



## COUNCIL MINUTES

March 6, 2006

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on March 6, 2006 at 5:51 p.m.

### COUNCIL PRESENT

Mayor Keno Hawker  
Rex Griswold  
Kyle Jones  
Tom Rawles  
Janie Thom  
Claudia Walters  
Mike Whalen

### COUNCIL ABSENT

None

### OFFICERS PRESENT

Christopher Brady  
Debbie Spinner  
Barbara Jones

Invocation by Reverend J. D. O'Brien, Grace Fellowship Bible Church.

Pledge of Allegiance was led by Luke MacFarlan, Troop #301.

Mayor's Welcome. (The videotaped "Mayor's Welcome" was not presented.)

Hear a presentation by Maricopa County Elections Director Karen Osborne regarding Proposition 200, which requires voter identification at the polls.

Ms. Osborne provided each member of the Council with handouts entitled "Identification at the Polls" and "How the Voting System Works" (copies are available for review in the City Clerk's Office), and she outlined the new procedures that are required as a result of the passage of Proposition 200.

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

At this time, all matters on the consent agenda were considered by the Council or were removed at the request of a citizen or a member of the Council. All items identified with an asterisk (\*) were approved with one Council action.

Councilmember Rawles requested that item 4i be removed from the consent agenda.

It was moved by Councilmember Griswold, seconded by Councilmember Thom, that the consent agenda items, with the exception of item 4i, be approved.

Carried unanimously.

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

Minutes from the December 12, 2005, February 3, 16 and 21, 2006 Council meetings.

3. Take action on the following liquor license applications:

\*3a. Las Sendas Elementary PTO

Special Event Liquor application for a one day charitable event to be held on Saturday, April 22, 2006, from 6:00 p.m. to 10:00 p.m. at 7900 E. Eagle Crest Dr. District #5.

\*3b. Shell 1957

New Beer and Wine Store License for 1957 N. Country Club Dr. The license previously held at this location by Texaco Star Mart #774 was closed 1-05-06. District #1.

\*3c. Benchwarmers Grill

New Restaurant License for 801 S. Power Rd. The restaurant license previously held at this location by Benchwarmers Grill will revert back to the State. District #6.

4. Take action on the following contracts:

\*4a. Forty-seven vehicles as requested by the Police Department. (State Contracts #AD 030039, #AD 040003, and #AD 040004).

The Purchasing Division recommends authorizing purchase from three State of Arizona contracts with Five Star Ford at \$1,188,326.02, including applicable sales tax.

\*4b. Two 5-yard dump trucks as requested by the Transportation Division, Field Operations. (Mesa Contract #2005192).

The Purchasing Division recommends accepting the low responsive, responsible bid from Don Sanderson Ford at \$113,308.99, including options, warranties and applicable sales tax.

\*4c. Two-year renewal of supply contract for deep well pump repair and maintenance as requested by the Water Utility Division, Water Supply. (Mesa Contract #2003105).

The Purchasing Division recommends authorizing a two-year renewal for the primary contract with Weber Group LC and the secondary contract with Duncan Pump for annual repairs estimated at \$100,000.00 total for City-owned wells in Maricopa County.

\*4d. One-Year renewal of catering services at Hohokam Stadium as requested by the Community Services Department, Commercial Facilities. (Mesa Contract #2002171).

The Purchasing Division recommends authorizing a one-year renewal with Arizona Catering.

- \*4e. Three-year contract for landscape maintenance services for parks and retention basins, in an area designated as Zone 3, as requested by the Parks & Recreation Division. (Mesa Contract #2005193).

The Purchasing Division recommends accepting the low responsive, responsible bid from Basin Tree Service & Pest Control (dba United Right of Way) at \$230,041.50 annually, based on estimated requirements.

- \*4f. Three-year contract for landscape maintenance services for parks and retention basins, in an area designated as Zone 4, as requested by the Parks & Recreation Division. (Mesa Contract #2005194).

The Purchasing Division recommends accepting the low responsive, responsible bid from Mariposa Horticultural Ent. Inc. at \$222,334.94 annually, based on estimated requirements.

- \*4g. Deleted.

- 4h. 2004/2005 residential street overlays, City of Mesa Project No. 01-841-009.

This project will rehabilitate and overlay over 192,000 square yards of residential street pavement. Improvements will also include the construction of 91 sidewalk ramps along the improved streets.

Recommend award to low bidder, Sunland Asphalt, Inc., in the amount of \$1,953,881.00 plus an additional \$195,388.10 (10% allowance for change orders) for a total award of \$2,149,269.10.

Mayor Hawker declared a potential conflict of interest and said he would refrain from discussion/participation in this agenda item. He yielded the gavel to Vice Mayor Walters for action on this agenda item.

It was moved by Councilmember Thom, seconded by Councilmember Whalen, that the recommendation of staff be approved.

Upon tabulation of votes, it showed:

AYES – Griswold-Jones-Rawles-Thom-Walters-Whalen  
NAYS – None  
ABSTAIN – Hawker

Vice Mayor Walters declared the motion carried unanimously by those voting.

Vice Mayor Walters yielded the gavel back to Mayor Hawker.

- 4i. Public Housing Agency information management system for the Housing Division as requested by the Information Services Division. (Mesa Contract #2004188).

The Purchasing Division endorses the evaluation team's recommendation to accept the proposal from Emphasys Software, Inc. for an amount not to exceed \$49,087.04. The Purchasing Division further recommends approving \$4,908.70 for project contingencies (10% of total project, including all hardware and software). The combined total award for these expenses is not to exceed the amount of \$53,995.74. In addition, ongoing maintenance and support for the four years following the warranty period is estimated at \$16,980.48 in general funds.

Councilmember Rawles advised that he would not support a General Fund expenditure that finances a housing program. He expressed the opinion that housing programs are not an appropriate function of government.

It was moved by Vice Mayor Walters, seconded by Councilmember Jones, that the recommendation of staff be approved.

Vice Mayor Walters expressed support for the expenditure due to the fact that the software would enable Mesa residents to benefit from \$14 million in federal housing program funds.

In response to a question from Mayor Hawker, Housing Services Director Ruth Anne Norris explained that the \$16,980.48 addresses on-going maintenance costs that are paid by the Information Systems Department and in turn allocated to Housing Services. She advised that indirect costs are not typically charged to federal programs.

Councilmember Rawles stated the opinion that there would be no need to purchase the software if the City's Housing Services Department ceased to exist.

Ms. Norris noted that during the time that she served as the Interim Neighborhood Outreach Office Director, her salary was paid utilizing federal funds when in fact Neighborhood Outreach is an area designated for support by General Fund dollars. She explained that the purchase amount is a reimbursement to Housing Services from the General Fund for her services.

Councilmember Rawles acknowledged that the purchase amount was a reimbursement from the General Fund, but he noted that the additional funds for on-going maintenance costs are in excess of the reimbursement amount.

Mayor Hawker called for the vote.

Upon tabulation of votes, it showed:

AYES – Hawker-Griswold-Jones-Thom-Walters-Whalen  
NAYS – Rawles

Mayor Hawker declared the motion carried by a majority vote.

5. Introduction of the following ordinances and setting March 20, 2006 as the date of the public comment and Council action on these ordinances.

\*5a. Deleted.

\*5b. **A05-03 (District 5)** Annexing land located on the southwest corner of Brown & Meridian Roads. (3.61± ac.). Initiated by Wilfred Klingsat representing Portigal Travel, LLC.

\*5c. Amending Section 11-13-2 of the Zoning Ordinance to allow the platting of condominium subdivisions without requiring a Planned Area Development (PAD) overlay or frontage on a public street for individual units.

P&Z Recommendation: Approval. (Vote: 7-0)

DDC Recommendation: Denial. (Vote: 6-1 with Chucuri voting for approval. Boardmembers Riekena and Close absent.)

\*5d. **Z06-04 (District 6)** 1301 South Crismon Road (designated as Medical Office Building 1). Located south of Southern Avenue and east of Crismon Road (0.6± ac). Site Plan Review. This request will allow for the development of a medical office building at the Mountain Vista Medical Center. William Molloy, DevMan Company, L.C, owner; Suzanne Schweiger-Nitchals, Devenney Group, applicant. *(Held a neighborhood meeting, notified property owners, neighbors, registered neighborhoods and homeowners' associations.)*

P&Z Recommendation: Approval with Conditions. (Vote: 6-0 with Boardmember Adams absent.)

\*5e. **Z06-05 (District 6)** 1301 South Crismon Road (designated as Medical Office Building 2). Located south of Southern Avenue and east of Crismon Road (0.6± ac). Site Plan Review. This request will allow for the development of a medical office building at the Mountain Vista Medical Center. Stephen Richards, Tegra East Mesa MOB, L. C., owner; Korey Wilkes, Butler Design Group, applicant. *(Held a neighborhood meeting, notified property owners, neighbors, registered neighborhoods and homeowners' associations.)*

P&Z Recommendation: Approval with Conditions. (Vote: 6-0 with Boardmember Adams absent.)

\*5f. **Z06-06 (District 6)** The 8700 to 8800 block of East Pecos Road (south side). Located west of the southwest corner of Pecos Road and Ellsworth Road (8.95± ac). Rezone from M-1 to M-1-PAD and Site Plan Review. This request will allow for the development of office warehouses, self-storage facilities, caretaker quarters, and a retail building. Bill Stevenson, Williams Gateway Self Storage, owner; Dorothy R. Shupe, Dream Catchers Planning and Design LLC; applicant. *(Held a neighborhood meeting, notified property owners, neighbors, registered neighborhoods and homeowners' associations.)*

P&Z Recommendation: Approval with Conditions. (Vote: 6-0 with Boardmember Adams absent.)

- \*5g. **Z06-07 (District 5)** 11540 East University Drive (north side). Located at the northwest corner of University Drive and Meridian Drive (3.75± ac). Site Plan Review. This request will allow for the development of a retail building. John Keith, owner; Vincent P. DiBella, Saemisch-DiBella Architects, Inc., applicant. *(Held a neighborhood meeting, notified property owners neighbors, registered neighborhoods and homeowners' associations.)*

P&Z Recommendation: Approval with Conditions. (Vote: 5-0-1 with Boardmembers Adams absent and Saemisch abstaining.)

- \*5h. **Z06-08 (District 1)** 1806 North Lindsay Road (west side). Located south of the southwest corner of Lindsay Road and McKellips Road (0.99± ac). Rezone from R1-43 to O-S and Site Plan Review for the conversion of a residence to an office. Wayne Funk, owner; Sean B. Lake, applicant. *(Held a neighborhood meeting, notified property owners and neighbors.)*

P&Z Recommendation: Approval with Conditions. (Vote: 6-0 with Boardmember Adams absent.)

- \*5i. **Z06-09 (District 5)** The 3500 block of East McDowell Road (south side). Located at the southwest corner of Val Vista Drive and McDowell Road (1.27± ac). Rezone from R1-35 to O-S-PAD and Site Plan Review. This request will allow for the development of an office condominium project. Ray Nitti, owner; Dustin T. Chisum, applicant. *(Held a neighborhood meeting, notified property owners, neighbors, registered neighborhoods and homeowners' associations.)*

P&Z Recommendation: Approval with Conditions. (Vote: 6-0 with Boardmember Adams absent.)

- \*5j. **Z06-10 (District 1)** 924 North Country Club Drive (west side). Located on the southwest corner of Country Club Drive and 10<sup>th</sup> Street (4.14± ac). Site Plan Modification and Modification to the BIZ overlay district. This request will allow for the development of a new training center building. Donald (Don) Jackson, Chief Administrative Officer, MARC Center, owner; Alisa Petterson-Dangelo, Saemisch DiBella Architects, Inc., applicant. *(Notified property owners and registered neighborhood associations.)*

P&Z Recommendation: Approval with Conditions. (Vote: 5-0-1 with Boardmembers Adams absent and Saemisch abstaining.)

- \*5k. **Z06-11 (District 4)** 154 South Vineyard (west side). Generally located west of Country Club Drive and south of Main Street (1.18± ac). Rezone from R-2 (conceptual M-1) to M-1 and Site Plan Review. This request will allow for the development of warehouse buildings. John Little, owner/ applicant. *(Held a neighborhood meeting, notified property owners and homeowners' associations.)*

P&Z Recommendation: Approval with Conditions. (Vote: 6-0 with Boardmember Adams absent.)

- \*5l. **Z06-12 (District 6)** 9335 East Baseline Road. Located east of Ellsworth Road and south of Baseline Road (14.18± ac). Rezone from R-3-DMP to R-3-PAD-DMP. This request will allow for the conversion of apartments to condominiums. Prime Group Inc., Michael W. Reschke, owner; Rachel Rybski, Beus Gilbert PLLC, applicant. *(Notified property owners, neighbors, registered neighborhoods and homeowners' associations.)*

P&Z Recommendation: Approval with Conditions. (Vote: 6-0 with Boardmember Adams absent.)

- \*5m. **Z06-13 (District 6)** The 7300 block of East Hampton Avenue (south side). Located south of Southern Avenue and west of Sossaman Road (6.5± ac). Rezone from M-1-DMP to M-1-PAD-DMP and Site Plan Review. This request will allow for the development of office/warehouse buildings. LGE Design Build (Frank Pettit), owner; David Alameddin, applicant. *(Notified property owners and committed to extended citizen participation prior to Council action on 3-20-06.)*

P&Z Recommendation: Approval with Conditions. (Vote: 6-0 with Boardmember Adams absent.)

- \*5n. **Z06-14 (District 2)** The 3300 to 3500 blocks of East Southern Avenue (south side). Located west of Val Vista Drive and south of Southern Avenue (8.9± acres). Rezone from R1-15 to R1-15-PAD. This request will allow for the development of a single-residence subdivision. Curt Dana, owner; William Standage, Standage and Associates, applicant. *(Notified property owners, neighbors and homeowners' associations.)*

P&Z Recommendation: Approval with Conditions. (Vote: 6-0 with Boardmember Adams absent.)

- \*5o. **Z06-16 (District 6)** The 7600 to 8400 blocks of East Germann Road (north side). Located north of Germann Road and east of Sossaman Road (288.24± ac). Rezone from AG to M-1. This request will bring the zoning of the property into conformance with the Mesa 2025 General Plan. Russ Brandt, owner; City of Mesa, applicant. (Property owner supports this request.) *(Notified property owners and neighbors.)*

P&Z Recommendation: Approval with Conditions. (Vote: 6-0 with Boardmember Adams absent.)

- \*5p. Deleted.

6. Take action on the following resolutions:

- \*6a. Approving and authorizing the City Manager to execute a City Share Reimbursement Agreement for the reimbursement of regional offsite street lighting and traffic signal improvements that are being required by Mesa in conjunction with the proposed development of a residential subdivision known as Villas at Montana Vista located at 7867 East University Drive – Resolution No. 8670.

- \*6b. Extinguishing two Public Utility Easements at 2530 East Hale Street for the purpose of constructing a swimming pool – Resolution No. 8671.

These easements are no longer necessary on this property.

- \*6c. Modifying fees and charges for the Mesa Southwest Museum as recommended by the Finance Committee – Resolution No. 8672.
- \*6d. Modifying fees and charges for the Museum for Youth as recommended by the Finance Committee – Resolution No. 8673.
- 6e. Authorizing City of Mesa staff to request that the City of Mesa Municipal Corporation release certain real property located in Pinal County, Arizona to the City pursuant to the terms of a lease between the City and the City of Mesa Municipal Development Corporation – Resolution No. 8676.

It was moved by Councilmember Rawles, seconded by Vice Mayor Walters, that Resolution No. 8676 be adopted.

Councilmember Jones advised that although he supports the motion, he would like additional information prior to selling the various parcels.

In response to a question from Councilmember Thom, Williams Gateway Economic Activity Area Project Manager Wayne Balmer confirmed that the amount of property to be released is 7,700 acres.

Mayor Hawker called for the vote.

Carried unanimously.

- \*6f. Approving and authorizing the City Manager to execute an agreement between the City of Mesa and Apache Junction Water Company for the treatment of Central Arizona Project water and delivery of water – Resolution No. 8674.
- 6g. Approving the resolution supporting the City of Mesa's application for State Historic Preservation Heritage Funds in the amount of \$100,000 for the Alston House – Resolution No. 8677.

It was moved by Vice Mayor Walters, seconded by Councilmember Rawles, that Resolution No. 8677 be approved.

Councilmember Whalen stated that he is listed in the Council report as donating services to the project. He added that the City Attorney advised him that this action does not represent a conflict of interest, and that he may participate in consideration of the agenda item.

Councilmember Rawles reported that local business and private entities have responded favorably relative to donating funds to this project.

Mayor Hawker advised that he would not support the proposal for the reasons he stated during previous Council meetings.

Mayor Hawker called for the vote.

Upon tabulation of votes, it showed:

AYES – Griswold-Jones-Rawles-Walters-Whalen  
NAYS – Hawker-Thom

Mayor Hawker declared the motion carried by a majority vote.

- \*6h. Approving and authorizing the City Manager to execute an intergovernmental agreement between the Maricopa County Community College District and the City of Mesa for use of the Mesa Police Training Facility – Resolution No. 8675.

7. Take action on the following recommendations from the Utility Committee:

7a. This agenda item was withdrawn by the applicant prior to the Council meeting.

- \*7b. Request by Maricopa County Parks and Recreation Department to provide water service outside the City limits to Usery Mountain Regional Park.

Utility Committee Recommendation: Approval of Option 2. (Vote 3-0).

7c. Request by Dillon's RV City to provide water and sewer service outside the City limits at 9452 East Apache Trail.

Utility Committee Recommendation: Approval of Option 2. (Vote 3-0).

Mayor Hawker noted that the Council discussed this item during the Study Session held immediately prior to this meeting. He requested that the applicant come forward to address the Council.

Nat Sojourner addressed the Council on behalf of Richard Dillon of Dillon's RV City, and he advised that the applicant is requesting Council approval of Option 2, which would provide City water without City sewer service until the sewer line is extended to the Dillon property.

Richard Dillon, 9452 East Apache Trail, completed a speaker/comment card in support of Option 2, but he indicated that he did not wish to address the Council.

Building Safety Director Terry Williams displayed a PowerPoint presentation (a copy is available for review in the City Clerk's Office), which outlined staff's recommendation that the applicant be required to annex into the City, connect to sewer service and comply with City development standards in order to obtain City water. He explained that annexation of a section of Main Street west of Mr. Dillon's property would require future City expenditures of approximately \$365,000 to upgrade that section to City standards. He noted that the Council has the discretion to delay

the requirement that Mr. Dillon's property be connected to the sewer until such time as a connection to the City's sewer system is financially feasible.

Discussion ensued relative to the fact that sewer lines are typically installed as development occurs; that the Council could include a stipulation stating that Mr. Dillon would be required to connect to the sewer system at a future date and pay the proportionate assessment for the connection at that time; and that the Utility Committee did not address the possibility of adding a stipulation to the Utility Services Agreement.

City Attorney Debbie Spinner responded to a question from Vice Mayor Walters by stating that although the Utility Services Agreement could include a stipulation requiring a future sewer connection, enforcement of the stipulation could pose a dilemma for the City due to the fact that once the City provides water to a parcel, the City is obligated to continue providing water.

Responding to a question from Councilmember Griswold, City Engineer Keith Nath advised that the estimated street improvement costs relative to annexation of the street include the installation of sidewalks, handicap access, street lighting and landscaping to City standards. He stated that although the property located north of Main Street is in the City, the roadway east of Ellsworth is a State highway controlled by the Arizona Department of Transportation (ADOT). He explained that the City could be required to implement future improvements in order to comply with requests relative to the *Americans with Disabilities Act (ADA)*.

Mr. Williams advised that staff recommends Option 1, which would require annexation, street improvements and connection to the City's sewer service.

Additional discussion ensued relative to the fact that Option 1 places the burden of street improvement costs on the City of Mesa; that Option 1 enables the City to provide water to Mr. Dillon's property under the City's existing policy that contiguous properties can be annexed and receive City services; and that consideration should be given to the amount of City sales tax that would be generated by the Dillon's RV business.

Councilmember Whalen noted that the City's current policy was enacted to address the City's costs to provide water in areas outside of the City limits that did not wish to be annexed. He suggested that this request be continued, and that staff be directed to negotiate a development agreement with the applicant.

It was moved by Councilmember Rawles, seconded by Councilmember Whalen, that this item be continued and that staff be directed to negotiate a Utility Services Agreement that provides the applicant with water only and includes provisions regarding a future sewer connection and possible street contributions.

Further discussion ensued relative to the fact that the City could consider the possibility of entering into a development agreement with the applicant that includes revenue sharing; and that this item should be brought back for Council consideration within the next four weeks.

Mayor Hawker called for the vote.

Carried unanimously.

- 7d. Request by Chris and Cassie Plourd to provide water service outside the City limits in the 8200 block of East Redberry.

Utility Committee Recommendation: Approval of Option 2 or Option 3. (Vote 3-0).

Mr. Williams reported that staff recommended Option 1, which would require annexation, and he noted that a recent annexation request received from property owners to the north and west of the site would make the Plourd annexation more feasible. He identified the Plourd property, a single-family residence lot, on a map displayed in the PowerPoint presentation (a copy is available for review in the City Clerk's Office). Mr. Williams noted that the Utility Committee recommended Option 2 (to provide utilities without annexation) or Option 3 (to require the property owner to enter into a Utility Service Agreement that requires compliance with the City's development standards and payment of fees). He said that advice from the City Attorney indicates that the Council could waive certain requirements. Mr. Williams advised that the applicant has concerns regarding annexation due to the fact that the City requires a 25-foot of right of way in order to facilitate the future extension of 82<sup>nd</sup> Street, which would impact the design and site plan of the home. He added that staff's recommendation is that the provision of water service be contingent on annexation.

In response to a question from Mayor Hawker, Mr. Williams confirmed that the City provided water to this property in the past. He explained that the original property was subdivided into five lots, and that the other four lots share a well. Mr. Williams stated that the Plourd's were sold their property with the understanding that they would be able to obtain water service.

Deputy City Attorney Joe Padilla advised that the City's legal obligation to provide water service terminated when the original property was subdivided and water service was discontinued. He said that according to State Statutes, when a served area changes and water service is discontinued, the City is no longer obligated to provide water.

Discussion ensued relative to the fact that in order to provide water service without annexation, the Council would be required to exempt the Plourd property from certain requirements; and that annexation would enable the Plourd property to be "grandfathered in" with respect to the General Plan's one-acre requirement and the Desert Uplands' standards.

Chris Plourd, the applicant, stated that granting a 25-foot right of way would create a problem with the home's planned site location. He advised that other properties in the area have indicated to him that they do not intend to grant a 25-foot right of way, and he expressed the opinion that it was not necessary for the City to obtain a right of way on his property.

Councilmember Griswold provided a brief history of the development of this property, and he expressed the opinion that one of the five owners of the subdivided parcel is entitled to receive City water service as a result of water service being provided at an earlier date. He added that many properties in that area have expressed a desire to be annexed into the City.

In response to question from Vice Mayor Walters, Mr. Williams stated that he could not speculate whether the property owners to the north would refuse to sell the City a right of way. He also noted that the City could request a right of way less than 25 feet.

Responding to a question from Councilmember Rawles, Mr. Williams advised that the Council could not exempt the Plourd property from the 25-foot right of way requirement if the property was annexed into the City. He explained that the Council could change the ordinance that addresses the issue, but the Council could not waive the ordinance requirements for one property.

Development Services Manager Jack Friedline noted that a request for a 25-foot right of way from the Plourd property would be inconsistent if the same right of way was not available from the properties located to the north. He suggested that staff be provided an opportunity to further investigate this matter in order to determine if a lesser amount of right of way would be feasible. He also stated the opinion that the City Engineer has the authority to designate a smaller right of way when physical obstructions exist. Mr. Friedline explained that the City always attempts to secure a 25-foot right of way in order to avoid repeating past problems when rights of way had to be purchased at a later date

Vice Mayor Walters noted than an alternative would be to request the 25-foot right of way and then abandon it.

Mayor Hawker stated the opinion that the consensus of the Council appears to favor annexation and providing water to the parcel. He suggested that staff investigate the right of way situation and provide a report to the Council.

Discussion ensued relative to the fact that annexed commercial properties must connect to the sewer system, but this requirement does not apply to residential properties; that the possibility exists that a roadway could be located to the west along a City park site; and that subdividing the property negated the City's original agreement with the Range Rider Water District to provide water to the property.

It was moved by Mayor Hawker, seconded by Councilmember Jones, that this item be continued until the March 20, 2006 Regular Council meeting.

In reply to a question from Councilmember Griswold, Mr. Plourd stated that the two-week delay was satisfactory.

Mayor Hawker called for the vote.

Carried unanimously.

8. Take action on the following subdivision plats:

- \*8a. "WAL-MART SUPERCENTER, STORE NO. 3799-00", (**District 4**) – 100-400 block of West Baseline Road (north side) located north of Baseline Road and east of Country Club Drive. 6 M-1 commercial lots (33.06 ac). Wal-Mart Stores, Inc., owner; Brady Aulerich & Associates, Inc., engineer.

- \*8b. "NOVA VISTA", (**District 6**) – 3600-4200 BLOCKS OF South Mountain Road (west to the Signal Butte Road alignment) located south of Elliot Road and east of Signal Butte Road. 6 residential parcels (198.73 ac). Standard Pacific of Arizona, Inc., Porchlight Land & Cattle, L.L.C., Scott Peterson, manager, and Pleasant Valley Investmans, L.C., owners; CMX, L.L.C., engineer.
- \*8c. "PIONEER PLAZA OF MESA", (**District 1**) – 600 block of East Main Street (north side) located east of Mesa Drive and north of Main Street. 1 C-2 commercial lot (1.16 ac). Steven M. Shore, owner; Brooks Engineers & Surveyors, Inc., engineer.
- \*8d. "LINDSAY GROVES MARKETPLACE", (**District 1**) – 1700 block of North Lindsay Road (west side) located west of Lindsay Road and south of McKellips Road. 5 C-2 commercial lots (11.92 ac). Wal-Mart Stores, Inc. and SC Lindsay Groves, L.L.C., Ross Watson, managing member, owners; Horizon Consultants of Arizona, engineer.

9. Items from citizens present.

Larry Silva, 220 North Greenfield Road, representing the Youth Reaction Corps, addressed the Council and reported that a safety problem exists regarding the traffic signal at University Drive and Westwood. He stated that many drivers fail to obey the red light signal at that intersection.

Jorge Varela, 520 North Mesa Drive, also addressed the Council on behalf of the Youth Reaction Corps. He suggested that a left-hand turn signal would improve the safety at the intersection of University and Westwood, which is located in proximity to Emerson Elementary School. Mr. Varela requested the opportunity to meet with the Mayor or a member of the Council to discuss the issue.

Mayor Hawker noted that the City's Traffic Safety Committee addresses this type of issue, and he suggested that Mr. Silva and Mr. Varela provide information to the Committee.

Vice Mayor Walters said that the intersection of University and Westwood is on the border of her Council District and that of Councilmember Rawles. She requested that the students call her office for an appointment in order to discuss the issue.

Peter J. O'Malley, 321 North Higley Road, expressed concern regarding day laborers that loiter on Broadway Road and disrupt area businesses. He suggested that the same laws that prohibit solicitation for prostitution should be applicable to day laborers.

10. Adjournment.

Without objection, the Regular Council Meeting adjourned at 7:18 p.m.

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KENO HAWKER, MAYOR

ATTEST:

\_\_\_\_\_  
BARBARA JONES, 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 6th day of March 2006. I further certify that the meeting was duly called and held and that a quorum was present.

\_\_\_\_\_  
BARBARA JONES, CITY CLERK

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