



## COUNCIL MINUTES

November 19, 2007

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on November 19, 2007 at 5:45 p.m.

### COUNCIL PRESENT

Mayor Keno Hawker  
Kyle Jones  
Tom Rawles  
Scott Somers  
Darrell Truitt  
Claudia Walters  
Mike Whalen

### COUNCIL ABSENT

None

### STAFF PRESENT

Christopher Brady  
Debbie Spinner  
Linda Crocker

(Councilmember Whalen participated in the meeting though the use of teleconferencing equipment.)

Invocation by Mayor Hawker.

Pledge of Allegiance was led by Sheila Delgado, a Skyline High School student and a member of the Mayor's Youth Committee.

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.

Presentation by the Mesa Arts Alliance.

Mesa Arts Center Executive Director Johannes Zietsman introduced Mesa Arts Alliance Chairman Bob Neill and Treasurer Theresa Carmichael, who were prepared to make a presentation to Mayor Hawker. He reported that in 2001, the Mesa Arts Alliance was formed and pledged to raise approximately \$2.7 million in private funds to build a Performing and Visual Arts campus at the Mesa Arts Center (MAC). Mr. Zietsman expressed appreciation to all of the members of the campaign committee for their efforts and hard work in this regard.

Mr. Neill reported that the Mesa Arts Alliance recognized that additional capital needs at the MAC must be met and increased its initial fundraising commitment to \$4.3 million. He explained that at the present time, the group has received pledges in excess of \$5 million. Mr. Neill added that tonight he is pleased

to present a check for \$572,111 to the City of Mesa, bringing the Mesa Arts Alliance's fundraising total to \$4.7 million.

Mr. Neill presented the check to Mayor Hawker.

Vice Mayor Walters thanked the Mesa Arts Alliance for their commitment to the Mesa Arts Center and also recognized the Ikeda family for their significant contributions to the Center.

Mayor Hawker recognized members of the Mayor's Youth Committee who were present in the audience. He stated that the Committee consists of junior and senior high school students who participate in a yearlong program focusing on City, County and State government.

1. Take action on 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 or citizen requests, in which event the item will be removed from the consent agenda and considered as a separate item. If a citizen wants an item removed from the consent agenda, a blue card must be completed and given to the City Clerk prior to the Council's vote on the consent agenda.

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

Carried unanimously.

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

Minutes from the November 5, 2007 Council meetings.

3. Discuss, take public comment and take action on the following Minor General Plan Amendment and zoning case:

3a. Public Hearing on Minor General Plan Amendment **GPMInor07-13 (District 6)**

Mayor Hawker announced that this is the time and place for a public hearing regarding Minor General Plan Amendment **GPMInor07-13**.

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

3b. Take action on the following resolution:

**GPMInor07-13 (District 6)** 9565 East Southern Avenue. Located west of Crismon Road on the south side of Southern Avenue. (16.17± ac.) General Plan Minor Amendment to change the General Plan Land Use Map from High Density Residential 10-15 du/ac (HDR 10-15 du/ac) to High Density Residential 15+ du/ac (HDR 15+). This request will allow the development of apartments. George F. Tibshery, owner; Don Cox, WRG Design Inc., applicant – Resolution No. 9125. **(Held a neighborhood**

**meeting, notified property owners, homeowners' associations and registered neighborhoods.) COMPANION CASE Z07-101.**

P&Z Recommendation: Adoption. (Vote: 5-0 with Boardmembers Esparza and Langkilde absent).

It was moved by Councilmember Rawles, seconded by Vice Mayor Walters, that Resolution No. 9125 be adopted.

Carried unanimously.

3c. Take action on the following ordinance introduced at a prior Council meeting:

**Z07-101 (District 6)** 9565 East Southern Avenue. Located west of Crismon Road on the south side of Southern Avenue. (16.17± ac.) Rezone from R-3 PAD to R-3 PAD and C-1 and Site Plan Review. This request will allow the development of apartments and office/retail space. George F. Tibshery, owner; Don Cox, WRG Design Inc., applicant – Ordinance No. 4783. ***(Held a neighborhood meeting, notified property owners, homeowners' associations and registered neighborhoods.) COMPANION CASE GPMinor07-13.***

P&Z Recommendation: Approval with conditions. (Vote: 5-0 with Boardmembers Esparza and Langkilde absent).

It was moved by Councilmember Jones, seconded by Councilmember Somers, that Ordinance No. 4783 be adopted.

Carried unanimously.

4. Discuss, take public comment and take action on the following Minor General Plan Amendment and zoning case:

4a. Public Hearing on Minor General Plan Amendment **GPMinor07-14 (District 4)**

Mayor Hawker announced that this is the time and place for a public hearing regarding Minor General Plan Amendment **GPMinor07-14**.

Michael Knisely, Distyle Design, the applicant, expressed appreciation to staff for their efforts and hard work relative to this case. He also thanked the residents in the area for their interest and attendance at the neighborhood meeting.

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

4b. Take action on the following resolution:

**GPMinor07-14 (District 4)** 1137 East Broadway Road. Located west of Stapley Drive on the south side of Broadway Road (1.9± ac.). General Plan Minor Amendment to change the General Plan Land Use Map from Medium Density Residential 4-6 du/acre

and High Density 15+ du/acre to Medium Density Residential 6-10 du/acre. This request will allow the development of a supportive housing project. Wayne Neil Evans and Jeanine Salmon, owner; Michael Knisely, Distyle Design, applicant. – Resolution No. 9126 (***Held a neighborhood meeting, notified property owners, homeowners' associations and registered neighborhoods.***) **COMPANION CASE Z07-106.**

P&Z Recommendation: Adoption. (Vote: 5-0 with Boardmembers Esparza and Langkilde absent).

It was moved by Councilmember Rawles, seconded by Councilmember Somers, that Resolution No. 9126 be adopted.

Carried unanimously.

4c. Take action on the following ordinance introduced at a prior Council meeting.

**Z07-106 (District 4)** 1137 East Broadway Road. Located west of Stapley Drive on the south side of Broadway Road (1.9± acres). Rezone from R1-6 to R-2 and Site Plan Review. This request will allow the development of a supportive housing project. Wayne Neil Evans and Jeanine Salmon, owner; Michael Knisely, Distyle Design, applicant – Ordinance No. 4784. (***Held a neighborhood meeting, notified property owners, homeowners' associations and registered neighborhoods.***) **COMPANION CASE GPMInor07-14.**

P&Z Recommendation: Approval with conditions. (Vote: 5-0 with Boardmembers Esparza and Langkilde absent).

It was moved by Councilmember Jones, seconded by Councilmember Somers, that Ordinance No. 4784 be adopted.

Carried unanimously.

5. Take action on the following liquor license applications:

\*5a. Fresh & Easy Neighborhood Market

New Beer & Wine Store License for Fresh & Easy Neighborhood Market, 1045 South Gilbert Road, Fresh & Easy Neighborhood Market Inc. – Applicant, Randy D. Nations – Agent. The previous Liquor Store license held at this location by Richmar Foods, Inc. closed 12/02/2003. (**District 2**)

5b. Ranch Market #7

New Beer & Wine Store License for Ranch Market #7, 1138 East Southern Avenue, Provenzano's LLC – Applicant, Randy D. Nations – Agent. This is new construction with no previous liquor license at this location. (**District 4**)

Mayor Hawker advised that the Council discussed this application at the preceding Study Session.

Randy Nations, 1811 South Alma School Road, Suite 268, administrative agent for the applicant, provided a brief overview of the case. He reported that the Ranch Market store, which is estimated to cost \$46 million, would encompass 214,000 square feet and include 660 parking spaces. Mr. Nations explained that because of the applicant's substantial financial commitment to the project, it is essential that the company obtains approval of its liquor license application prior to beginning construction.

Nicholas Guttilla, 4150 West Northern Avenue, Phoenix, an attorney representing the applicant, responded to a series of questions posed by Councilmember Somers. His comments included, but were not limited to, the following: that one of the State Liquor Board's criteria for recommending approval of a liquor license application is that the applicant acquire all of the necessary permits and licenses; that two years ago, the City of Phoenix drafted an affidavit (as a supplement to the liquor license application), which would allow an applicant to agree that they would not open a business without first obtaining a Certificate of Occupancy, and in exchange for such an agreement, the Council would recommend approval of the liquor license application; that in Phoenix, if an entity opens a business without obtaining a Certificate of Occupancy, it is in violation of the City Code and the owner can be cited for every day the business operates without the necessary certification; and that the Phoenix City Attorney's Office could also obtain an injunction to prevent the store from opening.

Mr. Guttilla further commented that he would be willing to assist City staff in drafting an affidavit similar to the Phoenix model.

City Attorney Debbie Spinner advised that the City of Mesa, like Phoenix, also has the legal authority to impose a civil fine or file misdemeanor charges against a business owner for failure to obtain a Certificate of Occupancy.

Councilmember Somers inquired whether there would be an exception made for this particular applicant or if such action would become City policy for any business owner who applies for a liquor license but has not yet "broken ground."

City Manager Christopher Brady acknowledged that the proposed procedure is new for the City. He explained that with regard to the specific Ranch Market application, staff met with the applicant and determined that there was merit in proceeding in a similar fashion as outlined by Mr. Guttilla. Mr. Brady also stated that he is not suggesting that this case set a policy and noted that it would be at the discretion of the Council to make such a determination. He added that if the Council would like to consider changing its current policy in this regard, staff would bring back the matter at a future Study Session.

Councilmember Somers stated that a liquor license, like the Fire and Building Codes, should be used as a tool to ensure that a business owner meets minimum building standards to ensure the public's safety. He also commented that the implementation of an affidavit similar to the Phoenix model would be a valuable economic development tool for Mesa. Councilmember Somers further noted that he has had insufficient time to review the affidavit; that the City Attorney has not rendered a legal opinion with regard to this matter; that he has concerns allowing an exception for one entity and not for other applicants; and that he would be more comfortable rendering a decision if the proposed process was City policy.

It was moved by Councilmember Jones, seconded by Mayor Hawker, to recommend to the State Liquor Board that the liquor license application be approved, and that staff be directed to draft an affidavit similar to the Phoenix model.

Councilmember Rawles stated that he would prefer that the exception be granted in this particular case. He also commented that because the Council has not had an opportunity to discuss and consider a policy decision in this regard, he would like the matter to be brought back to a future Study Session. Councilmember Rawles added that if an applicant does not obtain a Certificate of Occupancy, which requires compliance with the Fire and Building Codes, the establishment would not be allowed to open and a liquor license would serve no useful purpose.

Vice Mayor Walters concurred with Councilmember Rawles' comments.

Councilmember Jones expressed support for moving forward with the project and noted that Ranch Market is making a significant investment in the community.

Mayor Hawker indicated that the process implemented by Phoenix "makes sense" and stated that he would support a similar process in Mesa. He noted that he would call on Mr. Guttilla to work with City staff to draft an affidavit that corresponds to the City Code. Mayor Hawker said that in his opinion, a policy is being set from this point forward and added that the Council is not making an exception for Ranch Market, but for everyone that comes forward by creating a new policy.

Councilmember Somers stated that he would take "a leap of faith" and support the motion. He also concurred with Mayor Hawker's comments.

Ms. Spinner inquired if it was the intent of the Council that staff enter into an affidavit with the applicant.

Mayor Hawker confirmed that Ms. Spinner's comment was correct.

Councilmember Whalen voiced support for the motion. He stated that the Ranch Market would be located at a vacant K-Mart site and said that the neighbors are anxious for the store to open.

Mayor Hawker called for the vote.

Carried unanimously.

\*5c. Wal-Mart Store #5904

New Beer & Wine Store License for Wal-Mart Store #5904, 7561 East Baseline Road, Wal-Mart Stores, Inc. – Applicant, Clare Hollie Abel – Agent. The previous Liquor Store License held at this location by CVS 3436 Mesa LLC closed 12/26/2006. **(District 6)**

\*5d. Atomic 29

New Restaurant License for Atomic 29, 1910 South Gilbert Road, Mesa Roadhouse LLC – Applicant, Randy D. Nations – Agent. The previous Restaurant License held at this location by Pablo V. Reynoso closed 08/20/2006. **(District 4)**

\*5e. Grill El Quetzal

New Restaurant License for Grill El Quetzal, 1933 West Main Street, Suite 1-H, Nicolas O. Rodriguez, Individual. This is an existing business with no previous liquor license at this location. **(District 3)**

\*5f. Monte Cello's Italian Restaurant & Pizza

New Restaurant License for Monte Cello's Italian Restaurant & Pizza, 2015 North Power Road, Suite #106, Monte Cello's AZ01 LLC – Applicant, Katrina Albright – Agent. The previous Restaurant License held at this location by Basil LLC will revert back to the State. **(District 5)**

\*5g. Pepper's

New Restaurant License for Pepper's, 6209 East Main Street, Suites #1 and #2, EZ Pepper's LLC – Applicant, Harvey M. Yee – Agent. The previous Restaurant License held at this location by Rock N Skies will revert back to the State. **(District 5)**  
**(CONTINUED FROM THE NOVEMBER 5, 2007 REGULAR COUNCIL MEETING.)**

\*5h. Tacos Y Mariscos Playa Bonita

New Restaurant License for Tacos Y Mariscos Playa Bonita, 816 South Stapley Drive, Odon Mojica Delgado, Individual. The previous Restaurant License held at this location by Francisco Calderon-Cazares, Individual, will revert back to the State. **(District 4)**

6. Take action on the following contracts:

- \*6a. Three (3) Light Duty Replacement Vehicles for the Parks, Recreation & Commercial Facilities Department (Vehicle Replacement Program Funding and Budgeted Contingency Funds).

The Procurement Services Department recommends authorizing purchase from contracts with Bill Heard Chevrolet at \$114,095.41, including applicable sales tax.

- \*6b. One Light Duty Vehicle (Addition to the Fleet) for the Utilities Department, Water Division.

The Procurement Services Department recommends authorizing purchase from the State of Arizona contract with Midway Chevrolet at \$30,818.40, including applicable sales tax.

- \*6c. Five (5) Replacement Vehicles for the Police Department (Budgeted Vehicle Replacement Program Funding).

The Procurement Services Department recommends authorizing purchase from the State of Arizona contract with Midway Chevrolet at \$90,090.55, including applicable sales tax.

- \*6d. Two-Year Renewal of Supply Contract for Manhole Insecticidal Coatings for the Utilities Department, Water Division.

The Procurement Services Department recommends authorizing renewal of the contract with JABCO at \$26,100.00 annually, based on estimated requirements.

- \*6e. Replacement Server Hardware for the Laboratory Information Management Solution (LIMS) System as requested by the Mesa Police Department (Fully Grant Funded Full Service Forensic Crime Laboratory Grant Program).

The Procurement Services Department recommends authorizing purchase from Hewlett Packard Company in the amount of \$71,970.62, including applicable use tax.

- \*6f. Three-Year Supply Contract for Steel Refuse Containers (4, 6, and 8 Cubic Yard) for the Solid Waste Management Department.

The Procurement Services Department recommends awarding the contract to AG Truck Sales, Inc., at \$139,481.43, including applicable taxes.

- \*6g. Re-Drill City Well No. 12, City of Mesa Project No. 05-056-001. **(District 4)**

This project will re-drill an existing well, which has deteriorated and become unusable.

Recommend award to Stewart Brothers Drilling Company, in the amount of \$849,075.00 plus an additional \$84,907.50 (10% allowance for change orders) for a total award of \$933,982.50. Funding is available from the approved FY 2007/08 Water Bond Program.

- 6h. Miscellaneous Drainage Improvements, City of Mesa Project No. 01-477-005. **(Districts 1 and 5)**

This project will install minor storm drain system improvements in three areas of the City to minimize street drainage and impacts on the surrounding properties. The project includes the installation of a drainage inlet and connection to the storm drain on North Norwalk, an additional inlet near Kramer Street and Lazona Drive and a control gate and inlet near 38<sup>th</sup> Street and Hermosa Vista Drive.

Recommend award to Standard Construction Company, Inc., in the amount of \$37,580.00 plus an additional \$3,758.00 (10% allowance for change orders) for a total award of \$41,338.00. This project is funded with existing storm sewer bond proceeds.

Mayor Hawker and Councilmember Truitt declared potential conflicts of interest and said they would refrain from discussion/consideration of this item. Mayor Hawker yielded the gavel to Vice Mayor Walters for action on this agenda item.

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

Upon tabulation of votes, it showed:

AYES - Jones-Rawles-Somers-Walters-Whalen  
ABSTAIN - Hawker-Truitt

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

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

- \*6i. One-year Stoploss Reinsurance Policy for the Employee Benefit Trust Fund as requested by Employee Benefits.

Recommend that Council approve the recommendation of the Employee Benefits Advisory Committee to accept the proposal from Matrix Group Benefits for an estimated annual premium of \$1,344,457.

7. Introduction of the following ordinances and setting December 3, 2007 as the date of the public hearing on these ordinances:

- \*7a. **A07-28 (District 6)** Annexing the north half of the existing and future Germann Road right-of-way between Signal Butte Road and Meridian Drive (6.28 ± ac). Initiated by the City of Mesa.
- \*7b. **Z07-98 (District 6)** The 4200 and 4300 blocks of South Power Road (east to the Roosevelt WCD canal) (52± ac.). The northeast corner of Warner and Power Roads. Modification of Council Ordinance No. 3787. This request is to amend the ordinance allowing flexibility of future processing development requests. Custom Homes by Via, LLC, Michael Licano and others, owner; Michael Licano, applicant. **(Notified property owners, homeowners' associations and registered neighborhoods.)**

PHO Recommendation: Approval with conditions.

- \*7c. Amending Title 7, Chapter 2 of the Mesa City Code relating to the Mesa Fire Code.
- \*7d. Amending Title 4, Chapters 2, 3, 4 and 5 relating to the Mesa Building Codes.

8. Take action on the following resolutions:

- \*8a. Approving and authorizing the City Manager to execute an amendment to an existing Intergovernmental Agreement (IGA) between Maricopa County Department of Transportation, Town of Gilbert and the City of Mesa for proposed street improvements

to Power Road from the East Maricopa Floodway just south of Guadalupe Road to Baseline Road. The purpose of the amendment is to outline the change in the Regional Transportation Plan (RTP) reimbursement process and allow the parties to the agreement to collect RTP funds earlier than anticipated from the Maricopa Association of Governments. It should be noted that the amendment does not change Mesa's cost share of \$2,805,197 as outlined within the previously approved IGA – Resolution No. 9113.

- \*8b. Extinguishing a portion of an Easement for Highway Purposes in the 1800 block of the North Hobson Street alignment – Resolution No. 9114. **(District 1)**

This easement is no longer necessary, as Hobson Street will not be constructed in this area.

- \*8c. Dedicating two Public Utility Easements at the Sycamore Light Rail Park and Ride Facility at 1804 West Main Street – Resolution No. 9115.

These easements are required for the installation of fire hydrants. **(District 3)**

- \*8d. Approving and authorizing the City Manager to enter into a Development Agreement for City Share reimbursement between VIP Construction, Inc. and the City of Mesa for reimbursement of \$36,183.94 for regional street lighting improvements that are being required by Mesa in conjunction with a proposed residential subdivision known as Whisper View located at 1342 North Crismon Road. Mesa's estimated share will be funded from existing Street HURF Bond proceeds – Resolution No. 9116.

- \*8e. Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with the Regional Public Transportation Authority (RPTA) for Mesa's portion of the *RIDE* Choice program for fiscal year 2007/08. Funding in the amount of \$350,000 is available through Local Transportation Assistance Funds (LTAF) – Resolution No. 9117.

- \*8f. Approving and authorizing the City Manager to execute an Intergovernmental Agreement between Mesa Unified School District #4 and the City of Mesa to secure funds in the amount of \$498,634 for six School Resource Officers assigned to high schools in the City – Resolution No. 9118.

- \*8g. Approving and authorizing the City Manager to accept grant funds in the amount of \$13,140 from the Arizona Internet Crimes Against Children Task Force for training and equipment in the Computer Forensic Unit of the Center Against Family Violence – Resolution No. 9119.

- \*8h. Approving and authorizing the City Manager to execute a Grant Agreement with the Arizona Peace Officer Standards and Training Board to secure funds in the amount of \$86,000 for the installation of two motorized canopies at the Police Department Firearms Range – Resolution No. 9120.

- \*8i. Approving and authorizing the City Manager to execute a Grant Agreement with the Arizona Peace Officer Standards and Training Board to secure funds in the amount of

\$77,000 to construct a tactical shooting facility and relocating an existing shoot house at the Police Department Firearms Range – Resolution No. 9121.

- \*8j. Approving and authorizing the City Manager to execute a Grant Agreement with the Arizona Peace Officer Standards and Training Board to secure funds in the amount of \$10,000 to expand the current Defensive Tactics Training House at the Public Safety Training Facility – Resolution No. 9122.
- \*8k. Approving and authorizing the City Manager or his designated representative to execute Gas Supply Agreements with the Central Plains Energy Project, Minnesota Municipal Gas Agency and Main Street Natural Gas, Inc. – Resolution No. 9123
- \*8l. Canvassing, declaring and adopting the results of the Special Election held on November 6, 2007 – Resolution No. 9124.

9. Discuss, receive public comment, and take action on the ordinances introduced at a prior Council meeting. Any citizen who wants to provide comment should submit a blue card to the Clerk before the item is voted on. If a citizen wants to comment on an item listed with an asterisk (\*), a blue card must be given to the Clerk before Council votes on the consent agenda.

\*9a. Amending Title 9, Chapters 6 and 8 of the Mesa City Code regarding deferral of off-site improvements – Ordinance No. 4777.

\*9b. **Z07-103 (District 6)** 10309 East Hampton Avenue. Located east of Crismon Road and south of Southern Avenue (5.91± ac.). Rezone from M-1 to M-1-BIZ, and Site Plan Modification. This request will allow for the development of two hotels. Vance H. Marshall, VJ Crismon LLC, owner; Elisabeth Hunt, TAAG (The Allred Architectural Group P.C.), applicant – Ordinance No. 4778. ***(Held a neighborhood meeting, notified property owners, homeowners' associations and registered neighborhoods.)***

P&Z Recommendation: Approval with conditions. (Vote: 5-0 with Boardmembers Esparza and Langkilde absent).

\*9c. **Z07-104 (District 3)** 922 South Country Club Drive. Located north and west of Country Club Drive and Southern Avenue (7.17± ac.). Site Plan Modification, and rezone from C-2 and C-3 to C-3-PAD. This request will allow for the expansion of a motorcycle dealership. E. B. Chester, owner; Carl F. Schaffer, AIA, Ideation Design Group, applicant – Ordinance No. 4779. ***(Held two neighborhood meetings, notified property owners, homeowners' associations and registered neighborhoods.)***

P&Z Recommendation: Approval with conditions. (Vote: 5-0 with Boardmembers Esparza and Langkilde absent).

\*9d. **Z07-105 (District 6)** 7551 East Pecos Road. Located south and east of Pecos Road and Sossaman Road (9.57± ac.). Site Plan Review. This request will allow the development of three shell industrial buildings. Roger Buttrum, Buttrum Westside Commerce Center LLC, owner; Michael Hill, RDB Management & Construction – Ordinance No. 4780. ***(Notified property owners.)***

P&Z Recommendation: Approval with conditions. (Vote: 5-0 with Boardmembers Esparza and Langkilde absent).

- \*9e. **Z07-107 (District 6)** 8230 East Broadway Road. Located on the north side of Broadway Road east of Hawes Road (0.20± ac.). Rezone from Maricopa County R1-6 to City of Mesa R1-6. For the establishment of City of Mesa zoning on recently annexed property. James and Karla Vanderpool, owner; City of Mesa, applicant – Ordinance No. 4781.  
P&Z Recommendation: Approval with conditions. (Vote: 5-0 with Boardmembers Esparza and Langkilde absent).

- \*9f. **Z07-108 (District 5)** 9621 East McKellips Road. Located on the south side of McKellips Road west of Crismon Road (1.06± ac.). Rezone from Maricopa County Rural-43 to City of Mesa R1-43. For the establishment of City of Mesa zoning on recently annexed property. Alan and Jan Saquella, owner; City of Mesa, applicant – Ordinance No. 4782.

P&Z Recommendation: Approval with conditions. (Vote: 5-0 with Boardmembers Esparza and Langkilde absent).

10. Take action on the following subdivision plat:

- \*10a. "SUPERSTITION SPRINGS COLLISION CENTER" (**District 6**) The 7500 block of East Hampton Avenue (north side) located south and west of Southern Avenue and Sossaman Road. Two M-1 DMP industrial lots (3.67 ac) DJSS Ventures, LLC, Eric Muilenberg, manager, owner; JMA Engineering Corporation, engineer.

11. Items from citizens present.

There were no items from citizens present.

12. Adjournment.

Without objection, the meeting adjourned at 6:33 p.m.

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KENO HAWKER, MAYOR

ATTEST:

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LINDA CROCKER, 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 19<sup>th</sup> day of November 2007. I further certify that the meeting was duly called and held and that a quorum was present.

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LINDA CROCKER, CITY CLERK

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