

COUNCIL MINUTES

December 18, 2000

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 December 18, 2000, at 5:45 p.m.

COUNCIL PRESENT

Mayor Keno Hawker
Jim Davidson
Bill Jaffa
Dennis Kavanaugh
Pat Pomeroy
Claudia Walters
Mike Whalen

COUNCIL ABSENT

None

OFFICERS PRESENT

Mike Hutchinson
Neal Beets
Barbara Jones

(Agenda items were discussed out of order, but for purposes of clarity will remain as listed on the agenda.)

Invocation by Pastor Philip Jackson, Confirmed Word Christian Fellowship.

Pledge of Allegiance was led by Councilmember Mike Whalen.

Recognition of Red Mountain High School football team.

Jim Jones, coach of the Red Mountain High School varsity football team, introduced the members of the team to the Council and acknowledged their recent victory over Westwood High School as the 5A State Champions. Mayor Hawker congratulated the coach and players for their efforts and presented them with a plaque in recognition of their accomplishments.

Councilmember Walters and Councilmember Pomeroy spoke in appreciation of the high degree of sportsmanship exhibited by the athletes on both the Red Mountain and Westwood teams.

1. Approval of minutes of previous meetings as written.

It was moved by Vice Mayor Davidson, seconded by Councilmember Kavanaugh, that the minutes of November 16, 28 and 30, 2000 and December 4, 2000 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 Vice Mayor Davidson, seconded by Councilmember Kavanaugh, that the consent agenda items be approved.

Carried unanimously.

3. Consider the following contracts:

- *a. Two-year supply contract for portable (hand held) radios for various departments as requested by the Communications Division.

The Purchasing Division recommends accepting the low bid by Motorola Inc. at \$123,237.94 based on estimated annual requirements.

- *b. One replacement rear loading refuse truck as requested by the Solid Waste Collection Services Division.

The Purchasing Division recommends accepting the low bid by MHC Sterling at \$143,386.20; including options, extended warranties and applicable sales tax.

- *c. Additional purchase authority for the existing supply contract for 60 and 90 gallon residential refuse and recycling containers, as requested by the Solid Waste Collection Services Division.

The Purchasing Division requests Council authorization to purchase 8,464 additional barrels from an existing supply contract with Rehrig Pacific Company. The total cost is \$332,814.56, including applicable tax.

- d. 159 vehicles for various City departments. 95 vehicles are replacements; 64 are additions to the fleet.

The Purchasing Division recommends authorizing purchase from the following State of Arizona contracts:

Courtesy Chevrolet for items A, B and Q at \$551,045.43; Five Star Ford for items C and R at \$1,765,471.76; Lou Grubb Ford for items D, E, and F at \$860,968.00; Ed Moses Dodge for items G, H, I and J at \$235,840.88; Mel Clayton Ford for items K, L and O at \$128,228.58; Midway Chevrolet for items M and N at \$91,009.72; and Autonation Dodge for item P at \$18,127.00. The combined award is then \$3,650,691.37.

It was moved by Councilmember Pomeroy, seconded by Councilmember Walters, that the recommendations of staff be approved.

Carried unanimously.

*e. Two-year contract for collection agency services as requested by the City Court. The Purchasing Division endorses the evaluation team's recommendation for a dual award to OSI Government Services, Inc. and Progressive Financial Services, Inc. Both firms propose to charge a fee of 16% for all funds collected.

*f. Two-year renewal of the supply contract for 122,000 monthly "Openline" newsletters for Public Information as requested by the Printing & Graphics Services.

The Purchasing Division recommends exercising the two-year renewal option with the original low bid by G & G Printers at \$83,073.03 based on estimated annual requirements.

*g. One new highway towable mobile bleacher unit requested by the Parks, Recreation & Cultural Division.

The Purchasing Division recommends accepting the only bid by Century Industries, LLC at \$37,945.95 including applicable sales tax.

*h. One year supply of utility envelopes as requested by the Printing & Graphics Services Division.

The Purchasing Division recommends accepting the low bid by Tension Envelope Corp. for item 1B (single mailer on recycled stock) at \$28,560.00 plus 7.10% sales tax of \$2,027.76 for a total of \$30,587.76.

i. Underground Fuel System for Falcon Field Police and Fire Substation. City of Mesa Project No. 00-47.

This project will install a new fueling system for City vehicles at the Falcon Field Police and Fire Substation that will comply with the latest environmental regulations.

Recommend award to low bidder, Cochise Contracting in the amount of \$226,207.50, plus an additional \$22,620.75 (10% allowance for change orders) for a total award amount of \$248,828.25.

Mayor Hawker declared a potential conflict of interest and refrained from discussion/participation in this agenda item.

Mayor Hawker yielded the gavel to Vice Mayor Davidson for action on this agenda item.

It was moved by Councilmember Whalen, seconded by Councilmember Pomeroy, that the recommendations of staff be approved.

Upon tabulation of votes, it showed:

AYES - Davidson-Jaffa-Kavanaugh-Pomeroy-Walters-Whalen
NAYS - None
ABSTAIN - Hawker

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

With action on this agenda item being complete, Vice Mayor Davidson yielded the gavel back to Mayor Hawker.

*j. Deleted.

k. Customer Information System (CIS), Associated Project Reserves, Consulting Services and Database Software as requested by the CIS Executive Committee.

The Purchasing Division endorses the CIS Executive Committee's recommendation to accept the proposal from SCT Corporation for an amount not to exceed \$5,302,644.00 to be financed through a five-year tax-exempt lease. The Purchasing Division further recommends approving:

- \$585,000.00 for project contingencies;
- \$388,017.86 for Oracle database software;
- and \$360,000.00 for ongoing consulting services

for a combined total award of \$6,635,661.86.

Vice Mayor Davidson declared a potential conflict of interest and refrained from discussion/participation in this agenda item.

It was moved by Councilmember Pomeroy, seconded by Councilmember Kavanaugh, that the recommendation of staff be approved.

Councilmember Kavanaugh stressed the importance of this agenda item which will enable Mesa's citizens to electronically interact with government in a more effective manner including the ability to review accounts, pay bills and conduct City business.

Mayor Hawker concurred with the comments of Councilmember Kavanaugh.

Councilmember Pomeroy stated that the proposed system will enable City customers to access a balanced payment plan.

Councilmember Jaffa commented that the software upgrade, the first in ten years, will permit the City to become more technologically advanced.

Councilmember Walters concurred with the comments of Councilmember Pomeroy and added that the system implementation will also allow citizens to structure their payment due dates.

Mayor Hawker concurred with the opinions of Councilmember Jaffa.

Upon tabulation of votes, it showed:

AYES - Hawker-Jaffa-Kavanaugh-Pomeroy-Walters-Whalen
NAYS - None
ABSTAIN - Davidson

Mayor Hawker declared the motion carried unanimously by those voting.

4. Introduction of the following ordinances and setting January 8, 2001 as the date of public hearing on these ordinances:

(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. **Z00-78** The 6600 block of East University Drive (north side). Rezone from C-2 to R-2 PAD (6.4± acres). This case involves the development of condominiums.
- *b. **Z00-82** South of the southeast corner of Power Road and McDowell Road. Site Plan Modification (8± acres). The case involves the development of an automotive service use.
- *c. **Z00-83** Northeast corner of Brown Road and Greenfield Road. Site Plan Modification (10.3± acres). The case involves the development of a commercial center with a health fitness club.
- *d. Prohibiting parking on Cheshire from Broadway Road to a point 225 feet south of Broadway Road and on 104th Place from Broadway Road to a point 60 feet north of Bogart Avenue, prohibiting parking from 7:00 a.m. to 4:00 p.m. on school days on the north side of Huber Street from the north leg of 23rd Street to a point 340 feet east of the south leg of 23rd Street and on the east side of 23rd Street from Huber Street to a point 230 feet north of Hope Circle; prohibiting parking from 8:00 a.m. to 4:00 p.m. on school days on the north side of Gary Street from 360 feet east of Lindsay Road to Roca, on the south side of Gary Street from 165 feet west of Roca to Roca, on Glencove Street from 350 feet east of Lindsay Road to Roca, on the east side of Roca from Glencove Street to a point 160 feet north of Glencove Street, on the west side of Roca from Glencove Street to a point 130 feet north of Gary Street, on the east side of York Circle from a point 150 feet north of Fox Street to a point 185 feet north of Fox Street, on the west side of York Circle from Fox Street to a point 185 feet north of Fox Street, and on the north side of Fox Street from York Circle to a point 145 feet west of York Circle; as recommended by the Transportation Advisory Board.
- *e. Amending Section 10-1-15 of the Mesa City Code relating to the use of skateboards and similar devices in pedestrian overlay areas.

5. Consider the following resolutions:

- *a. Authorizing the City Manager to execute an Intergovernmental Agreement between the Town of Gilbert and the City of Mesa for ownership, operation and maintenance of the water and sewer services for the area south of Ray Road and east of Power Road – Resolution No. 7592.
- b. Authorizing the City Manager to execute an Intergovernmental Agreement between the Superstition Heights Street Lighting Improvement District and the City of Mesa for the operation and maintenance of street lighting facilities – Resolution No. 7599.

Vice Mayor Davidson declared a potential conflict of interest and refrained from discussion/participation in this agenda item.

It was moved by Councilmember Walters, seconded by Councilmember Whalen, that Resolution No. 7599 be adopted.

Upon tabulation of votes, it showed:

AYES - Hawker-Jaffa-Kavanaugh-Pomeroy-Walters-Whalen
NAYS - None
ABSTAIN - Davidson

Mayor Hawker declared the motion carried unanimously by those voting and Resolution No. 7599 adopted.

- c. Authorizing the City Manager to execute an Intergovernmental Agreement between the Signal Butte Manor II Street Lighting Improvement District and the City of Mesa for the operation and maintenance of street lighting facilities – Resolution No. 7600.

Vice Mayor Davidson declared a potential conflict of interest and refrained from discussion/participation in this agenda item.

It was moved by Councilmember Whalen, seconded by Councilmember Jaffa, that Resolution No. 7600 be adopted.

Upon tabulation of votes, it showed:

AYES - Hawker-Jaffa-Kavanaugh-Pomeroy-Walters-Whalen
NAYS - None
ABSTAIN - Davidson

Mayor Hawker declared the motion carried unanimously by those voting and Resolution No. 7600 adopted.

- d. Authorizing the City Manager to execute an Intergovernmental Agreement between the Mesa Unified School District and the City of Mesa for joint facility maintenance at Carson and Stapley Junior High Schools – Resolution No. 7601.

Councilmember Walters spoke in support of this agenda item and commended the City's collaboration with the Mesa Public Schools for an appropriate utilization of tax funds.

Vice Mayor Davidson concurred with the opinion of Councilmember Walters and emphasized the fact that the installation of the new sprinkler irrigation system will provide Mesa's youth with the ability to utilize well-maintained ball fields.

It was moved by Councilmember Walters, seconded by Councilmember Whalen, that Resolution No. 7601 be adopted.

Mayor Hawker declared the motion carried unanimously and Resolution No. 7601 adopted.

- *e. Authorizing the City Manager to execute a Communication System License issued to 360networks (USA) Inc – Resolution No. 7597.

- *f. Relating to joint legal representation in the Gila River General Stream Adjudication – Resolution No. 7598.
- g. Granting an easement for underground power to Salt River Project at the Williams Gateway Wastewater Treatment Plant – Resolution No. 7602.

This easement is necessary for Salt River Project to supply power to the new sewer lift station.

Vice Mayor Davidson and Councilmember Jaffa declared potential conflicts of interest and refrained from discussion/participation in this agenda item.

It was moved by Councilmember Pomeroy, seconded by Councilmember Kavanaugh, that Resolution No. 7602 be adopted.

Upon tabulation of votes, it showed:

AYES - Hawker-Kavanaugh-Pomeroy-Walters-Whalen
NAYS - None
ABSTAIN - Davidson-Jaffa

Mayor Hawker declared the motion carried unanimously by those voting and Resolution No. 7602 adopted.

6. Consider the following ordinances:

- a. A00-4 Annexing the southeast corner of Mountain Road and Warner Road. (229.47± acres). Initiated by the property owners – Ordinance No. 3843.

It was moved by Councilmember Kavanaugh, seconded by Councilmember Pomeroy, that Ordinance No. 3843 be adopted.

Councilmember Jaffa stated that it is imperative that the Maricopa County Board of Supervisors recognize that Mesa designs its development patterns in accordance with the City's General Plan, and encouraged the County to engage in closer communications with the City regarding future annexation cases.

Mayor Hawker concurred with Councilmember Jaffa's comments and noted that a determination was made by the Council that the property be reserved as a site for the creation of employment opportunities. Mayor Hawker thanked staff for the additional input relative to this matter.

Vice Mayor Davidson advised that the property is located within the scope of the General Plan and advised that Mesa has established a joint General Plan Update Committee which is addressing this issue on an accelerated basis. Vice Mayor Davidson explained that the General Plan Update will focus on all industrial and commercial zoning within the area.

Mayor Hawker declared the motion carried unanimously and Ordinance No. 3843 adopted.

7. Consider the following item from the Museum and Cultural Advisory Board:

- a. Adopting proposed fee adjustments for the Mesa Southwest Museum and authorizing the Arts and Cultural Director to approve discount coupons and passes for the purpose of marketing and public relations.

Councilmember Kavanaugh commended staff for providing the Council with additional input regarding this agenda item and noted that the proposed fee adjustments are appropriate and competitive relative to comparable venues within the Valley. Councilmember Kavanaugh added that the revised rental fees for the expanded Mesa Southwest Museum have been reduced by 20%, an amount initially directed to the Mesa Southwest Museum Foundation, which was originally designated to manage the facility's bookings.

It was moved by Councilmember Kavanaugh, seconded by Councilmember Walters, that the recommendations of staff be approved.

In response to a question from Councilmember Walters, Arts & Cultural Director Gerry Gerber clarified that staff has not conducted an in-depth cost analysis relative to the proposed fee adjustments. Councilmember Walters requested that such an analysis be conducted and presented to the Council.

Councilmember Pomeroy voiced opposition to this case and remarked that the proposed fees are excessively high and requested that staff provide a cost analysis.

Councilmember Jaffa concurred with Councilmember Pomeroy's comments and questioned the possibility of the Museum offering lower rental fees to Mesa residents versus non-Mesa residents.

Discussion ensued relative to the fact that the proposed rental fees will apply only to the newly expanded areas in the Museum where fee schedules have not yet been established; the fact that the Museum admission charges will not be affected by the proposed fees; the fact that the fees will be charged for functions held when the Museum is closed to the public; the fact that staff is proposing fee revisions for existing Museum spaces including the cost of maintenance, staff, electricity, additional revenues charged against the cost of operating the museum, and the fact that Museum staff will handle bookings for the Mesa Southwest Museum.

Councilmember Whalen concurred with the comments of Councilmembers Pomeroy and Jaffa and requested that the motion be delayed pending the compilation of additional information.

Councilmember Walters encouraged her dissenting Councilmembers to reconsider their decisions and stated the opinion that the proposed rental fees are fair and reasonable and added that a great demand exists for additional rental facilities within the community. Councilmember Walters said that the Council should proceed forward with the motion to enable the City to take advantage of this revenue-generating venue.

Mayor Hawker concurred with Councilmember Walters' comments and reiterated the importance of preparing a cost analysis. Mayor Hawker also commented on the fact that revisions can be made to the fee schedule at a later date.

Upon tabulation of votes, it showed:

AYES - Hawker-Davidson-Kavanaugh-Walters
NAYS - Jaffa-Pomeroy-Whalen
ABSTAIN - None

Mayor Hawker declared the motion carried by majority vote.

8. Consider retaining the firm of Young and Company to conduct an analysis and make recommendations regarding capital funding including potential naming recognition opportunities for the Mesa Arts Center project.

Arts & Cultural Director Gerry Gerber addressed the Council regarding this agenda item and explained that it is the recommendation of staff that the firm of Young and Company be retained to conduct an analysis which will include a fund raising campaign organization and operations plan and budget and to identify appropriate donation amounts for potential naming recognition for the Mesa Arts Center project. Ms. Gerber noted that some of the opportunities would include the naming of a theater, a shadow walk walkway and gallery.

Mayor Hawker advised that the \$30,000 cost of the professional services will be derived from the current Arts and Cultural Division budget.

It was moved by Vice Mayor Davidson, seconded by Councilmember Kavanaugh, that the recommendations of staff be approved.

In response to a question from Councilmember Jaffa, Ms. Gerber clarified that it is the proposal of Young and Company to conduct interviews with approximately 30 to 40 prospective donors.

Carried unanimously.

8.1. Consider the following item from the Transportation Committee:

- a. Consider recommending Alternate A regarding the landscaping/art work for the U.S. 60 expansion, (to limit increases in landscaping densities to traffic interchanges while maintaining the densities along the freeway main line segments and to concentrate the enhanced wall treatments along the main line segments between the traffic interchanges) at an approximate cost of \$2.4 million be approved.

Vice Mayor Davidson, who currently serves as Chairman of the Transportation Committee, provided the viewing audience with a brief update of this agenda item. Vice Mayor Davidson advised that the Transportation Committee was asked to consider staff's recommendation regarding a \$2.4 million contribution by the City of Mesa to enhance landscaping and art treatments proposed by the Arizona Department of Transportation (ADOT). Vice Mayor Davidson emphasized that the funds would be derived from the state-shared Highway Users Revenue Fund (HURF). Vice Mayor Davidson spoke in strong opposition to this agenda item and stated that the HURF funds could be better utilized on street improvements within the City as opposed to landscaping and wall treatment enhancements on a 12-lane freeway.

Councilmember Kavanaugh voiced support for this agenda item and noted that as a result of the controversy surrounding the widening of the Superstition Freeway, the Council has made a commitment to the residents of Districts 3, 4 and 6 to mitigate sound and air quality issues with regard to the proposed 12-lane freeway. Councilmember Kavanaugh stated that as a result of such a commitment, a presentation was made by ADOT to the Council regarding various landscaping and public art issues in connection with areas of the Red Mountain Freeway, at which time staff was directed to continue their discussion and negotiations with ADOT. Councilmember Kavanaugh added that the Council also expressed support relative to the implementation of artwork for the U.S. 60 expansion, which will reflect Mesa's heritage, as well as enhanced landscaping. Councilmember Kavanaugh urged the Council that the above motion is a modest proposal for the utilization of voter-approved HURF funds, and that the City will seek voter approval for additional funds for enhancements to the system.

Discussion ensued relative to the fact that the highway expansion construction will commence in the spring of 2001, with completion slated for 2004; the fact that the proposed 12 lanes will represent ultimate build-out; the fact that the Tempe HOV lane will be constructed in conjunction with Mesa's construction; the fact that the cost of the project is projected at approximately \$260 million; the fact that the remaining expansion from Val Vista Drive to Power Road will be slated for construction in 2007; the fact that during the construction process, the contractor will be required to maintain the current number of lanes during morning and afternoon rush hours, and the fact that the design build firms must submit their technical proposal to ADOT by January 22, 2001.

Mr. Nath displayed graphics in the Council Chambers and spoke regarding the proposed wall art designs, their configurations and enhanced landscaping.

Mayor Hawker thanked staff for their presentation.

Councilmember Walters stated that although the City is faced with pursuing other forms of mass transit, a system has been built in the west based on singular vehicle travel and expansion of the freeway will not change this. Councilmember Walters spoke in support of developing an aesthetically pleasing freeway and mitigating noise and pollution effects on homes in the area. Councilmember Walters stated support for the proposal and said she hopes that the City of Tempe will join with Mesa in an effort to avoid traffic congestion. Councilmember Walters thanked City and ADOT staff for their endeavors in this regard and emphasized that the City is supplementing ADOT's efforts in this area.

In response to a question from Councilmember Walters, Mr. Martin explained that in the City's last bond package that was approved, \$4 million in HURF bonds was included for enhancement purposes in anticipation of these projects.

Councilmember Pomeroy concurred with the comments of Councilmembers Kavanaugh and Walters and stated support for the enhancements along the Dobson Ranch area.

Discussion ensued relative to traffic lanes.

Councilmember Jaffa indicated support for the proposal.

Mayor Hawker noted that he supports 12 lanes of traffic since it represents the most cost-effective means of moving people compared with other modes of transportation at this point. Mayor Hawker said that although he would like to enhance the entranceway into Mesa, he is not supportive of the proposed artwork.

In response to comments from Councilmember Jaffa, Mayor Hawker stressed the importance of rendering independent decisions on issues that affect the taxpayers of our community. Mayor Hawker expressed concerns regarding landscaping and said that although he would like to have a signature event when entering Dobson Ranch/leaving Tempe/entering Mesa, he does not support 8 miles of artwork.

Councilmember Whalen spoke in support of the enhanced landscaping but not the public art concept and commented on the limited amount of funding that is available in proportion to the length of the freeways. Councilmember Whalen stressed the importance of utilizing the funds in the best possible manner and said he would not support the proposal.

Councilmember Jaffa stated that although he has concerns regarding the district system, it does provide a higher level of sensitivity and commitment to the citizens of Mesa. Councilmember Jaffa said he will support the proposal.

It was moved by Councilmember Kavanaugh, seconded by Councilmember Pomeroy, that staff's recommendations be approved.

Upon tabulation of votes, it showed:

AYES - Jaffa-Kavanaugh-Pomeroy-Walters
NAYS - Hawker-Davidson-Whalen
ABSTAIN - None

Mayor Hawker declared the motion carried by majority vote.

8.2. Consider increasing the salary of the Presiding City Magistrate to \$118,300.00 and the City Magistrate to \$99,700.00 effective January 1, 2001.

Mayor Hawker commended the Presiding City Magistrate and City Magistrates for their dedication and the high caliber of service they provide through the City Court system. Mayor Hawker noted that for a certain percentage of Mesa's residents, the only contact they have with City services is through the court system and that it is imperative that everyone is treated with dignity and respect.

It was moved by Vice Mayor Davidson, seconded by Councilmember Kavanaugh, that the recommendations of staff be approved.

Carried unanimously.

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

- a. **Z00-77** The northeast corner of 80th Street and Baseline Road. Rezone from O-S to R-2 PAD (.5± acres). This case involves the development of duplex townhouses. Ron Bailly, Mark Gunning, owner/applicant. **CONTINUED FROM THE DECEMBER 4, 2000 COUNCIL MEETING** – Ordinance No. 3844.

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

1. Compliance with the basic development as depicted on the site plan, preliminary plat and elevations submitted, (without guarantee to lot yield) except as noted below.
2. Compliance with all City development codes and regulations.
3. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
4. 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.
5. All street improvements and perimeter landscaping to be installed in the first phase of construction.
6. Compliance with all requirements of the Subdivision Technical Review Committee.
7. Written notice be provided to future residents, and acknowledgment received that the project is within 4 miles of Williams Gateway Airport.
8. Retention basins shall be maintained at 6:1 slopes maximum for all pedestrian areas and areas that are visible from the street.
9. The heating and air conditioning units shall be ground mounted and screened to meet minimum code requirements.
10. Compliance with Letter dated October 18, 2000 from Mark Gunning to Lisa Davis and Dorothy Chimel, which is included in the zoning case file.
11. Owner granting an Avigation Easement and Release to the City, pertaining to Williams Gateway 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).
12. Noise attenuation measures be incorporated into the design and construction of the homes to achieve a noise level reduction of 25 db.

Mayor Hawker noted that this case was continued from the December 4, 2000 Regular Council Meeting due to 3-3 vote, with the absence of Councilmember Pomeroy, and also as a result of Council's request for additional information regarding this matter.

Ron Bailly, 715 North Gilbert Road, owner/applicant, addressed the Council relative to this case and provided a brief update with regard to such issues as landscaping, water retention, and the design of the townhouse project. Mr. Bailly advised that as a result of the concerns raised by the Council at the December 4 Regular Council Meeting, the applicant revisited the entire surrounding neighborhood, met with all the contiguous landowners, the homeowners in Sunland Villa East and received unanimous support for the project. Mr. Bailly emphasized the fact that the residents are adamantly opposed to the development of office/commercial buildings at this site.

Beverly Selvage, 2627 South Hibiscus, Public Awareness Chairman for Sunland Village East, stated the opinion that the property is too small for such a dense project and also expressed concerns regarding the future deterioration of the project due to the fact there will be no homeowners' association to oversee its maintenance.

It was moved by Councilmember Kavanaugh, seconded by Councilmember Whalen, that Zoning Case No. Z00-77 be approved and Ordinance No. 3844 be adopted.

Councilmember Jaffa voiced support for the case and noted that the applicant incorporated the ground-mounted AC units and tile roofs into his design concept to create a more aesthetically pleasing environment.

Vice Mayor Davidson spoke in opposition to this agenda item and expressed the opinion that the development of office/commercial buildings would be a more appropriate use of the property.

Councilmember Pomeroy advised the Council that he has reviewed a videotape of the December 4, 2000 Regular Council Meeting, has met with the applicant and is in support of the duplex townhouses which he believes will be a positive addition to the neighborhood.

Councilmember Whalen concurred with Councilmember Pomeroy's comments.

Upon tabulation of votes, it showed:

AYES - Hawker-Jaffa-Kavanaugh-Pomeroy-Walters-Whalen
NAYS - Davidson
ABSTAIN - None

Mayor Hawker declared that the motion carried by majority vote and Ordinance No. 3844 adopted.

10. Consider the following subdivision plats:

- *a. "MONTANA DORADA" (Council District 2) The 3000 - 3200 blocks of North Val Vista Drive (west side) 20 R1-35 PAD single residence lots (20.1 ac.) Montana Dorada, L.L.C., developer; Pentacore Arizona, engineer.
- *b. "ARBOLEDA UNIT II" (Council District 2) The 3200 - 3600 blocks of East McLellan Road (north side) 83 R1-35 PAD single residence lots (74.67 ac.) Edmunds Toll Limited Partnership, developer; Sage Engineering Corporation, engineer.
- *c. "RED ROCK PASS AT RED MOUNTAIN (PARCEL 6B)" (Council District 5) The 6600 block of East Viewmont Drive (north side) 16 R1-9 PAD DMP single residence lots (6.88 ac.) Capital Title Agency, Inc., developer; Palatine Engineering Consultants, engineer.
- *d. "SUNVALLEY RANCH APARTMENTS" (Council District 5) The 7300 - 7500 blocks of East University Drive (south side) 1 R-4 multiple residence lot (17.07 ac.) Scott Homes, L.L.C., developer; Hess - Rountree, Inc., engineer.
- *e. "HARMONY MANOR" (Council District 6) The 7800 - 7900 blocks of East Hampton Avenue (both sides) 86 R1-6 single residence lots (19.02 ac.) D.R. Horton, Inc., developer; JMI & Associates, engineer.
- *f. "MAP OF DEDICATION FOR ASHS COMMERCIAL DEVELOPMENT" (Council District 6) The 5900 block of East Baseline Road (north side) Mesa Real-Estate, L.L.C., developer; Southwest Geomatics, engineer.

11. Items from citizens present.

There were no items from citizens present.

12. Adjournment.

Without objection, the Regular Council Meeting adjourned at 7:37 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 18th day of December 2000. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this ____ day of _____ 2000

BARBARA JONES, CITY CLERK

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