

COUNCIL MINUTES

September 21, 1999

The City Council of the City of Mesa met in a Regular Council Meeting in the upper level meeting room of the Council Chambers, 57 East 1st Street, on September 21, 1999 at 5:45 p.m.

COUNCIL PRESENT

Mayor Wayne Brown*
Jim Davidson
John Giles
Keno Hawker
Bill Jaffa
Dennis Kavanaugh
Pat Pomeroy

COUNCIL ABSENT

None

POLICE OFFICER
PRESENT

Lyle Burton

OFFICERS PRESENT

C.K. Luster
Neal Beets
Barbara Jones

*Mayor Brown was recuperating from surgery and participated in the entire meeting by use of teleconferencing equipment.

Invocation by Pastor Jim Baugh, Mesa Baptist Church.

Pledge of Allegiance was led by Chris Corbit, Troop #390.

1. Approval of minutes of previous meetings as written.

It was moved by Councilmember Kavanaugh, seconded by Councilmember Pomeroy, that the minutes of August 30, 1999 and September 2, 7, and 13, 1999 be approved.

Carried unanimously.

2. Consider all consent agenda items.

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

It was moved by Councilmember Kavanaugh, seconded by Councilmember Pomeroy, that the consent agenda items be approved.

Carried unanimously.

3. Conduct a public hearing for the following proposed annexation:

- a. **A99-4** The area north of Williams Gateway Airport to Warner Road, west of Ellsworth Road to the east right-of-way line of the RWCD Canal.

Vice Mayor Giles announced that this is the time and place for a public hearing regarding the area north of Williams Gateway Airport to Warner Road, west of Ellsworth Road to the east right-of-way line of the RWCD Canal.

Beverly Selvage, 2627 South Hibiscus, addressed the Council and requested that the parcel be zoned commercial/industrial rather than residential.

Vice Mayor Giles thanked Ms. Selvage for her input.

There being no additional citizens present wishing to speak on this issue, Vice Mayor Giles declared the public hearing closed.

4. Consider the following liquor license applications:

*a. JOHN R. COLEMAN, PASTOR

Special Event License application of John R. Coleman, Pastor, Christ the King Catholic Community, a one-day religious event to be held on Saturday, October 16, 1999, from 5:00 p.m. to 10:00 p.m., at 1545 E. Dana Avenue, Christ the King Catholic Church.

*b. EMILY R. FROIMSON, EXECUTIVE DIRECTOR

Special Event License application of Emily R. Froimson, Executive Director, Greater Phoenix Youth At Risk Foundation, a one-day charitable event to be held on Sunday, October 24, 1999, from 4:00 p.m. to 8:00 p.m., at 4636 Fighter Aces Drive, Champlin Fighter Museum.

*c. JEAN M. KAMINSKI, BUSINESS MANAGER

Special Event License application of Jean M. Kaminski, Business Manager, St. Bridget Catholic Church, a one-day religious event to be held on Friday, October 22, 1999, from 5:00 p.m. to 10:00 p.m., at 2213 N. Lindsay Road, St. Bridget Catholic Church.

*d. JOHN F. KRECEK, BOARD MEMBER

Special Event License application of John F. Krecek, Board Member, Mesa Association of Sports for the Disabled, a one-day charitable event to be held on Saturday, October 23, 1999, from 5:00 p.m. to 12:00 midnight, at 2017 N. Greenfield Road, Falcon Field Airport.

*e. TEDROS TSEHAYE, AGENT

Person transfer Bar License for Teddy T's Bar & Grill, 1749 W. Main Street, #7-10. This transfer is from John H. Deshetler, Individual, Down On Main Street.

*f. SUHEIL ISSA ARBID, INDIVIDUAL

New Beer and Wine Store License for Sam's Chevron, 425 S. Crismon Road. This is a vacant lot at this time, no previous liquor license at this location.

g. DAVID M. DOLENDI, INDIVIDUAL

New Restaurant License for Italian Village Ristorante, 1927 N. Gilbert Road, #6. This is an existing business and building. The Restaurant License previously held at this location by Albert Poma, Agent, Poma's Ristorante will revert back to the State.

In response to a request from Vice Mayor Giles, Tax and Licensing Administrator Don Ayers reported that the applicant has not paid the required fees and has not submitted the proper documentation. Mr. Ayers discussed staff's repeated attempts to obtain the required fees and paperwork and noted that at this time it would not be possible for staff to process the applicant's paperwork should the requirements be met at this time. Mr. Ayers discussed State Statutes governing liquor licenses and said that the State-mandated deadline for submission to the State requires Council action at this time.

City Attorney Neal Beets advised that the Council must act on the application at this time and cannot grant a continuance. Mr. Beets added that should the Council vote to deny the applicant's request based on non-compliance with City requirements, the applicant will still have an opportunity to correct the omissions and the State Liquor Board has the authority to then grant the license.

For the reasons stated above, it was moved by Councilmember Davidson, seconded by Councilmember Kavanaugh, that the New Restaurant License for Italian Village Ristorante be denied.

Carried unanimously.

5. Consider the following Bingo application:

- *a. M. V. Aztec Bingo – CLASS A
Carolyn Emmons, Manager
8865 E. Baseline Road
Mesa, AZ 85208

6. Consider the following contracts:

- *a. Two replacement rakes and field finishers for use at the Hohokam and Fitch Park Ballfields as requested by the Parks, Recreation and Cultural Division.

The Purchasing Division recommends authorizing purchase from State of Arizona contract with Arizona Machinery at \$14,445.00 plus 7.20% sales tax of \$1,040.04 for a total of \$15,485.04.

- *b. Traffic accident investigation instruments as requested by the Police Department. This equipment will improve the accuracy and reduce the time associated with accident investigations.

The Purchasing Division recommends authorizing an additional purchase option from RFB #98019 with the bid by Surveyors Instrument Service Company at \$9,999.00 plus 7.0% sales tax of \$699.93 for a total of \$10,698.93.

- *c. Supply contract for herbicides to be used for weed control by the Golf Course, Parks Maintenance, Building Maintenance and Streets Maintenance.

The Purchasing Division recommends authorizing purchase from State of Arizona contract with Target Specialty Products at \$60,666.60 plus 7.0% sales tax of \$4,246.66 for a total of \$64,913.26 based on estimated annual requirements.

- *d. OCR (Optical Character Recognition) Remittance Processing System for Customer Service Operations as requested by the Information Services Division (ISD). This system will replace the current system, which is not Year 2000 compliant, plus provide enhanced functionality.

The Purchasing Division recommends accepting the proposal from J & B Software for a total of \$286,674.79, to be financed through a tax-exempt three-year lease. The J & B proposal received an evaluated score of 749 points (74.9% of the maximum – please see Attachment A, Evaluation Summary).

In addition to the OCR Remittance Processing System referenced above, a database server, an archive PC, modems and software, and a laser printer, estimated at a total of \$25,252.00, are planned for purchase through existing supply contracts. Finally, system maintenance for years two through five totals \$94,597.02. The evaluated five-year total is therefore \$406,523.81.

6.1. Introduction of the following ordinance and setting October 6, 1999 as the date of public hearing on this ordinance:

(Note: City Council introduction of ordinances does not necessarily reflect City Council approval of these ordinances. Introduction of ordinances sets in motion the public posting and advertising process for ordinances so that the City Council can hear from concerned citizens at the public hearing.)

- *a. Relating to public health and safety, repealing Title VII, Chapter 2 of the Mesa City Code; preserving rights and duties that have already matured and proceedings that have already begun thereunder; adopting the 1997 Uniform Fire Code by reference; amending certain provisions in the Uniform Fire Code; amending Title VII of the Mesa City Code by adding thereto a new Chapter 2; adopting Mesa Fire Department fire details by reference; providing penalties for violations; and establishing a delayed effective date of May 1, 2000 for Article Ten in the amendments.

7. Consider the following resolutions:

- *a. Authorizing the City manager to execute an Intergovernmental Agreement between the State of Arizona Department of Transportation and the City of Mesa for improvements to Country Club Drive and the Superstition Freeway - Resolution No. 7423.

- *b. Extinguishing public utility easements in Millett Industrial Park - Resolution No. 7424.

The area is being resubdivided and these easements are no longer needed.

- *c. Vacating street rights-of-way in Millett Industrial Park - Resolution No. 7425.

The area is being resubdivided and these street rights-of-way are no longer needed.

- d. Establishing Redevelopment Project Area Site 24, bounded by Main Street on the south, Country Club Drive on the east, Pepper Place to the north, and the Vineyard Street alignment on the west, Resolution No. 7426.

In response to a request from Vice Mayor Giles, Community Development Manager Wayne Balmer provided a brief overview of this agenda item. Mr. Balmer discussed the fact that the boundaries listed above represent "gateways" into the City of Mesa and noted that the Downtown Development Committee supports the recommendation to establish an additional redevelopment project area within the above listed boundaries. Mr. Balmer discussed staff's intention to issue a Request for Proposals (RFP) to solicit redevelopment concepts for the area which will be reviewed by staff and submitted to the Council for their consideration.

Lyle Christensen, 441 West Pepper, informed the Council that his property is located in the proposed redevelopment area. Mr. Christensen questioned the methods that would be used to determine the value of homes located in the area and requested additional information regarding staff's recommendation.

Mr. Balmer noted that staff is not proposing any action that would involve residential properties and clarified that staff is attempting to designate an area where developers interested in participating in a redevelopment project could submit proposals for consideration. Mr. Balmer added that the neighbors will have ample time to review all of the proposals that are received in response to the RFP and emphasized that the entire process will involve citizens and area residents.

Vice Mayor Giles assured Mr. Christensen that he will be provided an opportunity to review all of the responses received regarding redevelopment in the expanded area and thanked him for his comments.

It was moved by Councilmember Kavanaugh, seconded by Councilmember Pomeroy, that Resolution No. 7426 be adopted.

Councilmember Hawker noted that consideration of this parcel as a redevelopment site is the direct result of the City's expansion of the redevelopment area and commented that this will also allow the City to expand their condemnation authority. Councilmember Hawker stated that he voted in opposition to the expansion based on his opinion that a mile square area was a sufficient amount of land to designate as a redevelopment site. Councilmember Hawker commented that a majority of the questions that he has will be answered once the RFP responses are received and added that he would prefer that a private developer be involved in this process.

Councilmember Hawker advised that despite the concerns listed above, he will vote in support of proceeding with the expanded designation based on staff's opinion that City involvement and close scrutiny is necessary in order to obtain the highest quality projects for the area.

Discussion ensued relative to the fact that the City rarely utilizes condemnation authority in redevelopment projects, the importance of securing high-quality projects for the redevelopment area, and the proposed contents of the RFP.

Carried unanimously.

8. Consider the following ordinances:

- a. **A98-5** Annexing the property on the south side of East McDowell Road from North Waterbury Road east to North 90th Street.

Vice Mayor Giles advised that the applicant has requested that this case be continued to the October 18, 1999 Regular Council Meeting.

Councilmember Jaffa indicated that he had a potential conflict of interest in connection with the matter now under discussion which he wanted recorded in the minutes of the meeting and that because of such conflict, he would refrain from discussing and/or participating in any manner in connection with same.

It was moved by Councilmember Pomeroy, seconded by Councilmember Kavanaugh, that this case be continued to the October 18, 1999 meeting.

Upon tabulation of votes it showed:

AYES - Brown-Davidson-Giles-Hawker-Kavanaugh-Pomeroy
NAYS - None
ABSTAIN - Jaffa

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

- b. Pertaining to the subdivision regulations; amending Title 9, Chapter 6, Section 5 of the Mesa City Code expanding the boundaries of the Desert Uplands area, establishing native plant preservation standards; and providing penalties for the violation thereof. - Ordinance No. 3693.
- c. Amending Title 4, Building Regulations; adopting a new Chapter 11 Grading Permits: Desert Uplands area; and providing penalties for the violation thereof. - Ordinance No. 3694.

Vice Mayor Giles recommended that the Council consider agenda items b and c at one time.

Councilmember Jaffa indicated that he had potential conflicts of interest in connection with the matters now under discussion which he wanted recorded in the minutes of the meeting and that because of such conflicts, he would refrain from discussing and/or participating in any manner in connection with same.

Carol Owens, a resident of Apache Junction, expressed appreciation to everyone for the development of the native plant ordinance and grading permits. Ms. Owens commented on the fact that she was afforded ample opportunity to provide input and recommended that the chain fruit cholla, which was added to the native plant list, not be planted adjacent to or in the medians of high-volume traffic. Ms. Owens also thanked Councilmembers Davidson, Kavanaugh and Jaffa for their assistance in this matter.

Bill Puffer, 8330 East Thomas Road, noted that the Spook Hill Homeowners' Association was involved in the creation of the guidelines and congratulated staff and the Council on the development of the proposed ordinance. Mr. Puffer also thanked the members of the Council and stated the opinion that properly enforced, the ordinance will help to preserve the desert uplands areas.

Councilmember Kavanaugh commended Mayor Brown for his involvement in this issue and said that the results represent a cooperative effort on the part of everyone concerned.

It was moved by Councilmember Kavanaugh, seconded by Councilmember Davidson, that Ordinance No. 3693 and Ordinance No. 3694 be adopted.

Upon tabulation of votes it showed:

AYES - Brown-Davidson-Giles-Hawker-Kavanaugh-Pomeroy
NAYS - None
ABSTAIN - Jaffa

Vice Mayor Giles declared the motion carried unanimously by those voting and Ordinance No. 3693 and Ordinance No. 3694 adopted.

9. Consider approving an agreement with the Greater Phoenix Economic Council (GPEC) in the amount of \$163,987.00 to provide development services to the City of Mesa for the 1999/2000 fiscal year.

Dee Dee Barker, 770 Leisure World, addressed the Council and stated that she is also speaking on behalf of Mr. Christopher, a fellow member of the "D Team" who also resides in Leisure World. Ms. Barker commented on the extensive amount of funding the Greater Phoenix Economic Council (GPEC) has received from the City of Mesa and questioned whether the benefits justify the costs. Ms. Barker recommended that the Council consider utilizing the funds that are currently paid to GPEC in other areas that may benefit the City more than GPEC.

Vice Mayor Giles thanked Ms. Barker for her input.

Councilmember Kavanaugh commented that newly appointed Economic Development Director Dick Mulligan has requested that GPEC be retained for an additional year and said that the benefits of the services provided by the organization to the City of Mesa will be analyzed at the end of that period.

It was moved by Councilmember Kavanaugh, seconded by Councilmember Davidson, that an agreement with the Greater Phoenix Economic Council in the amount of \$163,987 to provide development services to the City of Mesa for the 1999/2000 fiscal year be approved.

Councilmember Pomeroy expressed the opinion that the City of Mesa gains significant indirect benefits as a result of utilizing GPEC and said that he is willing to support entering into an additional one year contract with the organization.

Mayor Brown stated the opinion that in order to attain the exposure and benefits Mesa receives as a result of GPEC's networking, the City would have to spend a significant amount of funding, far

exceeding the fees paid to the organization. Mayor Brown said that he supports the motion to approve the agreement.

Vice Mayor Giles stated that although he agrees with the importance of participating on a regional basis because of the indirect benefits received, in his opinion that is not the purpose of economic development. Vice Mayor Giles commented that he would not vote in support of the motion.

Councilmember Hawker expressed the opinion that the indirect benefits Mesa receives are minimal but stated from an economic standpoint, he concurs with the Mayor's comments on the importance of participating in the process. Councilmember Hawker commented that the City should utilize GPEC's extensive resources and then initiate action to ensure that the required infrastructure is in place. Councilmember Hawker added that he will seek input from redevelopment staff on efforts that can be initiated to attract more businesses to the City of Mesa.

Councilmember Jaffa indicated that he concurs with concerns that have been expressed but is also willing to approve the contract for one additional year. Councilmember Jaffa stated the opinion that Mesa does not receive an extensive amount of benefits through GPEC but added that the City must also be able to provide the infrastructure that will attractive development.

Upon tabulation of votes it showed:

AYES - Brown-Davidson-Hawker-Jaffa-Kavanaugh-Pomeroy
NAYS - Giles
ABSTAIN - None

Vice Mayor Giles declared the motion carried by majority vote.

*10. Amending the Disposition and Development Agreement for Site 16 (Hogue Printing, Inc.).

11. Consider the following cases from the Planning and Zoning Board and possible adoption of the corresponding ordinance:

- a. **Z99-55** The southwest corner of McKellips Road and 48th Street. Requesting a Council Use Permit (33± acres). This case involves the development of a Super Wal-Mart. Mary Habeeb, owner; Rod Jarvis, applicant. **CONTINUED FROM THE AUGUST 2 COUNCIL MEETING. THE APPLICANT HAS REQUESTED THIS CASE BE CONTINUED FOR 90 DAYS.**

P & Z Recommendation: Approval with conditions (Vote: Passed 4-2 - Parker, Kathe nay).

1. Compliance with the basic development as described in the project narrative and as shown on the site plan and elevations submitted, except as noted below.
2. Review and approval by the Planning and Zoning Board, Design Review Board and City Council of future development plans for the three (3) undefined pad uses.
3. Compliance with all City development codes and regulations.
4. Compliance with all requirements of the Public Works Department (Engineering and Traffic Engineering, etc.).

5. Dedicate the right-of-way required under the Mesa City Code at the time of application for a building permit, at the time of recordation of the subdivision plat, or at the time of the City's request for dedication, whichever comes first.
6. Compliance with all requirements of the Design Review Board.
7. All pad buildings to be architecturally compatible with the center.
8. Non-conforming and/or prohibited signs shall be brought into conformance prior to the issuance of a building permit.
9. Review and approval of a Special Use Permit by the Board of Adjustment for gas pumps.
10. Owner granting an Avigation Easement and Release to the City, pertaining to Falcon Field Airport which will be prepared and recorded by the City (concurrently with the recordation of the final subdivision map, prior to the issuance of a building permit).
11. Landscaping, a minimum of 20' wide, be provided along McKellips Road; an 8' wall be provided along the south property line; and the out-door activity areas along the east side of Wal-Mart (garden and tire) be screened by a 6' wall and/or berm.

Vice Mayor Giles announced that the applicant has requested that this case be continued to the January 3, 1999 Regular Council Meeting. Vice Mayor Giles explained that the issue currently before the Council is to determine whether to grant the requested continuance.

Rod Jarvis, 2600 North Central, an attorney representing the applicant, addressed the Council and stated that since the previous public hearing on this case, an extensive amount of public comment has occurred. Mr. Jarvis discussed meetings that have been held between the applicant and the neighbors and said that the applicant has also expended efforts to locate an alternate site. Mr. Jarvis added that the applicant has the current site under contract and explained that rather than forego the site, the applicant is requesting an extension.

In response to a question from Councilmember Hawker, Mr. Jarvis advised that if the applicant was successful in locating an alternative site, as soon as the new parcel is in escrow, the applicant would withdraw his request for the 48th Street site.

Vice Mayor Giles stated that several citizens have expressed an interest in speaking on this issue and clarified that the item to be discussed is whether to grant the requested 90-day extension.

The following citizens (in order of appearance) spoke in opposition to the continuance and the construction of a Wal-Mart store at the 48th Street and McKellips Road location and expressed concerns relative to the following issues: extensive commercial development that currently exists in the area, the fact that the store would be located in close proximity to Barbara Bush Elementary School, traffic and noise complaints, the fact that the neighbors and citizens in the surrounding community have spoken in strong opposition to the approval of this case, the fact that the requested delay will not change the neighbors' opinion regarding the proposed development, and the fact that the development of a Wal-Mart will decrease the chances of attracting high-quality restaurants to the area:

Suzette Dobbins	4659 East Grandview
Susan Churchill	3805 East Ivyglen
Peggy Phillips	4849 East McLellan
Catherine Trier	4950 East Golden
Philip Polland	4906 East Grandview

Barbara Perkins	5345 East McLellan
Chris Garcia	4066 East Fox Street
George Fahnbulleh	3850 East Huber, #6

Terri Jonas, 4222 East Brown, #5, representing the Barbara Bush Elementary School Parent-Teachers Organization (PTO), stated that although the organization must remain neutral on this issue, surveys were conducted to determine the members' preference. Ms. Jonas noted that out of 211 surveys that were mailed, 153 respondents stated they were opposed to the construction of a Wal-Mart at the location, 55 stated support for the proposal, and 3 were undecided. Ms. Jonas presented staff with copies of the surveys.

The following citizens spoke in support of the request for a continuation and the development of a Wal-Mart facility at the 48th Street location and stated the opinion that the proposed development is a much needed convenience for citizens in the area who have limited transportation, will provide shopping diversity, is in conformance with City plans, will employ a significant amount of citizens and will generate extensive sales tax revenues:

James Thompson	860 North Val Vista
Inez Wortman	4464 East Halifax
Anna May McTeer	4508 East Halifax

Vice Mayor Giles thanked all of the speakers for their input.

Councilmember Hawker commented that although he typically approves requests for continuances, in his opinion the applicant's request for an additional extension is unwarranted and said that he will not vote in support of the extension.

It was moved by Councilmember Hawker, seconded by Councilmember Jaffa, that the applicant's request for a continuance be denied and that the Council vote on the case at this time.

Councilmember Pomeroy commented on the fact that he cannot remember a request for a continuance that was not approved by the Council. Councilmember Pomeroy said he will not support the motion to deny the applicant's request.

Councilmember Kavanaugh noted that the Council previously approved an extension of the case and stated the opinion that a majority of the City Council does not support the approval of this case. Councilmember Kavanaugh stated that it is incumbent upon the Council and staff not to discourage development, but rather to develop a sites directory which will indicate where this type of development may occur.

Mayor Brown expressed the opinion that the applicant's request for an extension of time should be approved and stated that he will not support the motion to deny the continuation.

Vice Mayor Giles concurred with Councilmember Pomeroy and Mayor Brown's remarks and commented that although it does not appear that sufficient support exists to proceed with the project, the applicant's request for a continuance should be approved.

Upon tabulation of votes, it showed:

AYES - Davidson-Hawker-Jaffa-Kavanaugh
NAYS - Brown-Giles-Pomeroy

Vice Mayor Giles declared the motion carried by majority vote.

Anthony Stevenson, 1060 South Robson, stated the opinion that efforts should be expended to reduce the size of the proposed super-center and consider the development of a Police sub-station at the site.

Mary Habeeb, representing the family currently involved in the escrow agreement with Wal-Mart, stated that the property has been owned for over 50 years by the same family. Ms. Habeeb stated the opinion that the Council should have approved the request for a continuance and added the opinion that the area is lacking in retail establishments. Ms. Habeeb expressed disappointment in the manner in which the case has proceeded.

Kathy Amos, 4313 East McKellips, expressed the opinion that the area is not an appropriate site for a Wal-Mart store and commented that a Wal-Mart is located approximately ten minutes away from the current site. Ms. Amos expressed concerns regarding increased traffic and urged the Council to deny this case.

Vice Mayor Giles thanked the speakers for their comments.

It was moved by Councilmember Kavanaugh, seconded by Councilmember Jaffa, that Zoning Case Z99-55 be denied.

Councilmember Jaffa commented that this particular type of development will be the subject of future Council discussions. Councilmember Jaffa stated the opinion that high-dollar labor is necessary in Mesa's industrial and office corridors in order to reduce the continuing export of the City's executive pool and to balance development.

Councilmember Jaffa discussed concerns regarding the compatibility of the Wal-Mart facility at the current site based on the proposed project's size and close proximity to up-scale homes in the area and said that he cannot vote in support of approving the store for this particular site. Councilmember Jaffa added that he would reluctantly support the development of the project at an alternative site in the approximate area, preferably located further north of the current site, should such a location be identified. Councilmember Jaffa added that the alternative would be to deny the case forcing Wal-Mart to build their facility approximately one mile to the north on the Indian Reservation, which would still impact area traffic and result in the loss of significant sales tax revenues.

Upon tabulation of votes, it showed:

AYES - Davidson-Hawker-Jaffa-Kavanaugh
NAYS - Brown-Giles-Pomeroy

Vice Mayor Giles declared the motion carried by majority vote.

12. Consider the following subdivision plat:

*a. Deleted.

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

Kirby Allen, 2043 East Hackamore, spoke in opposition to the operations of Mesa City government.

Anthony Stevenson, 1060 South Robson, discussed the lack of transportation that exists within the City and urged the Council to expand bus service on weekends.

Vice Mayor Giles thanked the speakers for their input.

14. Adjournment.

Without objection, the Regular Council Meeting adjourned at 7:50 p.m.

Carried unanimously.

WAYNE BROWN, 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 21st day of September 1999. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this ____ day of _____ 1999

BARBARA JONES, CITY CLERK