m.

COUNCIL PRESENT

Mark Freeman
Scott Somers
Rich Adams
Jennifer Duff
Alicia Goforth
Francisco Heredia
Julie Spilsbury

COUNCIL ABSENT

None

OFFICERS PRESENT

Christopher Brady
Holly Moseley
Jim Smith

Mayor's Welcome.

Mayor Freeman conducted a roll call.

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

Pledge of Allegiance was led by Mayor Freeman.

Awards, recognitions, and announcements.

Pastor Jose Luis Amaya congratulated Mayor Freeman on his new role as the Mayor of the City of Mesa (COM).

Mayor Freeman presented the Mesa Reads Year of Reading Proclamation to Assistant Library Director Jesse Simms. He stated reading is the foundation of lifelong learning and helps build strong, thriving communities. He encouraged everyone to embrace the joys of reading and thanked the library staff for their passion and dedication to spreading the love of reading.

Mr. Simms thanked Mayor Freeman and Councilmembers for their support to the libraries. He shared that the intention is to build a literacy community in Mesa by creating strong literacy habits. He noted that the City's goal is to encourage all Mesa residents to read 15 minutes daily, with a citywide goal to read one million minutes.

1. Selection of Vice Mayor.

Mesa residents, Carey Davis and Alex Vranicic, expressed support for Councilmember Somers to serve as Vice Mayor.

Councilmember Duff stated that the tradition is to select a Vice Mayor based on seniority; however, she proposed voting for two Councilmembers to serve one-year terms as Vice Mayor for the next two years to give more members of Council the opportunity. She noted that the

Charter would not need to be changed if the selection is made for the next two years. She commented that selecting for the next two years would be a good pilot for future consideration before deciding to change the Charter. She explained if something happened to the Mayor, the Vice Mayor would serve as Mayor temporarily until the Council held a vote to decide and appoint who is going to be the Mayor for the term until the special election.

Councilmember Somers discussed the process of moving to a one-year term for the selection of the Vice Mayor and explained the current policy of a two-year term for Vice Mayor. He expressed his concern should the Mayor leave office prior to completion of his term, and other Charter issues that would need to be addressed.

City Attorney Jim Smith advised that one-year terms are a possibility with the current Charter language; however, if the option of selecting a Vice Mayor for one-year terms was selected, it would be beneficial to change in the Charter before the next two years.

Councilmember Spilsbury expressed her support for the one-year Vice Mayor term, allowing every Councilmember an opportunity to serve as Vice Mayor for one year. She stated that Councilmembers are elected as non-partisan positions and she enjoys being a member of the City Council where she can represent everyone in her district, not only Republicans, Democrats, or Independents. She emphasized that Councilmembers should look out for the interests of every single individual and determine what is best for the entire city.

It was moved by Mayor Freeman, seconded by Councilmember Goforth, that Councilmember Somers be elected to serve as Vice Mayor.

Upon tabulation of votes, it showed:

AYES – Freeman–Adams–Goforth–Somers
NAYS – Heredia–Duff–Spilsbury

Mayor Freeman declared the motion carried by majority vote.

Mayor Freeman congratulated Councilmember Somers as the new Vice Mayor.

2. Take action on all consent agenda items.

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.

It was moved by Councilmember Heredia, seconded by Vice Mayor Somers, that the consent agenda items be approved.

Upon tabulation of votes, it showed:

AYES – Freeman–Somers–Adams–Duff–Goforth–Heredia–Spilsbury
NAYS – None

Carried unanimously.

*3. Approval of minutes of previous meetings as written.

Minutes from October 31, November 7, 18 and 21, December 2, 5, and 9, 2024, Study Sessions; and December 9, 2024, Regular Council meeting.

4. Take action on the following liquor license applications:

*4-a. Taco El Paisa

A restaurant that serves breakfast, lunch, and dinner is requesting a new Series 12 Restaurant License for Tacos El Paisa LLC 2, 1259 East Southern Avenue - Jared Michael Repinski, agent. There is no existing license at this location. **(District 4)**

*4-b. Grab N Go 9202

A convenience store is requesting a new Series 10 Beer & Wine Store License for Grab N Go, 9202 Mesa LLC, 9202 East Main Street - Jared Michael Repinski, agent. The existing license held by Kahpachi LLC will revert to the State. **(District 5)**

5. Take action on the following contracts:

*5-a. Pecos & Rittenhouse New Sewer Lines - Southeast Mesa, Pre-Construction Services and Construction Manager at Risk (CMAR). **(District 6)**

This project consists of adding two segments of sewer pipes in southeast Mesa. The Pre-Construction Phase work involves developing the project design, reviewing the design for constructability, preparing cost estimates, developing the project schedule, preparing the project phasing plan, and developing the Guaranteed Maximum Price (GMP) for the project. The GMP will be brought to Council for review and approval.

Staff recommends selecting Achen-Gardner Construction as the CMAR for this project and awarding a Pre-Construction Services contract in the amount of \$247,038. This project is funded by Utility Systems Revenue Obligations.

*5-b. One-Year Term Contract with Four-Year Renewal Options for Landscape Sprinkler and Irrigation Supplies for the Materials and Supply Warehouse, Parks and Recreation, Facilities Management, Transportation and Transit Departments. **(Citywide)**

This contract will provide landscape sprinkler and irrigation supplies (PVC pipe, fittings, valves, and miscellaneous supplies) on an as-needed basis for repair, modification, and new installation of irrigation systems located in landscaped areas owned or maintained by the City, including parks and landscaped medians.

The Business Services Department and Procurement Services recommend awarding the contract to the lowest, responsive, and responsible bidders, Ewing Irrigation Products, Inc. and Horizon Distributors, Inc., at \$1,185,000, annually with an annual increase allowance of up to 5% or the adjusted Producer Price Index.

*5-c. Use of a Cooperative Contract for a Four-Year Initial Term, with Six One-Year Renewal Options for a Customer Engagement Portal Solution for the Department of Innovation and Technology. **(Citywide)**

This contract will allow the purchase of i3 Verticals software to replace the City's current utility customer portal, which is inadequate for current and future functionality requirements. This solution will provide customers with services available today such as viewing their monthly bills, making payments, and setting up SurePay. Enhanced functionality will include access to their Smart Meter usage data and outage information, getting outage notifications, the ability to schedule move-ins/move-outs and request new services, and transfers, as well as get help with energy and water conservation.

The Department of Innovation and Technology, the Business Services Department, and Procurement Services recommend authorizing the purchase using the City of Phoenix cooperative contract with Milestone LLC at \$1,569,000 for Years 1 and 2, and \$278,000 annually for software licensing for Years 3 through 10.

6. Take action on the following resolutions:

- *6-a. Approving City of Mesa participation in the bidding process for acquiring natural gas pipeline transmission capacity and any resulting contracts upon a successful bid for additional natural gas transmission capacity. – Resolution No. 12318
- *6-b. Approving and authorizing the City Manager to enter into a Right of Way Occupancy License with Cablevision Lightpath LLC for the placement of fiber optic cable network. **(Citywide)** – Resolution No. 12319
- *6-c. Approving and authorizing the City Manager to enter into a Right of Way Occupancy License with Bicentel, LLC for the placement of fiber optic cable network. **(Citywide)** – Resolution No. 12313
- *6-d. Vacating a portion of public right-of-way located on the east side of the 3400 block of North Val Vista Drive to combine with the adjacent parcel for future development; requested by the property owner. **(District 1)** – Resolution No. 12320
- *6-e. Extinguishing a portion of two separate 20-foot public utilities easements located at 460 East Auto Center Drive to allow for the redevelopment of an existing automotive dealership; requested by the property owner. **(District 4)** – Resolution No. 12321

7. Introduction of the following ordinances and setting January 27, 2025 as the date of the public hearing on these ordinances:

- *7-a. ZON24-00405 "Skilled Nursing Facility." 2.1± acres located approximately 1,770 feet east of the northeast corner of North Higley Road and East Main Street. Major Site Plan Modification and amending condition of approval No. 1, No. 7, No. 8, No. 9, No. 10, and No. 11 for Case No. Z89-009 to allow for a Skilled Nursing Facility. Velda Rose United Methodist Church Inc., owner; Sean Lake / Sarah Prince, Pew & Lake, PLC, applicant. **(District 2)** – Ordinance No. 5918

Staff Recommendation: Approval with conditions

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

- *7-b. ZON23-00594 "Meridian 24." Within the 6400 to 6700 blocks of South Meridian Road (west side). Located north of Pecos Road on the west side of Meridian Road (41± acres). Site Plan Review and amending the conditions of approval for Case No. Z01-045. This request will allow for an industrial development. SR24MERIDIAN QOZB LLC,

owner; Morgan Retzlaff, applicant. **(District 6)** – Ordinance No. 5919

Staff Recommendation: Approval with conditions

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

- *7-c. ZON24-00731 "88 Southern Townhomes." 4± acres located approximately 1,900 feet west of the northwest corner of South Ellsworth Road and East Southern Avenue. Rezone from Multiple Residence-2 with a Planned Area Development Overlay (RM-2-PAD) to RM-2 with a new PAD (RM-2-PAD) and a Major Site Plan Modification to allow for a single residence development. Coconut Properties LLC, and AZ COMMERCIAL HOLDINGS LLC, owners; Shaine Alleman, Tiffany & Bosco, P.A., applicant. **(District 5)** – Ordinance No. 5920

Staff Recommendation: Approval with conditions

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

- *7-d. ZON22-01264 "Power Retail Development." 2± acres located approximately 1,200 feet south of the southwest corner of South Power Road and East Williams Field Road. Rezone from Limited Commercial with a Bonus Intensity Zone Overlay (LC-BIZ) to LC with a new BIZ Overlay (LC-BIZ) and Major Site Plan Modification for a multi-tenant commercial building with a drive-thru facility. Power Road Gateway LLC, owner; Tim Rasnake, Archicon, applicant. **(District 6)** – Ordinance No. 5921

Staff Recommendation: Approval with conditions

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

- *7-e. ANX24-01085 Annexing 3.8± acres of County right-of-way along East Elliot Road from South Sossaman Road and extending approximately 2,600 feet west of South Sossaman Road. **(District 6)** – Ordinance No. 5922

- *7-f. An ordinance that corrects two minor, non-substantive typographical errors made in Ordinance No. 5898, adopted on December 2, 2024, related to the titles and schedules of terms/rate/fees/charges for City owned natural gas utility services. This ordinance re-adopts, without any changes to, the natural gas utilities rates, fees and charges previously adopted in Ordinance No. 5898. – Ordinance No. 5923

8. Introduction of the following annexation and zoning ordinances relating to the development, Medina Station, and setting January 27, 2025, as the date of the public hearing on these ordinances:

- *8-a. ANX23-00690 Annexing 64± acres located at the southeast corner of East Southern Avenue and South Signal Butte Road. This request has been initiated by Pew & Lake, PLC, for the owners, Bela Flor Holdings, LLC. **(District 5)** – Ordinance No. 5924

- *8-b. ZON23-00691 "Medina Station." 61± acres located at the southeast corner of East Southern Avenue and South Signal Butte Road. Rezone from Agricultural (AG) to Limited Commercial with a Planned Area Development Overlay (LC-PAD), Council Use Permit, and Site Plan Review for a mixed-use development. Bela Flor Holdings, LLC, owner; Reese Anderson, Pew & Lake, PLC, applicant. **(District 5)** – Ordinance No. 5925

Staff Recommendation: Approval with conditions

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

9. Introduction of the following annexation and zoning ordinances relating to the development, Carmello by Blandford Homes, and setting February 3, 2025, as the date of the public hearing on these ordinances:

*9-a. See: **Items not on the Consent Agenda.**

*9-b. See: **Items not on the Consent Agenda.**

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

*10-a. 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 (Vote: 7-0)

*10-b. 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 (Vote: 7-0)

*10-c. 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 (Vote: 7-0)

*10-d. 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 (Vote: 7-0)

- *10-e. 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 (Vote: 7-0)

- *10-f. 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 (Vote: 7-0)

- *10-g. 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 (Vote: 7-0)

11. Take action on the following subdivision plat:

- *11-a. SUB24-00506 "SWC Peterson Ave. & Ellsworth Rd." 7.5± acres located at the southwest corner of South Ellsworth Road and East Peterson Avenue. Final Plat. Ellsworth Land LP, owner; Michael E. Fondren, R.L.S., RLF Consulting LLC, surveyor. **(District 6)**

12. Take action on the following bingo application:

- *12-a. Sunspire Community

Robert Waterman, Manager, 2600 East Allred Avenue. **(District 1)**

Items not on the Consent Agenda

9. Introduction of the following annexation and zoning ordinances relating to the development, Carmello by Blandford Homes, and setting February 3, 2025, as the date of the public hearing on these ordinances:

- 9-a. ANX23-01004 Annexing 30± acres located at the southeast corner of North Hawes Road and East McDowell Road. This request has been initiated by Pew & Lake, PLC, for the owners, Colleen Horcher Trust. **(District 5)** – Ordinance No. 5926
- 9-b. ZON23-01003 “Carmello by Blandford Homes.” 30± acres located at the southeast corner of North Hawes Road and East McDowell Road. Rezone from Agricultural to Single Residence-15 with a Planned Area Development Overlay (RS-15-PAD) to allow for a Single Residence Subdivision. Colleen Horcher Trust, owner; Pew and Lake PLC; applicant. **(District 5)** – Ordinance No. 5927

Staff Recommendation: Approval with conditions

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

The following citizens submitted a comment card in opposition to Ordinance Nos. 5926 and 5927, and did not wish to speak:

- James and Sarah Cunningham, Mesa residents
- Tim Meyer, a Mesa resident

The following citizens addressed the Council in opposition to Ordinance Nos. 5926 and 5927:

- Lisa Caruth, a Mesa resident
- Norm Sendler Boyle, a Mesa resident
- Vincent D. Kelley, a Mesa resident
- Linda Finkelstein, a Mesa resident
- Paul Kennedy, a Mesa resident
- Maggie Kibbett, a Mesa resident

Mayor Freeman thanked the residents for their comments.

Principal Planner Evan Balmer described the General Plan’s (GP’s) two options to meet the Desert Uplands standard to preserve natural open spaces as much as possible. He noted that a large amount of the open space is located on Hawes Road to mitigate the impact to the neighbors in the area, as well as throughout the site so that lots do not back up to each other. He indicated that the dark sky ordinance stipulates that light shielding is required in the area due to its natural desert environment. He reported that the Planning and Zoning Board added a condition to the approval of these lots in November that limited the development of those lots to single story on Waterbury Road and Culver Street to mitigate the two-story height on the perimeter of the development. He commented that open space is designed to allow corridors between lots to ensure no two lots share a rear common wall, enabling wildlife to pass through, in addition to providing for a natural desert landscape.

In response to a question from Mayor Freeman, Assistant Transportation Director Erik Guderian explained that McDowell Road and Hawes Road are under County jurisdiction and that the Maricopa County Department of Transportation (MCDOT) owns and maintains those roadways. He added that the City has an agreement with the MCDOT on county roads to install and maintain streetlights that are needed as developments continue, since the County does not maintain streetlights. He discussed a citywide streetlight project. He shared that the latest 2019

traffic counts from the County on McDowell Road indicate that the addition of this development is not going to significantly add to the amount of traffic or delays on McDowell.

Councilmember Goforth elaborated on the research that she conducted and stated that the proposed development is consistent with the guidelines and zoning district. She mentioned that the applicant originally proposed 81 homes per acre and has reduced the number of homes to 65 to arrive closer to the two dwelling units per acre. She emphasized that the roadways have enough capacity for the few hundred cars that this project might bring. She expressed her support for the development.

Mayor Freeman noted that when properties are annexed into the COM, the City values and leverages their infrastructure. He stated that the City's infrastructure is far beyond other East Valley cities, along with Mesa's public safety response.

In response to multiple questions posed by Councilmember Adams, Planning Director Mary Kopaskie-Brown responded that the parcel maintained the same type of uses that were anticipated in the 2040 and 2050 General Plan, in part due to its location in the Desert Uplands area. She mentioned that a large amount of outreach was conducted throughout the City for the 2050 General Plan, including the District 5 area. She added that the applicant also performed outreach for this specific project and took into consideration the feedback from the surrounding community.

Councilmember Spilsbury highlighted the numerous factors that are taken into consideration when making decisions on new developments for the City.

Mayor Freeman stated that pending no objection of the Council, the introduction of Items 9-a through 9-b will be voted on in one motion.

It was moved by Councilmember Spilsbury, seconded by Vice Mayor Somers, that Ordinance Nos. 5926 and 5927 be introduced.

Upon tabulation of votes, it showed:

AYES – Freeman–Somers–Adams–Duff–Goforth–Heredia–Spilsbury

NAYS – None

Carried unanimously.

13. Conduct a public hearing and take action on the following minor General Plan amendment resolution, and take action on the following zoning case relating to a proposed development known as "Banner Gateway Residences":

- 13-a. ZON24-00894 "Banner Gateway Residences - Minor General Plan Amendment." 10.5± acres located approximately 1,350 feet east of the northeast corner of East Banner Gateway Drive and South Greenfield Road. Minor General Plan Amendment to change the General Plan Character Area Type from Employment to Mixed Use Activity District with a Regional-Scale District Sub-type. CRISKO LLC/KAY AND JUDY TOOLSON JOINT REVOCAB; owner; Brennan Ray, Burch & Cracchiolo, P.A., applicant. **(District 2)** – Resolution No. 12322

Staff Recommendation: Adoption

P&Z Board Recommendation: Adoption (6-1)

- 13-b. 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)

Mayor Freeman announced that this was the time and place to conduct a public hearing on minor General Plan amendment ZON24-00894 and zoning case ZON24-00752.

There being no citizens wishing to address the Council, the Mayor declared this public hearing closed.

Mayor Freeman stated that pending no objection of the Council, Items 13-a and 13-b will be voted on in one motion.

It was moved by Councilmember Spilsbury, seconded by Vice Mayor Somers, that Resolution No. 12322 and Ordinance No. 5911 be adopted.

Upon tabulation of votes, it showed:

AYES – Freeman–Somers–Adams–Duff–Goforth–Heredia–Spilsbury
NAYS – None

Carried unanimously.

14. Items from citizens present.

Alex Vranicic, a Mesa resident, addressed the Council and requested that Council review its diversity, equity and inclusion (DEI) policy and suggested making merit-based decisions.

15. Adjournment.

Without objection, the Regular Council Meeting adjourned at 6:57 p.m.

ATTEST:



HOLLY MOSELEY, CITY CLERK





MARK FREEMAN, MAYOR

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Council Meeting of the City Council of Mesa, Arizona, held on the 13th day of January 2025. I further certify that the meeting was duly called and held and that a quorum was present.



HOLLY MOSELEY, CITY CLERK

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