



## COUNCIL MINUTES

November 21, 2005

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on November 21, 2005 at 5:45 p.m.

### COUNCIL PRESENT

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

### COUNCIL ABSENT

Tom Rawles

### OFFICERS PRESENT

Mike Hutchinson  
Debbie Spinner  
Barbara Jones

Invocation by Vice Mayor Walters.

Pledge of Allegiance was led by Steven Ellsworth, Troop #797.

Mayor's Welcome.

Mayor Hawker welcomed everyone to the meeting. A videotaped presentation was aired that outlined meeting procedures and provided attendees with instructions relative to addressing the Council.

Mark Woodward, Past President of the Golf Course Superintendents Association of America, presented a check to the City of Mesa on behalf of the Association in the amount of \$9,500, and he expressed the hope that the funds would be utilized to support junior golf programs.

City Manager Mike Hutchinson thanked Mr. Woodward and the Association on behalf of the City of Mesa.

Mayor Hawker excused Councilmember Rawles from the entire meeting.

### 1. 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 with an asterisk (\*) were approved with one Council action.

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

Upon tabulation of votes, it showed:

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

Mayor Hawker declared the motion carried unanimously by those present.

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

Minutes from the October 18, 20 and 24 and November 7, 15 and 17, 2005 Council meetings.

3. Consider the following liquor license applications:

\*3a. Jennifer Claire Whalley, Chairperson

Special Event Liquor application for Jennifer Claire Whalley, Chairperson, East Valley Partnership, a one-day civic event to be held on Wednesday, November 30, 2005, from 8:00 a.m. to 8:00 p.m. at 7001 E. Williams Field Road. District #6.

\*3b. Thomas Lee Bruder, Chairperson

Special Event Liquor application for Thomas Lee Bruder, Chairperson, Knights of Columbus Council #9485, a one-day fundraising event to be held on Saturday, January 14, 2006, from 7:00 p.m. to 11:00 p.m. at 1534 N. Recker Road. District #5.

\*3c. Lauren Kay Merrett, Agent

New Beer and Wine Store License for Classic Car Spa, 5245 E. Southern Ave. This is new construction. No current liquor license at this location. District #6.

\*3d. Jermi Rasshad Brown, Agent

New Restaurant License for Big City BBQ, 1425 S. Alma School Road, Ste. 105. This is an existing business. The license previously held at this location by Mary L. Matta, Agent, Dos Matta's closed 12/01/03. District #3.

\*3e. Frank Joseph Holdraker, Agent

New Restaurant License for Comstock Jake's, 2015 N. Power Road, #106. This is an existing business. The license previously held at this location by Kenneth E. Higginbotham, Agent, Mexi-Kenny's closed 12/08/04. District #5.

\*3f. John Richard Emery, Agent

New Club License for Loyal Order of Moose Mesa 1961, 961 W. Main St. This is an existing building. No current license at this location. District #4.

4. Consider the following contracts:

- \*4a. Emergency Response Database System as requested by Information Services.

The Purchasing Division recommends approving the following:

\$72,263.18 for emergency response database software from the State of Arizona contract with ASAP Software;

\$35,713.06 for server and printer hardware from the State of Arizona contract with Hewlett Packard; and,

\$32,259.21 for desktop hardware from the State of Arizona contract with Dell Computers.

The combined total award for the recommended purchases is \$140,235.45. Funds for this purchase are from the 2003 Urban Area Securities Initiative (UASI) grant funding.

- \*4b. Three-year supply contract for traffic signal equipment and cabinet assemblies for warehouse inventory as requested by Development Services, Transportation Division. (2005168).

The Purchasing Division recommends accepting the low bids as follows:

Group A – JTB Supply Co. Inc. at \$26,413.20, including contingencies and applicable use tax;

Group B – Phoenix Highway Products, Inc. at \$22,936.12, including contingencies and applicable sales tax; and

Group C – Econolite Control Products, Inc. at \$148,678.99, including contingencies and applicable sales tax.

The combined award is then \$198,028.31.

- \*4c. Replacement vehicles for the Transportation Division, Traffic Engineering. (State Contract AD 040004).

The Purchasing Division recommends authorizing purchase from the State of Arizona contract with Five Star Ford at \$41,935.63, including applicable sales tax.

- \*4d. Two-year renewal of supply contract for large gas meters for warehouse inventory as requested by the Utilities Department, Gas Utility Division. (2002177).

The Purchasing Division recommends authorizing the two-year renewal as follows:

Item 1 to Actaris US Gas at \$31,646.05, including contingencies and applicable use tax;  
and

Items 3 through 10 to Dresser ROOTS Meters & Instruments at \$477,582.23, including contingencies and applicable use tax.

The combined total award is then \$509,228.28.

- 4e. 42-inch reclaimed waterline, Southeast Water Reclamation Plant (SEWRP) to Greenfield Water Reclamation Plant (GWRP) – Phase III, City of Mesa Project Nos. 01-671-001 & 02-416-001.

This project will construct the third and final segment of the reclaimed waterline between the Southeast Water Reclamation Plant (SEWRP) and the Greenfield Water Reclamation Plant (GWRP). This segment will run from Pecos Road south along Higley Road to Germann Road, then from Higley Road west along Germann Road to Greenfield Road, and then from Germann Road south along Greenfield Road to the GWRP. Improvements include the installation of 12,920 lineal feet of 42-inch reclaimed water line.

Recommend award to low bidder, Highland Engineering, LLC, in the amount of \$3,476,685.00 plus an additional \$347,668.50 (10% allowance for change orders) for a total award of \$3,824,353.50.

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 Griswold, seconded by Councilmember Jones, that the recommendation of staff be approved

Upon tabulation of votes, it showed:

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

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

Vice Mayor Walters yielded the gavel back to Mayor Hawker.

5. Introduction of the following ordinances and setting December 5, 2005 as the date of a public hearing on these ordinances:

- \*5a. Z05-96 (District 5). The 8400 -8700 block of East Range Rider Trail (north and south side). Located at the southeast corner of Thomas Road and Hawes Road (69.88 ac). Rezone from R1-35 to R1-35 PAD DMP and Modification of the Las Sendas Development Master Plan. This request will allow the development of a gated single

residence subdivision. Sonoran Desert Holdings, LLC; Paul Dugas, owner; City of Mesa, applicant. (Held neighborhood meetings with property owners, registered neighborhood associations and homeowners association.) CONTINUED FROM THE NOVEMBER 7, 2005 CITY COUNCIL MEETING.

P&Z Recommendation: Approval. (Vote: 6-0 with Carpenter absent).

6. Consider the following resolutions:

- \*6a. Approving and authorizing the City Manager to execute an Intergovernmental Agreement between the State of Arizona Department of Transportation (ADOT) and the City of Mesa for the design and construction of freeway upgrades and fiber optics along the Red Mountain Freeway (202L) from Power Road to University Drive (ADOT JPA FILE No. 05-017) – Resolution No. 8626.
- \*6b. Authorizing the City Manager to execute an agreement between the City of Mesa and the Arizona Criminal Justice Commission to obtain funds to provide training and enhance forensic laboratory services – Resolution No. 8627.
- \*6c. Approving the submittal of a grant application to the Fort McDowell Yavapai Nation for Proposition 202 funds – Resolution No. 8628.

This application is submitted by the MARC Center to assist in the construction of a vocational training facility.

- 6d. Authorizing and directing that fee title, easements or other interest in and possession of certain real property be acquired by the City of Mesa by dedication, donation, purchase, exchange, or under the power of eminent domain as a matter of public necessity for the Valley Metro Rail project – Resolution No. 8631.

It was moved by Mayor Hawker, seconded by Councilmember Jones, that Resolution No. 8631 be adopted.

Councilmember Thom said that approval of the agenda item would enable the City to acquire a landscaping strip along each side of the Light Rail Transit (LRT) route in the City of Mesa, which would also be utilized for the relocation of streetlights and other utilities. She expressed opposition to the use of eminent domain for this purpose, and she stated the opinion that the City should not be involved in the Light Rail Transit project.

Mayor Hawker noted that the 20-mile LRT project, which connects Mesa, Tempe and Phoenix, also provides an opportunity for Mesa to redevelop the area along the former Highway 60 corridor from the Tempe border to Sycamore Street. He explained that Tempe originally planned their segment of the LRT to end at McClintock, but the line was extended another mile and a half to Mesa's border in order to enable Mesa's participation in 0.9 miles of the system from the border to Sycamore Street. Mayor Hawker advised that the City has a full-funding grant agreement, and that construction of the first 20 miles would be completed in 2008. He added that the plans for the station at the "Tri-City" location include a bus interface, a "park and ride" lot, and a "kiss and ride" area. Mayor Hawker said that Mesa's voters would have an opportunity in 2010 to determine if the line should be extended further into the City.

Mayor Hawker stated that the City would pay market value for a foot or two of frontage property along the transit line, and that eminent domain would be utilized only in the case of a dispute regarding the market value of the property to be acquired. He explained that the "eminent domain" process refers disputes regarding the fair market value of the property to a judge.

Vice Mayor Walters emphasized that the proposed Council action involves small pieces of land for a public use, and that in the majority of cases the issues are resolved with property owners without utilizing the power of eminent domain.

Councilmember Jones expressed the opinions that Mesa's participation in the Light Rail system would prove to be advantageous to the community, and that prolonging the project would result in increased costs. He advised that outreach is being conducted with the area businesses in order to minimize the impact of the construction phase.

Councilmember Griswold stated that he would support the motion even though he originally opposed Mesa's participation in the LRT project.

Mayor Hawker called for the vote.

Upon tabulation of votes, it showed:

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

Mayor Hawker declared the motion carried by a majority vote of those present and Resolution No. 8631 adopted.

- \*6e. Approving and authorizing the City Manager to execute an agreement between the City of Mesa and Mesa Unified School District Number 4 for the disbursement of Indian gaming revenues received by the City of Mesa to assist Mesa Public Schools in creating an education fund for providing after school programs – Resolution No. 8629.

7. Consider the following ordinances:

- \*7a Amending City Code Title 2 Chapter 1 "Planning and Zoning Board" and Amending City Code Title 11, Chapter 18 "Zoning Ordinance – Administration and Procedures" providing for a Planning Hearing Officer – Ordinance No. 4476.
- \*7b. Amending various sections of the Mesa City Code regarding the following traffic modifications – Ordinance No. 4477:

No Parking: 10-3-24 (D) (Full Time No Parking).

Establishing a full time parking prohibition on Mountain Road from Elliot Road to Ray Road and change the City Code to reflect a full time parking prohibition on Mountain Road from Elliot Road to the south City limits, (Mountain Road south of Elliot Road, Council District 6).

Speed Limits: 10-4-3 (45 mph).

Establishing a 45 mph speed limit on Elliot Road from Signal Butte Road to Mountain Road and change the City Code to reflect a 45 mph speed limit on Elliot Road from the west City limits to the east City limits (Elliot Road east of Signal Butte Road, Council District 6).

Speed Limits: 10-4-5 (35 mph).

Establishing a 35 mph speed limit on Mountain Road from Elliot Road to Ray Road. (Mountain Road south of Elliot Road, Council District 6).

- 7c. Amending Title 5, Chapter 17, Table 6 of the Mesa City Code relating to Fire Development Impact Fees – Ordinance No. 4488.

Building Safety Director Terry Williams addressed the Council regarding agenda items 7c and 7d. He noted that the amendments would simplify both the Fire and the Public Safety Development Impact Fees by changing the twenty non-residential categories to one category. Mr. Williams advised that the amendments to 7c and 7d, which clarify the issue relative to tenant or non-tenant development, would become effective 90 days following Council action.

In response to a question from Councilmember Griswold, Mr. Williams confirmed that all of the impact fees would be charged “up front” to the landlord/property owner rather than waiting for a determination regarding the nature of the occupancy.

Mayor Hawker thanked Councilmember Griswold for recommending the changes.

Responding to a comment by Mayor Hawker, Mr. Williams clarified that the amendments are not “revenue-neutral.” He advised that the City’s revenues will be reduced, and that this issue has been coordinated with the financial and budget staff. Mr. Williams explained that in the past staff assumed that a larger number of people at a site would generate more public safety calls for service, but research indicated that additional calls were not generated.

Lauren Barnett, Deputy Director of the Home Builders Association of Central Arizona, addressed items 7c and 7d, and she stated the opinion that the fees paid by their members would increase substantially. She advised that the Home Builders Association would no longer oppose the impact fees, and that they appreciate the contributions of the Police and Fire Department to the community. Ms. Barnett noted that staff has agreed to continue a dialogue regarding the new methodology, and she thanked the Mayor and Council and City staff for their cooperation.

It was moved by Vice Mayor Walters, seconded by Councilmember Jones, that Ordinance No. 4488 be adopted.

Upon tabulation of votes, it showed:

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

Mayor Hawker declared the motion carried unanimously by those present and Ordinance No. 4488 adopted.

7d. Amending Title 5, Chapter 17, Table 7 of the Mesa City Code relating to Public Safety Development Impact Fees – Ordinance No. 4489.

It was moved by Vice Mayor Walters, seconded by Councilmember Jones, that Ordinance No. 4489 be adopted.

Upon tabulation of votes, it showed:

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

Mayor Hawker declared the motion carried unanimously by those present and Ordinance No. 4489 adopted.

\*7e. Amending Title 7, Chapter 2 of the Mesa City Code to add a new Chapter 47 addressing excavations and confined spaces – Ordinance No. 4478.

\*7f. Amending Title 7, Chapter 2 of the Mesa City Code to add a new Section 915 requiring firefighter breathing air replenishment systems be installed in all buildings 5 or more stories tall that are constructed in the future – Ordinance No. 4479.

\*7g. Amending Title 7, Chapter 2 of the Mesa City Code to add additional reference standards to Chapter 45 – Ordinance No. 4480.

\*7h. **A05-08 (District 5)** Annexing land located on the SEC of Hawes and Thomas Roads. (71.76 ± ac.). Initiated by Paul Gilbert representing City View Properties, LLC for the development of a residential subdivision – Ordinance No. 4481. CONTINUED FROM THE OCTOBER 24, 2005 AND NOVEMBER 7, 2005 CITY COUNCIL MEETINGS.

\*7.1 Discuss and consider Planning Hearing Officer Guidelines.

\*8. Approving an ordinance and resolution creating a Select Due Date Program for residential utility customers; amending the Terms and Conditions for the Sale of Utilities; establishing a new date to assess the late fee as recommended by the Finance Committee – Ordinance No. 4482 and Resolution No. 8630.

9. Consider the following recommendations from the General Development Committee:

9a. Approving possible changes to portable sign regulations.

Planning Director John Wesley advised that staff has addressed the issue of portable signs at the request of the General Development Committee (GDC). He noted that staff has concerns regarding the proposed recommendations relative to the cost of implementation, the impact on staffing levels and the visual appearance of the City's streets. Mr. Wesley explained that a Council decision to move forward requires that the Planning and Zoning (P&Z) Board consider the recommendation, which would require an amendment to the zoning ordinance.

In response to a question from Mayor Hawker, Mr. Wesley stated that the proposed ordinance would allow portable signs on a limited basis for businesses without access to a monument sign. He noted that staff's recommendation is to maintain the current sign regulations. Mr. Wesley advised that a business in a group commercial-office-industry (COI) development with an approved sign package through the Board of Adjustment (BOA) would not be eligible to utilize a portable sign.

Zoning/Civil Hearing Administrator Gordon Sheffield said that a Council decision to move forward would result in the Planning and Zoning Board conducting a public hearing and considering the issue, after which P&Z would provide a recommendation to the Council.

Mr. Sheffield presented an overview of the proposal, as outlined in the Council Report. He noted that a business with a comprehensive sign plan would be excluded from utilizing portable signs. Mr. Sheffield referenced the area at the intersection of Southern Avenue and Gilbert Road in which approximately 35 or more businesses would be eligible for portable signs. He added that the ordinance requires a minimum of twenty feet between each sign.

Responding to a question from Councilmember Griswold, Mr. Sheffield noted that some newer shopping centers in Gilbert have Covenants, Conditions and Restrictions (CC&R's) that prohibit portable signs, but he did not have similar information regarding Mesa's shopping areas.

Councilmember Griswold explained that the proposal is designed to assist businesses located in older strip malls. He noted that future remodeling of older shopping areas would reduce the need for portable signs. Councilmember Griswold stated that the goal of the proposed ordinance is to allow limited use of portable signs without creating a proliferation of signs throughout the City.

In response to a question from Vice Mayor Walters, Mr. Sheffield advised that businesses located in future new shopping areas would not require as many portable signs as businesses located in older areas. He also clarified that the estimated 1,600 portable signs referred to in the Council Report is a Citywide total.

Discussion ensued relative to the fact that administration of the proposed ordinance would require two additional Development Information Specialists in Building Safety and at least one additional Code Compliance Officer for a total estimated cost of approximately \$200,000; that the portable sign use permit requires the business to provide proof of a minimum of \$1 million in liability insurance; and that the City would be liable for claims in excess of \$1 million.

David Lamb, 6744 East Broadway, owner of a sign business, displayed a portable sign, and he stated the opinion that shops with inadequate signage experience an increase in business activity when portable signs are utilized. He expressed support for the proposed portable sign ordinance.

Doree B. Kelley, owner of Arizona Music Time at 925 South Gilbert Road, addressed the Council in support of portable signs. She expressed the opinion that allowing A-frame signs only in the Town Center is discrimination against businesses located in other areas of the City. Ms. Kelley advised that she has been cited three times by Code Compliance Officers while other businesses on Gilbert Road with A-frame signs have not been cited.

Charlie Deaton, 5304 East Hannibal, President of the Mesa Chamber of Commerce, requested that the proposed sign ordinance be continued to a future meeting in order to provide the Chamber with an opportunity to discuss the issue with their membership and report back to the Council.

It was moved by Councilmember Griswold, seconded by Councilmember Whalen, that this item be continued to the December 19, 2005, Regular Council meeting.

Vice Mayor Walters noted that many items have been placed on the December Council agendas, and she suggested that this item be continued to the first meeting in January.

Councilmember Griswold offered an amendment to the motion, accepted by the seconder, that the item be continued until the January 9, 2006, Regular Council meeting.

In response to a comment by Councilmember Thom, Mr. Sheffield explained that an opportunity for public comment would occur at the Planning and Zoning Board public hearing.

Councilmember Thom expressed support for the proposal, and she suggested that the Council move forward at this meeting.

Mayor Hawker requested that staff provide information regarding the existing ordinance that allows portable signs in downtown Mesa. He expressed the opinion that the downtown area trees have reached a height that no longer obstructs the visibility of signs. Mayor Hawker added that banning portable signs from all areas of the City would make the regulation consistent Citywide and eliminate any charges of discrimination.

Responding to a question from Councilmember Jones, Mr. Wesley advised that the City's standard procedure is for the GDC to consider the issue and make a recommendation to the Council, and then the Council decides whether the item should move forward to the Planning and Zoning Board.

Further discussion ensued relative to the fact that continuing this item would enable the Chamber of Commerce to provide input prior to the January meeting; and that Councilmember Rawles would also be present for the discussion in January.

City Manager Mike Hutchinson clarified that the item should be forwarded to Planning and Zoning only if the majority of the Councilmembers support the change outlined in the proposed ordinance.

Councilmember Whalen expressed concern relative to the fact that the proposal would require additional staffing at a time when the budget is being reduced.

Mayor Hawker called for the vote.

Upon tabulation of votes, it showed:

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

Mayor Hawker declared the motion carried by a majority vote of those present.

Mayor Hawker explained that he would consistently oppose all forms of portable signs in the City of Mesa.

\*9b. Approving possible changes in regulations governing conversion of residential rental properties to condominiums.

10. Consider the following cases from the Planning and Zoning Board and possible adoption of the corresponding Ordinances:

\*10a. **Z05-89** (District 5) The 1100-1200 block of North Recker Road (west side). Located south of the southwest corner of Recker Road and Brown Road (2.1 ac). Site Plan Review. This request will allow for the development of a retail complex. Michael Pollack, owner; Dave Gibson, applicant – Ordinance No. 4483. (Contacted property owners, homeowners associations and registered neighborhoods.)

P&Z Recommendation: Approval. (Vote: 6-0 with Carpenter absent).

\*10b. **Z05-91** (District 6) The 8300-8400 block of East Baseline Road (south side). Located at the southeast corner of East Baseline Road and South Hawes Road (4.86± ac). Rezone from AG to O-S-PAD and Site Plan Review. This request will allow for the development of office condominiums. Castelain Development Group, LLC, applicant; Roger Steill, applicant – Ordinance No. 4484. (Held neighborhood meeting with property owners, registered neighborhood associations and the Mesa Unified School District.)

P&Z Recommendation: Approval. (Vote: 6-0 with Carpenter absent).

\*10c. **Z05-92** (District 6) The 3720-3760 blocks of South Power Road (east side). Located south of the southeast corner of Power Road and Elliot Road (2.5± ac). Site Plan Review. This request will allow for the development of a swim school and a retail building. Michael Troy, Gold Medal Swim School, owner; Jeffrey Wogan, Jeffrey Wogan Architects, applicant – Ordinance No. 4485. (Mailed notifications to property owners, homes, apartments, homeowners associations, schools and neighborhood associations.)

P&Z Recommendation: Approval. (Vote: 6-0 with Carpenter absent).

- \*10d. **Z05-93** (District 5) 862 North Power Road. Located at the southwest corner of North Power Road and East Encanto Street (5.89± ac). Rezone from R1-7 (conceptual O-S) to R1-7-PAD. This request will allow for the development of a single residence subdivision. Steven J. Hall, owner/applicant. (Held neighborhood meetings with property owners, registered neighborhood associations and homeowners association.) **CONTINUED TO THE DECEMBER 19, 2005 REGULAR COUNCIL MEETING.**

P&Z Recommendation: Approval. (Vote: 5-1-1 with Adams nay and Carpenter abstaining).

- \*10e. **Z05-95** (District 2) 1905 South Lindsay Road (east side). Located between East Inverness Avenue and East Baseline Road (0.86± ac). Rezone from O-S to O-S-PAD. This request will allow for the sale of office condominiums. Michael Manetta, owner/applicant – Ordinance No. 4486. Held neighborhood meetings with property owners.)

P&Z Recommendation: Approval. (Vote: 6-0 with Carpenter absent)

- \*10f. **Deleted.**

- \*10g. **Z05-88 (District 5)** The 8400 -8700 block of East Range Rider Trail (north and south side). Located at the southeast corner of Thomas Road and Hawes Road (71.76 ac). Rezone from Maricopa County Rural 35 to City of Mesa R1-35. Establishment of city zoning – Ordinance No. 4487. CONTINUED FROM THE OCTOBER 24, 2005 AND NOVEMBER 7, 2005 CITY COUNCIL MEETINGS.

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

11. Consider the following subdivision plats:

- \*11a. "COBBLESTONE AT THE GROVES", – (Council District 5) – 3700 block of East McLellan Road (west side) located south and east of McKellips Road and Val Vista Drive. 18 R1-35 PAD single residence lots (20.60 ac) Sonoran Desert Holdings, L.L.C., Jeff Blandford, manager and Ahmed A. Hassan and Jennifer L. Hassan, owners; HEC Engineering, LLC, engineer.
- \*11b. "EAGLE CANYON AT LAS SENDAS", – (Council District 5) – 6900 block of East Eagle Crest Drive (north side) located north and east of Thomas Road and Power Road. 30 R1-15 PAD single residence lots (39.12 ac) Sonoran Desert Holdings, L.L.C., Jeff Blandford, manager, owner; Wood/Patel, engineer.
- \*11c. "PIERPONT COMMERCE CENTER, A CONDOMINIUM", – (Council District 6) – 4800 block of East Baseline Road (north side) located north and west of Baseline Road and Higley Road. 45 PEP PAD office/warehouse condominium units (11.01 ac) Pierpont Commerce Group, L.L.C., Franklin D. Richards, III, managing member, owner; Brooks Engineers & Surveyors, Inc., engineer.

- \*11d. "HEC OFFICE COMPLEX", – (Council District 6) – 4704 East Southern Avenue (north side) located north and east of Southern Avenue and Greenfield Road. 11 O-S PAD office condominiums (2.22 ac) HEC Building, L.L.C., Jared Cox, member, owner; HEC Engineering, L.L.C., engineer.

12. Items from citizens present.

Dr. Richard Gurtler, 1309 West Mountain View Drive, representing seven homeowners located on a bluff overlooking the Mesa Riverview project, stated that the homeowners expected that the Riverview buildings would obstruct some of their mountain views. He noted that the primary obstruction to their mountain views is the large number of palm trees installed as part of the landscaping, and he requested that some of the palm trees be relocated and spaced further apart.

Sheila Mitton, 1615 West Pueblo Avenue, requested that the Council grant full approval of Mesa Riverview in December. She also recommended that civility be practiced in the time period leading up to the 2006 elections, and she expressed concern regarding the morale of City employees.

Doree B. Kelley, 5825 East Kelley, said that an East Valley Tribune representative incorrectly told her that the Council meeting would begin at 5:00 a.m. She expressed concern that upon her arrival at 5:00 a.m., the Council Chambers were open and unsecured, and she reported this information to City Security Officers at 8:00 a.m.

13. Adjournment.

Without objection, the Regular Council Meeting adjourned at 7:05 p.m.

\_\_\_\_\_  
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 21st day of November 2005. I further certify that the meeting was duly called and held and that a quorum was present.

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