

COUNCIL MINUTES

December 1, 2022

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on December 1, 2022, at 6:20 p.m.

COUNCIL PRESENT

John Giles
Jennifer Duff
Mark Freeman
Francisco Heredia
David Luna
Julie Spilsbury
Kevin Thompson

COUNCIL ABSENT

None

OFFICERS PRESENT

Christopher Brady
Holly Moseley
Jim Smith

Mayor's Welcome.

Mayor Giles conducted a roll call.

Mayor Giles led a moment of silence, followed by the Pledge of Allegiance.

There were no Awards, Recognitions or Announcements.

1. 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 Spilsbury, seconded by Councilmember Thompson, that the consent agenda items be approved.

Upon tabulation of votes, it showed:

AYES – Giles-Duff-Freeman-Heredia-Luna-Spilsbury-Thompson
NAYS – None

Carried unanimously.

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

Minutes from the November 11, 2022, Regular Council meeting.

3. Take action on the following liquor license applications:

*3-a. Hava Java

A coffee shop is requesting a new Series 12G Restaurant License with growler privileges for Hava Java Mesa LLC, 2849 North Power Road Suite 103; Barbara Bernadette Beaubien, agent. The existing license held by Hava Java Las Sendas LLC will revert to the State. **(District 5)**

*3-b. Wings of Flight Foundation

This is a one-day event to be held on Saturday, December 17, 2022, from 7:00 P.M. to 11:59 P.M. at 4626 East Fighter Aces Drive. **(District 5)**

*3-c. Eggstasy

A restaurant that serves breakfast and lunch is requesting a new Series 12 Restaurant License for We Begg to Differ Gallery Park LLC, 5021 South Power Road Suite 101-104; Amy S Nations, agent. There is no existing license at this location. **(District 6)**

4. Take action on the following contracts:

*4-a. One-Year Term Contract of Excess Workers' Compensation Insurance and Workers' Compensation Self-Insurance Surety Bond. **(Citywide)**

As a self-insured entity for the administration of workers' compensation benefits, Arizona statute requires the City to obtain excess workers' compensation insurance and to provide a security deposit based on the total unpaid losses of open compensable workers' compensation claims, which is accomplished through securing a surety bond.

Staff recommends the purchase of an excess workers' compensation insurance policy, through the City's insurance broker, Arthur J Gallagher & Co., with a self-insured retention up to \$2 million per accident/injury/illness (with exceptions) for a premium up to \$550,000 and a worker's compensation self-insurance surety bond for the bond rate up to \$12.00 per every \$1,000 of unpaid losses.

*4-b. One-Year Term Contract with Four Years of Renewal Options for GEA Centrifuge/Separators Equipment, Parts and Services for the Water Resources Department. **(Citywide)**

This contract will provide GEA Westfalia centrifuge parts, and repair and maintenance services essential to safely operating all GEA Westfalia separator decanters at the Greenfield Water Reclamation Plant and the Northwest Water Reclamation Plant.

An evaluation committee recommends awarding the contract to the sole responsive proposal from GEA Mechanical Equipment US, Inc. at \$1,870,000 annually, with an annual increase allowance of up to 5% or the adjusted Consumer Price Index.

*4-c. Purchase to Upgrade/Convert One MD Helicopter (Sole Source) and Dollar-Limit Increase to the Term Contract for Helicopter Engine Parts, Repair and Overhaul Services for the Mesa Police Department. **(Citywide)**

The Police Department Air Support Unit's helicopter fleet consists of three MD helicopters, two E-Model, and one F-Model MD500 Series aircraft. The Department included in their budget to complete a helicopter conversion from an E-Model to an F-Model. This upgrade/conversion will help provide lower response times, enable heavier lifting capacity, and improve high-heat summer performance. In order to complete the conversion, a rebuild of a Rolls Royce 250 C30 HU turbine that will be going into the F-Model helicopter is also required.

The Police Department and Purchasing recommend awarding the contract to the sole source vendor, MD Helicopter, LLC for \$1,401,000 and increasing the dollar limit with H.E.R.O.S. Inc. Year 4 by \$410,000, from \$500,000 to \$910,000. This purchase is funded by Lifecycle Program Budget.

- *4-d. Dollar Limit Increase to the Term Contract for Moving Services for Various Departments as requested by the Business Services and Engineering Departments. **(Citywide)**

This contract provides moving services of office furniture and equipment including pickup, delivery, placement, and removal of moving debris. The increase is needed for several large upcoming moves that will occur before the end of FY 2023 including Human Resources and City Auditor Departments to Mesa City Plaza, Second Floor; Economic Development to Visit Mesa Building; and Police Department buildings for remodeling.

The Engineering Department and Purchasing recommend increasing the dollar limit with Modlogics, LLC, Years 2 and 3 by \$75,000, from \$25,000 to \$100,000, based on estimated requirements.

- *4-e. Additional Vendor Award to the One-Year Term Contract with Four Years of Renewal Options for Pull and Valve Boxes for the Materials and Supply Warehouse (for the Energy Resources and Transportation Departments). **(Citywide)**

This contract will provide gas utility valve boxes and lids, traffic signal pull boxes and lids, and electric utility pull boxes and lids for new service installations and repair work. Materials and Supply place orders and maintains stock inventory, as needed.

The Energy Resources and Transportation Departments and Purchasing recommend awarding the contract to the lowest, responsive, and responsible bidder to Ferguson Enterprises, LLC dba Ferguson Waterworks at \$166,000 annually, with an annual increase allowance of up to 5% or the adjusted Producer Price Index.

- *4-f. Northeast Public Safety Facility Project (NEPSF) - Construction Manager at Risk (CMAR), Guaranteed Maximum Price (GMP). **(District 5)**

This GMP includes all scope necessary for the construction of the NEPSF including site preparation, building construction, mechanical and electrical systems, interior and exterior finishes, fire sprinkler system, security system, and all other associated work.

Staff recommends awarding a construction services contract to the CMAR, CORE Construction, Inc. in an amount of \$32,330,843 (GMP), and authorizing a change order allowance of the amount in \$1,616,542.15 (5%), for a total amount of \$33,947,385.15. This project is funded by 2018 authorized Public Safety Bonds and Capital General funds.

5. Take action on the following resolutions:

- *5-a. Extinguishing two public utilities and facilities easements at 10101 East Pecos Road for temporary drainage basins to accommodate for the construction of a commercial development; requested by the property owner. **(District 6)** – Resolution No. 11972
- *5-b. Extinguishing a 50-foot landscape easement and a 25-foot sidewalk easement located at 6147 East Main Street to accommodate a future townhome development; requested by the property owner. **(District 5)** – Resolution No. 11973
- *5-c. Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with the Regional Public Transportation Authority (RPTA) for fixed-route bus, paratransit and RideChoice, services. The estimated cost of transit services for FY 2022/23 is \$26,862,532. Public Transportation Funds (PTF) from Proposition 400 will fund \$21,445,980 and the City's General Fund will fund \$5,416,552. **(Citywide)** – Resolution No. 11974
- *5-d. Approving and authorizing the City Manager to enter into a funding agreement with Valley Metro Rail, Inc., for the current light rail operations in the City of Mesa. The estimated cost of service for operations, maintenance and facility landscaping of the existing light rail line for fiscal year 2022/23 is \$9,238,410. The City anticipates receiving \$2,603,000 in light rail fares, advertising, preventive maintenance grant and Arizona Lottery Funds for a net impact to the City's General Fund of \$6,635,410. **(Districts 3 and 4)** – Resolution No. 11975
- *5-e. Approving and authorizing the City Manager to enter into a Conduit Occupancy Agreement with Google Fiber Arizona, LLC, for the use of a portion of the City's existing conduit duct bank system. **(Citywide)** – Resolution No. 11976
- *5-f. Adopting the Falcon Field Rotorcraft Land Use Compatibility Study, prepared by Coffman Associates, airport consultants, to serve as a guiding document for the future development of land generally located one mile north of Falcon Field Airport, east of Val Vista Drive, west of Recker Road, and north of the 202 Red Mountain Freeway. **(District 5)** – Resolution No. 11977
- *5-g. ZON22-00773 "Signal Butte Water Treatment Plant Expansion" **(District 6)** Within the 10900 to 11000 block of East Elliot Road (north side) and within the 3500 block of South Signal Butte Road (east side). Located north of Elliot Road and east of Signal Butte Road. (84± acres). Site Plan Review. This request will allow for an expansion of an existing water treatment facility. Black & Veatch, applicant; City of Mesa, owner. – Resolution No. 11978

Staff Recommendation: Approval with conditions

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

- *5-h. Canvassing, declaring, and adopting the results of the Special Bond Election consolidated with the Statewide General Election, held on November 8, 2022. **(Citywide)** – Resolution No. 11979

6. Take action on the following resolutions and introduction of the following ordinances pertaining to Mesa City Code Title 11 "Zoning Ordinance", and setting December 8, 2022 as the date of the public hearing on these ordinances:

- *6-a. "Temporary Use Permit" A resolution declaring as a public record that certain documents have been filed with the City Clerk titled "2022 Amendments to The Tables In Zoning Ordinance, Title 11, Chapters 4, 5, 6, 7, 8, 10, 15, 30, And 58 Pertaining To Schools, Temporary Uses, Accessory Uses, Outdoor Display, Outdoor Storage, Portable Storage, Warehousing And Storage, Recycling Facilities, And Manufactured Home Parks And Subdivisions." **(Citywide)** – Resolution No. 11980
- *6-b. An ordinance amending Mesa City Code Title 11 (Zoning Ordinance), Chapters 4, 5, 6, 7, 8, 10, 15, 24, 30, 31, 58, 69, 70, 86, and 87 pertaining to Temporary Uses, Outdoor Display, Site Plans, and Special Events. The amendments include, but are not limited to: repealing in its entirety Section 11-31-20 (Outdoor Retail Sales) and replacing it with a new Section 11-31-20 (Outdoor Display); repealing in its entirety Section 11-31-30 (Temporary Uses: Swap Meets And Farmer's Markets) and replacing it with a new Section 11-31-30 (Temporary Uses); repealing in its entirety Section 11-70-4 (Temporary Use Permit) and replacing it with a new Section 11-70-4 (Temporary Use Permit); modifying land use tables pertaining to Schools, Temporary Uses, Accessory Uses, Outdoor Display, Outdoor Storage, Portable Storage, Warehousing and Storage, Recycling Facilities, and Manufactured Home Parks and Subdivisions; modifying the definition for Special Events; adding new definitions for Temporary Outdoor Entertainment, Temporary Outdoor Sales, Temporary Use Permit, and Outdoor Display; and making minor clerical corrections. **(Citywide)**

Staff Recommendation: Adoption

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

- *6-c. "Outdoor Eating Areas:" A resolution declaring as a public record that certain documents have been filed with the City Clerk titled "2022 Amendments to the Tables in Zoning Ordinance, Title 11, Chapters 6, 7, 8, and 58 Pertaining to Outdoor Eating Areas." **(Citywide)** – Resolution No. 11981
- *6-d. An ordinance amending Mesa City Code Title 11 (Zoning Ordinance), Chapters 6, 7, 8, 31, 58, and 86 pertaining to Outdoor Eating Areas. The amendments include but are not limited to: repealing in its entirety Section 11-31-19 (Outdoor Eating Areas) and replacing it with a new Section 11-31-19 (Outdoor Eating Areas); modifying land use tables pertaining to Outdoor Eating Areas; and modifying the definition for Outdoor Eating Areas. **(Citywide)**

Staff Recommendation: Adoption

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

7. Introduction of the following ordinances and setting December 8, 2022, as the date of the public hearing on these ordinances:

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

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

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

*8-b. ZON22-00265 “Sparrow” **(District 2)** Within the 1200 to 1300 blocks of South 48th Street (both sides), the 4700 to 4800 blocks of East Southern Avenue, and within the 4800 to 4900 blocks of East Hampton Avenue (north side). Located east of Greenfield Road and south of Southern Avenue. (9± acres). Rezone from Single Residence-43 (RS-43) and Single Residence-15 (RS-15) to Multiple Residence-4 with a Planned Area Development overlay (RM-4-PAD) and Site Plan Review. This request will allow for a multiple residence development. Pew & Lake, applicant; Sunny Mesa INC, owner. – Ordinance No. 5749

Staff Recommendation: Approval with conditions

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

*8-c. **See: Items not on the Consent Agenda.**

*8-d. ZON22-00263 “Hines” **(District 2)** An ordinance within the 5600 to 5800 blocks of East Inverness Avenue (north and west side) and within the 5600 to 5800 blocks of South Sunview (north and south sides). Located east of Higley Road and north of Baseline Road (50± acres). Rezone from Planned Employment Park with a Planned Area Development Overlay and Council Use Permit (PEP-PAD CUP) to Planned Employment Park with a Planned Area Development Overlay (PEP-PAD), Light Industrial with a Planned Area Development Overlay (LI-PAD), and Site Plan Review. This request will allow for an industrial development. Sean Lake, Pew & Lake, PLC, applicant; VHS ACQUISITION SUBSIDIARY NUMBER 11 INC, owner.

Staff Recommendation: Approval with conditions

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

For continuance to the January 9, 2022, City Council meeting.

Items not on the Consent Agenda

7-a. ZON22-00431 “Millennium Superstition Springs” **(District 2)** Within the 5700 to 5900 blocks of East Baseline Road (north side), within the 1800 to 1900 blocks of South Sunview (west side), and within the 5700 to 5900 blocks of East Inverness Avenue (south side). Located west of Recker Road on the north side of Baseline Road (10± acres). Rezone from Planned Employment Park with Planned Area Development overlay and Council Use Permit (PEP-PAD-CUP) to Multiple Residence 5 with a Planned Area Development overlay (RM-5-PAD) and Site Plan Review. This request will allow for a multiple residence development. Charles Huellmantel, Huellmantel & Affiliates, applicant; VHS Acquisition Subsidiary Number 11, INC., owner.

Staff Recommendation: Denial

P&Z Board Recommendation: A motion to recommend denial resulted in a split vote of 3-3

Joel Sannes, a Mesa resident, stated he legally represents A.T. Still University (ASTU) that has a mixed opposition to this rezoning request. He reported that in the past, ATSU supported housing in the area that is generally consistent with an educational or medical campus and supports uses consistent with specialty districts. He pointed out ATSU cannot support this case if its support is precedent for supporting a use that is inconsistent with the specialty district established in the area with the 2040 General Plan. He clarified if approval is based on any articulation of the use that may somehow be beneficial to an educational campus but not consistent with this use, then ATSU would oppose the case.

In response to an inquiry by Councilmember Spilsbury related to a letter of support received from ATSU, Mr. Sannes explained there is another zoning case to be heard before Council on January 9th and that support of housing in the area has been interpreted as inconsistent with its opposition to the other case. He remarked that ATSU gave general support of housing in the area interpreting the idea as long as a use can be articulated that supports an educational facility or supports a medical facility, that ATSU would continue its support. He expounded that ATSU supports housing because it thinks it's consistent with a campus-like setting; however, it does not support any zoning approval that might have an articulated basis that may possibly support a medical or an educational campus.

In response to a question from Councilmember Spilsbury, Mr. Sannes confirmed that since the zoning on the other property is forthcoming, that ATSU does not want to support this rezoning because it might imply that they would support the other.

In response to a question from Vice Mayor Duff, Mr. Sannes reiterated that the 2040 General Plan says this area must be developed as an educational or medical use, so any use must be consistent with that single use.

City Attorney Jim Smith clarified that the concept of primary and secondary uses are in the zoning code, not in the 2040 General Plan.

It was moved by Councilmember Spilsbury, seconded by Councilmember Thompson, that ZON22-00431 "Millennium Superstition Springs", Item 7-a be approved.

AYES – Giles-Duff-Freeman- Heredia-Luna—Spilsbury-Thompson
NAYS – None.

Carried unanimously.

- 8-a. Amending Title 6 of the Mesa City Code (Police Regulations) by repealing and replacing Chapter 12 entitled "Offensive, Excessive and Prohibited Noises", clarifying definitions, prohibitions, and exemption procedures, and updating penalty provisions. **(Citywide)** – Ordinance No. 5750

Jan Barney, a Mesa resident, discussed concerns regarding the City's noise ordinance. She mentioned there have been over 65 complaints to the excessive noise from the reception area of the Gather Estate venue, which has violated its special use permit (SUP). She requested an update to the City's current noise ordinance to determine parameters.

Travis Barney, a Mesa resident, said he has resided in his home for over 19 years and provided some history on the venue being issued an SUP six years ago. He reported the owners have failed to abide to their promise of keeping the volume down and the current noise ordinance

does not provide any decibel limits, as it did prior to 2009; therefore, the City's compliance and police officers are not able to assist. He requested an update to the noise ordinance to include a decibel meter limit with a SUP so that he may enjoy his backyard again.

In response to a request for clarification by Mayor Giles, City Attorney Jim Smith reported the noise ordinance is being updated to be more consistent with other municipalities, most of which do not have a decibel limit. He confirmed that Mesa used to have a decibel limit, but it proved to be difficult to apply to an entire City. He advised there is a possibility of hiring a noise consultant in the future. He addressed Ms. Barney's concern by stating that the SUP held by the venue is not exempt from Section 6-12-6 of the noise ordinance.

In response to a question from Councilmember Spilsbury regarding the requirements for a noise ordinance citation, Police Legal Advisor Geoffrey Balon explained officers must take into consideration several factors when they respond to a complaint. He commented officers are trained to use their best judgment to decide on unreasonable circumstances, issue citations or forward to a civil hearing officer where a judge decides.

Councilmember Spilsbury commented that the City's current noise ordinance language needs to be revised for clarity. She conveyed her support of the noise ordinance and requested further review by a noise consultant.

Councilmember Freeman requested a standard for decibel noise.

Councilmember Luna stated support of the noise ordinance and requested additional language on decibel levels in the noise ordinance and ways it may be measured.

Mayor Giles advised the noise ordinance needs to be amended to be enforceable. He stated he is in support of the ordinance moving forward.

It was moved by Councilmember Freeman, seconded by Councilmember Spilsbury, that Amending Title 6 of the Mesa City Code (Police Regulations), Item 8-a be adopted.

Upon tabulation of votes, it showed:

AYES – Giles–Duff–Freeman–Heredia–Luna–Spilsbury–Thompson
NAYS – None

Carried unanimously.

- 8-c. ZON22-00731 "Greenfield Industrial" (**District 1**) Within the 4300 block of East McDowell Road (south side) and the 2500 to 2800 blocks of North Greenfield Road (west side). Located on the south side of McDowell Road and the west side of Greenfield Road (17.72± acres). Rezone to remove conditions of approval of Zoning Case Number Z80-047 and to add new conditions of approval, Site Plan Review, and Special Use Permit. This request will allow for an industrial development. Tim Thielke, DLR Group, applicant; Donald Ottosen TR, owner. – Ordinance No. 5751

Staff Recommendation: Approval with conditions

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

Daniel King, a Mesa resident, stated he is the declarant for the Mesa Ridge Business Center which is directly to the east of the proposed development. He commented originally, he was not in support of the Greenfield Industrial rezoning; however, after speaking with the Transportation Department, the City of Mesa, and Councilmember Freeman, he respectfully requests that his previous comments be removed since the rezoning will not impact his business parks.

It was moved by Councilmember Freeman, seconded by Councilmember Spilsbury, that ZON22-00731 "Greenfield Industrial", Item 8-c be adopted.

Upon tabulation of votes, it showed:

AYES – Giles–Duff–Freeman–Heredia–Luna–Spilsbury–Thompson

NAYS – None

Carried unanimously.

9. Discuss, receive public comment, and take action on the following ordinances adopting titles and schedules of terms/rates/fees/charges for City-owned utilities:

9-a. Conduct a public hearing on adopting titles and schedules of terms/rates/fees/charges of City-owned utilities: Items 9-b through 9-g.

Mayor Giles announced that this was the time and place to conduct a public hearing on adopting titles and schedules of terms/rates/fees/charges for electric, natural gas, water, wastewater and solid waste utilities services, Items 9b through 9-g.

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

9-b. Adopting and repealing titles and schedules of terms and conditions for electric utility services. **(Districts 1 and 4)** – Ordinance No. 5752

9-c. Adopting titles and schedules of terms/rates/fees/charges for electric utility services, and also repealing certain existing titles and schedules. **(Districts 1 and 4)** – Ordinance No. 5753

9-d. Adopting titles and schedules of terms/rates/fees/charges for natural gas utility services. **(Citywide)** – Ordinance No. 5754

9-e. Adopting titles and schedules of terms/rates/fees/charges for water utility services. **(Citywide)** – Ordinance No. 5755

9-f. Adopting titles and schedules of terms/rates/fees/charges for wastewater utility services. **(Citywide)** – Ordinance No. 5756

9-g. Adopting titles and schedules of terms/rates/fees/charges for solid waste utility services. **(Citywide)** – Ordinance No. 5757

It was moved by Councilmember Thompson, seconded by Councilmember Luna, that titles and schedules of terms/rates/fees/charges of City-owned utilities: Items 9-b through 9-e and 9-g be adopted.

Upon tabulation of votes, it showed:

AYES – Giles-Duff-Freeman-Heredia-Luna-Spilsbury-Thompson
NAYS – None

Carried unanimously.

Councilmember Freeman commented on Item 9-f and recommended lowering the wastewater utility rate by 1% to a proposed 3.25%. He commented on the adjustments to wastewater over the last five years and expressed concern for his constituents during this economy.

Councilmembers Spilsbury and Luna expressed support for the increase and recommended consistency.

Councilmember Thompson agreed with Councilmember Freeman in support of a reduced rate for wastewater.

Mr. Brady explained when the City had a 0% rate adjustment for wastewater per Council's request, the following year required a 4% rate increase to make up the difference.

Office of Management and Budget Director Brian Ritschel reported the difference from the proposed 4.25% to 3.25% is \$0.24 per month. He added if the proposed lower amount is approved, then for the next two years the estimated adjustment rate for wastewater is estimated at 5%.

Mayor Giles commented the City has been sensitive to the needs of Mesa's residents over the past few years and has subsidized the City's electric utility by more than \$20 million, as well as frozen rates. He explained the proposed \$0.24 increase per month is not significant, and freezing rates will lead to higher rates to compensate. He suggested residents become more efficient in their use of wastewater, as wastewater rates are based on an individual's water usage. He expressed support for this motion.

Vice Mayor Duff expressed support for the staff recommendation of the wastewater rate increase and announced the projected operational costs for wastewater are expected to increase over the next year.

It was moved by Councilmember Spilsbury, seconded by Councilmember Luna, that titles and schedules of terms/rates/fees/charges for wastewater, Item 9-f be adopted.

Upon tabulation of votes, it showed:

AYES – Giles-Duff-Heredia-Luna-Spilsbury
NAYS – Freeman-Thompson

Mayor Giles declared the motion carried by majority vote.

10. Conduct a public hearing relating to a Minor General Plan Amendment:

- 10-a. Conduct a public hearing on a Minor General Plan Amendment amending the existing Chapter 7: Community Character of the This is My Mesa: Mesa 2040 General Plan pertaining to the educational campus sub-type and the medical campus sub-type of specialty districts.

Mayor Giles announced that this was the time and place to conduct a public hearing on a Minor General Plan Amendment to the existing Chapter 7 Community Character of the This is My Mesa: Mesa 2040 General Plan.

Mr. Sannes, as attorney representing ATSU, expressed opposition to amending the specialty districts. He expressed the opinion that the procedural requirements of amending the General Plan were not followed. He commented the language of the amendment is difficult for ATSU to accept and ATSU opposes this amendment to the General Plan.

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

11. Take action on a resolution relating to a Minor General Plan Amendment amending the existing Chapter 7: Community Character of the This is My Mesa: Mesa 2040 General Plan pertaining to the educational campus sub-type and the medical campus sub-type of specialty districts:

- 11-a. **Staff's Recommendation** - Text Amendment Adding: Residential Multiple (RM) Dwelling 4 and 5 to the secondary zoning districts for the educational campus sub-type of specialty districts and revising the timing of when secondary zoning districts and secondary land uses are permitted in the educational campus sub-type of specialty districts and the medical campus sub-type of specialty districts.
- 11-b. **Planning and Zoning Board's Recommendation** - Text Amendment Adding: The staff recommended changes (item 11-a) and also adding Residential Multiple (RM) Dwelling 5 to the secondary zoning districts for the medical campus sub-type of specialty districts. P&Z Board Recommendation: Approval (Vote: 4-3) (Staff does not support). – Resolution No. 11981

It was moved by Councilmember Spilsbury, seconded by Councilmember Thompson, that the Planning and Zoning Board's Recommendation, Item 11-b be adopted.

Upon tabulation of votes, it showed:

AYES – Giles-Duff-Heredia-Luna-Spilsbury-Thompson
NAYS – Freeman

Mayor Giles declared the motion carried by majority vote.

12. Items from citizens present.

There were no items from citizens present.

13. Adjournment.

Without objection, the Regular Council Meeting adjourned at 7:16 p.m.

JOHN GILES, MAYOR

ATTEST:

HOLLY MOSELEY, CITY CLERK

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 1st day of December 2022. 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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