

COUNCIL MINUTES

May 17, 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 May 17, 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

Marc Therre

OFFICERS PRESENT

C.K. Luster
Neal Beets
Barbara Jones

The invocation was given by Reverend Roger A. Thompson, Spirit of Joy Lutheran Church.

The Pledge of Allegiance was led by representatives from Girl Scout Troop 169.

Presentation of plaques to citizens ending service on City advisory boards and committees.

Mayor Brown expressed appreciation for the efforts of the citizens who serve on the City's advisory boards and committees. Mayor Brown presented plaques honoring the following individuals who are completing terms of service:

Building Board of Appeals - Jim Babos (July 1, 1993-June 30, 1999)
Crime Prevention Advisory Board - Costella Brickhouse (December 5, 1997-June 30, 1999)
Design Review Board - Laura Hyneman (July 1, 1993-June 30, 1999)
Economic Development Advisory Board - Bill Ellars (July 10, 1992-June 30, 1999)
Electrical Advisory Board - Bruce Larson (July 1, 1993-June 30, 1999)
Library Advisory Board - Opal Johnson (July 1, 1993-June 30, 1999)
Museum and Cultural Advisory Board - Marcene Jones (July 1, 1993-June 30, 1999)
Personnel Appeals Board - Leo Mahoney (July 1, 1996-June 30, 1999)
Plumbing, Mechanical and Solar Energy Board - Philip Maynard (July 1, 1993-June 30, 1999)
Plumbing, Mechanical and Solar Energy Board - Dave Smith (July 1, 1993-June 30, 1999)
Police Department Pension Board - Jay Hutson (July 1, 1994-June 30, 1998)

1. Approval of minutes of previous meetings as written.

It was moved by Vice Mayor Giles, seconded by Councilmember Kavanaugh, that the minutes of May 3, 6, and 7, 1999 be approved.

Carried unanimously.

2. Consider all consent agenda items.

All items listed with an asterisk (*) will be considered as a group by the City Council and will be enacted with one motion. There will be no separate discussion of these items unless a Councilmember so requests, in which event the item will be removed from the Consent Agenda and considered as a separate item.

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

Carried unanimously.

2.1. Consider the reappointment of City Magistrate Victor Ortiz for a two-year term.

Councilmember Kavanaugh concurred with the Judicial Advisory Board's unanimous recommendation for reappointment and expressed the opinion that Judge Ortiz fulfills the duties of his position with competency and integrity.

It was moved by Councilmember Kavanaugh, seconded by Vice Mayor Giles, to approve the reappointment of City Magistrate Victor Ortiz for a two-year term.

Vice Mayor Giles noted the qualifications of Judge Ortiz and advised that the Judicial Advisory Board has conducted a thorough reevaluation process.

Mayor Brown commended Judge Ortiz for his work and spoke in favor of the reappointment.

Carried unanimously.

Mayor Brown congratulated Judge Ortiz.

Judge Ortiz introduced members of his family present at the meeting. Judge Ortiz expressed appreciation for the reappointment and the efforts of the Judicial Advisory Board.

3. Conduct a public hearing on the 1999/2000 annual assessments for Mesa Town Center Improvement District No. 228.

Mayor Brown announced that this is the time and place for a public hearing on the 1999/2000 annual assessments for Mesa Town Center Improvement District No. 228.

Vince DiBella, President of the Mesa Town Center Corporation (MTCC), stated appreciation for input received to date concerning Mesa Town Center Improvement District No. 228. Mr. DiBella noted the services provided through the District and encouraged Council support of the 1999/2000 annual assessments.

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

4. Consider the following liquor license applications.

*a. JOSE G. PIZANO, III, INDIVIDUAL

Person transfer bar license for Down On Main Street, 1749 West Main Street, #7-10. This transfer is from John H. DeShetler, Individual, Down On Main Street.

*b. H. J. LEWKOWITZ, AGENT

Person transfer bar license for Red Mountain Ranch Country Club, 6425 East Teton Road. This transfer is from Ralph Hudek, Agent, Cobblestone Enterprises of Arizona, Inc.

c. RONALD D. LORENZO, AGENT

New beer and wine store license for Albertson's Express #948, 461 North Val Vista Drive. This is a new business; no previous liquor licenses at this location.

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 because of such conflict of interest, he would refrain from voting upon or otherwise participating in any manner in connection with same.

Brett Kleese, 525 North Val Vista Drive, #5, President of the Highland Park Manor Homeowners' Association, advised that his community is located adjacent to the north side of the site. Mr. Kleese spoke in opposition to the proposed license, citing concerns regarding traffic/safety and diminished property values. Mr. Kleese noted that a convenience market/gas station currently exists at the intersection of University and Val Vista and expressed the opinion that the proposed Albertson's Express is unnecessary.

Paul Gilbert, 3200 North Central Avenue, Phoenix, representing Albertson's, clarified that a special use permit has already been approved for Albertson's at this location and that the request before Council is approval of a beer and wine store license. Mr. Gilbert commented that Albertson's is a well-known firm and that the convenience market is considered an extension of the existing Albertson's store located at this intersection. Mr. Gilbert noted that an automated computer system will require identification in order to purchase tobacco and alcohol from the convenience market.

Mr. Gilbert expressed the opinion that the convenience market will not adversely impact surrounding property values and that this request is consistent with additional liquor license applications included on the Council's agenda. Mr. Gilbert encouraged Council's recommendation for approval of the liquor license application.

Mr. Gilbert responded to questions from Councilmember Kavanaugh regarding prior approval by the Board of Adjustment (consent agenda) of the special use permit for a gasoline station, the meeting held to address neighborhood concerns, and plans to locate convenience markets at additional Albertson's sites throughout Mesa.

Councilmember Pomeroy reported that many homeowners have signed a petition in opposition to the liquor license request. Councilmember Pomeroy stated concern relative to the close proximity of the facility to neighbors and said that he will not recommend approval of the application.

Vice Mayor Giles expressed the opinion that increased interaction with neighbors is warranted and suggested continuation of the request to allow an opportunity for further discussion.

Mr. Gilbert indicated that the applicant would be amenable to a continuation.

Mayor Brown reiterated that the issue before Council is the approval of a liquor license application and the request does not relate to the operation of the site. Mayor Brown stated that similar requests have been presented to Council/recommended for approval and that he supports the application.

In response to a question from Vice Mayor Giles, City Attorney Neal Beets advised that a recommendation from Council must be forwarded to the State Liquor Board by Tuesday, June 8, 1999, and that a continuance of the request to the June 7 Regular Council Meeting would be timely.

It was moved by Vice Mayor Giles, seconded by Councilmember Pomeroy, that the request for a new beer and wine store license for Albertson's Express be continued to the June 7, 1999 Regular Council Meeting.

Councilmember Hawker concurred with the recommendation for a continuance. In response to questions from Councilmember Hawker, Community Development Manager Wayne Balmer presented background information concerning the PAD site.

Councilmember Hawker expressed concern regarding the close proximity of the PAD location to the adjacent neighborhood.

In response to a question from Mayor Brown, Mr. Beets stated that the legal standard utilized by the State Liquor Board is the determination as to whether the best interest of the City is served by granting a license to an applicant at a particular location. Mr. Beets commented that an opportunity exists for discussion pertaining to the location of the PAD site prior to the June 7 Regular Council Meeting but concurred with Mr. Gilbert that the issue before Council is a request for a liquor license at an established PAD site.

Mayor Brown agreed with the recommendation to further review the matter with neighbors.

A tabulation of votes showed the motion carried unanimously by those voting.

*d. ISKANDER KARADSHEH, AGENT

New beer and wine store license for Alex AM/PM, 7405 East Main Street. The beer and wine store license previously held at this location by Jeffrey S. Lane, Agent, Ashcroft Market Ent., Inc., will revert back to the State.

*e. HARUT H. KIRAKOSIAN, INDIVIDUAL

New beer and wine store license for Dollar Zone, 1930 East Broadway Road, #2. This is an existing business; no previous liquor licenses at this location.

*f. DOUGLAS W. THOMPSON, ETAL

New restaurant license for Carrabba's Italian Grill, 1740 South Clearview. The restaurant license previously held at this location by Doug W. Thompson, Etal, Carrabba's Italian Grill, will revert back to the State.

*g. JULIE A. SHEPARD, AGENT

New Restaurant License for Famous Sam's, 2860 East Main Street, #111-114. The restaurant license previously held at this location by Russell Scaramella, Agent, Famous Sam's, will revert back to the State.

*h DELORES C. DIETRICH, AGENT

New restaurant license for Rosa's Mexican Grill, 328 East University Drive. The restaurant license previously held at this location by Dennis R. Serrine, Agent, Rosa's Mexican Grill, Inc., will revert back to the State.

5. Consider the following contracts.

- *a. One-year renewal of the annual supply contract for ferrous chloride, a wastewater treatment chemical used by the Utilities Department.

The Purchasing Division recommends exercising the second and final one-year renewal option with the original low bidder, Kemiron North America, at \$216,000.00 plus 5% use tax of \$10,800.00 for a total award of \$226,800.00 based on estimated requirements.

- *b. Two-year supply contract for automotive alternators, starters, and generators as requested by Fleet Support Services.

The Purchasing Division recommends accepting the lowest overall bid by Northside ReBuilders Supply Inc. for annual purchases estimated at \$36,000.00.

- *c. Square D power monitoring equipment as requested by the Utility Operations Division.

The Purchasing Division recommends accepting the low bid by Royal Wholesale Electric at \$16,662.90 plus 5.70% sales tax of \$949.79 for a total of \$17,612.69 based on estimated requirements.

- *d. Four new portable defibrillator/cardioscopes and the battery support systems as requested by the Fire Department.

The Purchasing Division recommends accepting the bid by Medtronic Physio-Control Corporation at \$41,820.00 plus 5% use tax of \$2,091.00 for a total of \$43,911.00.

- *e. Streetlight poles and anchor bolts for warehouse inventory to be used by the Transportation Division.

The Purchasing Division recommends accepting the low bids as follows:

Items 1, 2, 6, 7, and 9 to CEM-TEC Corp. at \$11,655.00 plus 7.0% sales tax of \$815.85 for a total of \$12,470.85.

Items 3 and 8 to Ameron Pole Products at \$7,160.00 plus 7.0% sales tax of \$501.20 for a total of \$7,661.20; and

Items 4 and 5 to Valmont Ind. at \$3,480.00 plus 5% use tax of \$174.00 for a total of \$3,654.00. The combined award is then \$23,786.05.

- *f. Two-year supply contract for traffic signal controller units as requested by the Transportation Division.

The Purchasing Division recommends accepting the bid by Econolite Control Products, Inc. for first-year purchases of \$324,000.00 plus 5% use tax of \$16,200.00 for a total of \$340,200.00.

- *g. One replacement copier for the Library. This copier will be used at the main branch in the Technical Services area.

The Purchasing Division recommends authorizing purchase from the State of Arizona contract with Ikon Office Solutions at \$20,779.02 including applicable sales tax and one year of post-warranty maintenance.

- *h. One 20' custom enclosed cargo trailer as requested by the Police Department. This trailer will be used by the Police Hazardous Device Team to store and transport their equipment, including the "bomb robot."

The Purchasing Division recommends accepting the bid by Specialty Vehicles & Equipment at \$47,886.91 plus 5.70% sales tax of \$2,729.55 for a total of \$50,616.46.

- *i. One-year renewal of the annual supply contract for streetlighting lamps for warehouse inventory to be used by the Transportation Division.

The Purchasing Division recommends exercising the second and final one-year renewal option with Essco Wholesale at \$42,180.50 plus 7.20% sales tax of \$3,037.00 for a total of \$45,217.50 based on estimated requirements.

- *j. One replacement tractor backhoe with front end loader as requested by the Utility Construction Division. This unit will be used for installation of gas and water sewer lines.

The Purchasing Division recommends authorizing an additional purchase option from RFB #98084 with the low bid meeting specification by R.D.O. Equipment Company for \$46,659.20 including options and tax.

- *k. Annual supply contract for copier paper as requested by the Materials and Supply Division Warehouse.

The Purchasing Division recommends authorizing purchase from the following State of Arizona contracts: LaSalle Paper, Inc., dba Spicers Paper, for non-recycled paper with annual purchases estimated at \$69,700.00 plus 7.0% sales tax of \$4,879.00 for a total of \$74,579.00; and Unisource Corp. for recycled paper with annual purchases estimated at \$24,176.00 plus 7.0% sales tax of \$1,692.32 for a total award of \$25,868.32. The combined award is then \$100,447.32.00 based on estimated purchases.

- *l. Annual supply contract for highway flares as requested by the Materials and Supply Division Warehouse.

The Purchasing Division recommends authorizing purchase from the State of Arizona contract with Orion Safety Products at \$55,296.00 plus 5.0% sales tax of \$2,764.80 for a total of \$58,060.80.

- *m. Personal computer (PC) software for City Departments as requested by the Information Services Division (ISD). This software will be installed on City personal computers in continuation of the City's PC standardization project.

The Purchasing Division recommends authorizing purchase from the State of Arizona contract with ASAP Software Express, Inc. for Microsoft SNA Client Access licenses for a total of \$15,592.50. (See Council Report for detailed cost information.)

- *n. Two replacement Office Mailer 700 tabletop folder/inserters as requested by the Information Services Division (ISD). This equipment is required as a part of upgrading the payroll system for Year 2000.

The Purchasing Division recommends accepting the low bid from Standard Register for two tabletop folder/inserters at \$15,246.00 plus 7.0% sales tax of \$1,067.22 for a total of \$16,313.22.

- *o. One-year renewal of the annual supply contract for construction materials used by Street Maintenance, Utility Construction, Electric, Parks Maintenance, and other departments.

The Purchasing Division recommends exercising the only one-year renewal option to the original companies who bid all items in each group and who offered the lowest overall total as follows:

PRIMARY CONTRACTS FOR ZONE A & B:

Zone A:

Fort McDowell Sand & Gravel for Group I (miscellaneous rock products) at \$50,512.50 plus 7.10% sales tax of \$3,586.39 for a total of \$54,098.89.

Red Mountain Mining for Group II (decorative granite) at \$22,362.50 plus 5.70% sales tax of \$1,274.66 for a total of \$23,637.16.

Pioneer Concrete for Group III (concrete) at \$338,212.50 plus 5.70% sales tax of \$19,278.11 for a total of \$357,490.61.

CalMat of Arizona for hot mix asphalt (part of Group IV) at \$51,775.00 plus 7.0% sales tax of \$3,624.25 for a total of \$55,399.25.

Mesa Materials for specialty asphalt (rest of Group IV) at \$13,285.00 plus 5.70% sales tax of \$757.25 for a total of \$14,042.25.

Joe Conway Trucking Company for Group V (slurry seal sand) at \$99,875.00 plus 7.0% sales tax of \$6,991.25 for a total of \$106,866.25.

The combined award for Zone A contracts is \$611,534.41 based on estimated requirements.

Zone B:

Fort McDowell Sand & Gravel for Group I at \$55,462.50 plus 7.10% sales tax of \$3,937.84 for a total of \$59,400.34.

Red Mountain Mining for Group II at \$21,387.50 plus 5.70% sales tax of \$1,219.09 for a total of \$22,606.59.

Pioneer Concrete for Group III at \$129,712.50 plus 5.70% sales tax of \$7,393.61 for a total of \$137,106.11.

Mesa Materials, Inc. for Group IV at \$63,730.00 plus 5.70% sales tax of \$3,632.61 for a total of \$67,362.61.

Joe Conway Trucking Company for Group V at \$108,375.00 plus 7.0% sales tax of \$7,586.25 for a total of \$115,961.25.

The combined award for Zone B contracts is \$402,436.90 based on estimated requirements.

The combined award for Zones A and B is \$1,013,971.31 based on estimated requirements.

SECONDARY CONTRACTS FOR ZONE A & B:

In order to assure continuity of supply, the following vendors are recommended as secondary suppliers, to be called when the primary supplier is unable to fill a particular order or when the plant location is more convenient for materials pickup:

Zone A:

A & A Materials, Inc. for Groups I and II; CalMat Company of Arizona for Group III; United Metro Materials for Group IV; and Mesa Materials, Inc. for Group V.

Zone B:

A & A Materials, Inc. for Groups I and II; CalMat Company of Arizona for Groups III and IV; and Mesa Materials, Inc. for Group V.

- p. Falcon Field Municipal Airport Taxiway B-10 improvements, hangar pavement reconstruction - City of Mesa Project No. 97-48.

This project consists of pavement installation and reconstruction along Taxiway B-10 and between existing hangars.

Recommend award to low bidder, Hunter Contracting Company, in the amount of \$865,734.95.

Councilmember Hawker 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 because of such conflict of interest, he would refrain from voting upon or otherwise participating in any manner in connection with same.

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

A tabulation of votes showed the motion carried unanimously by those voting.

- q. Summit Park - City of Mesa Project No. 98-28.

This project consists of the construction of a new park facility at 6237 East Virginia Street.

Recommend award to low bidder, J.A.C., Inc., in the amount of \$838,000.00.

Councilmember Hawker 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 because of such conflict of interest, he would refrain from voting upon or otherwise participating in any manner in connection with same.

Parks, Recreation and Cultural Director Joe Holmwood provided an overview of the proposed Summit Park facility to be located at 6237 East Virginia Street. Mr. Holmwood advised that a grant of approximately \$250,000 has been received from the Heritage Fund and that neighbors support the plan. Mr. Holmwood stated that staff anticipates notice to proceed with the project in mid-June 1999, with completion scheduled for October 1999.

Brief discussion ensued regarding funding and City park classifications/amenities (e.g., district park).

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

A tabulation of votes showed the motion carried unanimously by those voting.

6. Introduction of the following ordinances and setting June 7, 1999 as the date for the 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. **Z98-116** The northeast corner of Val Vista Drive and U.S. 60. Site plan modification (5+/- acres). This case involves the development of a gas/convenience store and mini-storage.
- *b. **Z99-14** North and west of the northwest corner of Val Vista Drive and McKellips Road. Rezone from R1-35 to R1-35-PAD (37.3+/- acres). This case involves the development of a gated, single-residence subdivision.
- *c. **Z99-21** The northeast corner of Main Street and Dobson Road. Site plan modification (36+/- acres). This case involves the development of commercial and office uses.
- *d. **Z99-28** The northeast corner of Higley Road and U.S. 60. Rezone from AG and M-1 to R-2-PAD (21.3+/- acres). This case involves the development of a "Z"-lot single-residence subdivision with 149 lots.
- *e. **Z99-33** The northwest corner of McDowell Road and Norwalk. Rezone from M-1 to M-1-PAD (5.7+/- acres). This case involves the development of an office condominium project.
- *f. **Z99-34** The southwest corner of Hampton Avenue and Higley Road. Site plan modification (12.5+/- acres). This case involves the development of a Lowes Hardware Store.
- *g. **Z99-35** 1425 South Alma School Road. Site plan modification (3.6+/- acres). This case involves the development of a commercial strip building.
- *h. **Z99-36** 3020 East Main Street. Site plan modification (13.2+/- acres). This case involves the expansion of "Trailer Village."
- *i. **Z99-37** 646 West University Drive. Rezone from R-2 to C-1 (0.3+/- acres). This case involves the development of an antique/gift store.
- *j. **Z99-38** Part of the 1500 block of North Val Vista Drive (east side). Rezone from AG to R1-35 (2.5+/- acres). This case involves the development of one single-residence home.

- *k. **Z99-39** The 8500 block of East Medina (north side). Rezone from AG to R1-6-PAD (22.4+/- acres). This case involves the development of a 116-lot single-residence subdivision.
- *l. **Z99-40** The northeast corner of Power and Guadalupe Roads. Rezone from R1-7 (conceptual C-2) to C-2 (1.5+/- acres). This case involves the development of a convenience store with gas pumps.
- *m. **Z99-41** East and west sides of Stapley Drive, north of McKellips Road. Rezone from R1-43 and C-2 to R1-9-PAD and site plan review (30+/- acres). This case involves the development of a 63-lot single-family gated community and compatible commercial frontage on McKellips Road.
- *n. **Z99-42** Parcel 2 of the "East Valley Auto Mall." Site plan review (2.78+/- acres). This case involves the development of an office/warehouse facility for Cable America.
- *o. **Z99-44** The northeast corner of Greenfield and Baseline Roads. Rezone from M-1-PAD to C-2-PAD and modification of an approved commercial/industrial master plan (47+/- acres). This case involves the development of a commercial and industrial complex.

7. Consider the following resolutions.

- a. Approving the 1999/2000 annual assessments for Mesa Town Center Improvement District No. 228 - Resolution No. 7365.

Mayor Brown and Councilmembers Hawker, Jaffa, and Pomeroy indicated that they had a potential conflict of interest in connection with the matter now under discussion which they wanted recorded in the minutes of the meeting.

City Attorney Neal Beets explained that because potential conflicts of interest affect four Councilmembers (a majority of the Council) and State law requires Council approval of the 1999/2000 annual assessments for Mesa Town Center District No. 228, it is his recommendation and opinion that all Councilmembers can and should participate in discussion and voting on this item.

It was moved by Councilmember Kavanaugh, seconded by Councilmember Davidson, that Resolution No. 7365 be approved.

Councilmember Hawker expressed appreciation for the modification to the polling methodology utilized relative to Mesa Town Center Improvement District No. 228 and stated support for the 1999/2000 annual assessments.

Carried unanimously.

- *b. Authorizing the City Manager to execute an intergovernmental agreement for the Maricopa HOME Consortium for the federal Fiscal Years 2000 to 2002 - Resolution No. 7361.
- *c. Providing support for the application of A.R.M. of Save the Family to the Maricopa HOME Consortium for funding under the HOME Investment Partnerships Program - Resolution No. 7362.
- *d. Approving and authorizing the City Manager to execute an intergovernmental agreement among the cities of Mesa, Chandler, Glendale, Goodyear, Peoria, and Scottsdale for joint legal representation in the settlement efforts relating to the Central Arizona Project contract litigation - Resolution No. 7363.

- *e. Authorizing the City Manager to execute an intergovernmental agreement with the Superior Court of Arizona, Maricopa County, concerning jurors in Mesa City Court - Resolution No. 7364.

8. Consider the following ordinance.

- *a. Prohibiting northbound left turns from the driveway on the south side of University Drive with centerline 250 feet west of Lindsay Road; designating the driveway on the south side of University Drive with centerline 250 feet west of Lindsay Road as an exit driveway only; prohibiting parking between 8 a.m. and 4 p.m. on school days on the north side of Pampa Avenue from Longmore to Pecos Avenue and on the south side of Pampa Avenue from Longmore to a point 890 feet west of Longmore; removing the parking prohibition on Adobe Street from Val Vista Drive to a point 160 feet west of 48th Street; prohibiting parking on the north side of Adobe Street from Val Vista Drive to a point 265 feet east of Nassau, on the south side of Adobe Street from Val Vista Drive to a point 170 feet east of Nassau, on the north side of Adobe Street from a point 150 feet west of Orlando Circle to a point 20 feet east of Portland, on the south side from a point 125 feet west of Orlando Circle to a point 20 feet east of Portland, on the north side of Adobe Street from Higley Road to a point 70 feet west of Balboa, and on the south side of Adobe Street from Higley Road to a point 20 feet west of Balboa; all as recommended by the Transportation Advisory Board - Ordinance No. 3624.

9. Consider the following subdivision plats.

- a. "HERMOSA GROVES (NORTH)" – The 2400-2700 blocks of North Val Vista Drive (west side); 63 R1-35 PAD single-residence lots (60.2 acres). Stonebridge Capital Properties, L.L.C., developer; Sage Engineering Corporation, engineer.

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 because of such conflict of interest, he would refrain from voting upon or otherwise participating in any manner in connection with same.

It was moved by Councilmember Pomeroy, seconded by Councilmember Kavanaugh, that the subdivision plat for "Hermosa Groves (North)" be approved.

A tabulation of votes showed the motion carried unanimously by those voting.

- *b. "AUGUSTA RANCH PARCEL 12" – The 2200-2400 blocks of South Crismon Road (west side); 71 R1-7 DMP single-residence lots (24.0 acres). A.R. Development, L.L.C., developer; DEI Professional Services, L.L.C., engineer.
- *c. "AUGUSTA RANCH PARCEL 14" – The 2400-2600 blocks of South Crismon Road (west side); 76 R1-9 DMP single-residence lots (30.5 acres). A.R. Development, L.L.C., developer; DEI Professional Services, L.L.C., engineer.

10. Items from citizens present (maximum of three speakers for three minutes per speaker).

Vince Fantozzi, 1444 West 7th Street, noted the Special Election to be held on Tuesday, May 18, 1999, relating to the Rio Salado Crossing Project and expressed concern regarding the manner in which information has been presented to citizens.

11. Adjournment.

Without objection, the Regular Council Meeting adjourned at 6:48 p.m.

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 17th day of May 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