

COUNCIL MINUTES

May 21, 2001

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 21, 2001, 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

Invocation by Reverend Dale D. Strong, Celebration of Life Presbyterian Church.

Pledge of Allegiance was led by Ryan Killy, Boy Scout Troop No. 451.

Presentation of the 2001 Historic Preservation Awards.

Victor Linoff, Chairman of the Historic Preservation Committee, with the assistance of Mayor Hawker, presented the selected recipients with their 2001 Historic Preservation Awards.

1. Approval of minutes of previous meetings as written.

It was moved by Vice Mayor Davidson, seconded by Councilmember Kavanaugh, that the minutes of the April 24, 2001 and May 3 and 7, 2001 City Council meetings be approved.

Carried unanimously.

2. Consider all consent agenda items.

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

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

Carried unanimously.

2.1. Conduct a public hearing concerning natural gas and solid waste utility rates, rate components, fees and/or service charge increases. (See item no. 5k for rate information).

Mayor Hawker announced that this is the time and place for a public hearing regarding natural gas and solid waste utility rates, rate components, fees and/or service charge increases.

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

2.2 Conduct a public hearing on the annual assessments for the Mesa Town Center Improvement District No. 228.

This District provides enhanced municipal services for the Mesa Town Center (See Item 6a for information).

Mayor Hawker announced that this is the time and place for a public hearing regarding the annual assessments for the Mesa Town Center Improvement District No. 228.

Paul McKee, President of the Mesa Town Center Corporation, explained that the purpose of this agenda item is to ensure that the assessments are properly applied.

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

3. Consider the following liquor license applications:

*a. RAYMOND J. McKERNAN, ACTING ESQUIRE

Special Event License application for Raymond J. McKernan, Acting Esquire, B.P.O.E. Mesa Elks Lodge #1781, a one-day event to be held on Saturday, June 16, 2001 from 1:00 p.m. to 11:00 p.m., at 243 S. Mesa Dr.

*b. STEPHEN M. McKINNEY, AGENT

Person transfer Liquor Store License for Fry's Food & Drug #113, 1245 W. Main St. This is an existing business and building. This transfer is from Michael J. Donnelly, Agent, Smitty's Super Valu, Inc.

*c. JEFFERY A. GOPON, AGENT

New Restaurant License for Four Peaks Pizza & Grille, 5943 E. McKellips Rd. #102. This is an existing business and building. The Restaurant License previously held at this location by Steve C. Lizakowski, Individual, Famous Fred's Pizza & Grille will revert back to the State.

*d. MANUEL REYES, AGENT

New Restaurant License for My Sombrero, 6915 E. University Dr. This is an existing business and building. The Restaurant License previously held at this location by Mary E. Mello, Agent, Sidekicks will revert back to the State.

*e. CHARLES L. SEYMOUR, AGENT

New Restaurant License for Texas Land & Cattle Steakhouse, 1606 S. Stapley Dr. This is a new business, which is currently under construction. No previous liquor license at this location.

4. Consider the following contracts:

*a. Automated sample injection system as requested by the Utilities Division.

The Purchasing Division recommends accepting the low bid by Varian, Inc. at \$25,158.72 including applicable sales tax.

*b. Cardiff LiquidForms Suite as requested by the Information Services Division (ISD).

The Purchasing Division recommends accepting the only bid from Cardiff, Inc. for software totaling \$145,016.25. **(Sole Source)**

c. Customer Information System (CIS) Additional Purchases as requested by the Information Services Division (ISD).

The City Council is requested to approve a variety of additional planned purchases for the Customer Information System (CIS) as recommended. The entire Customer Information System is to be financed through a five-year tax-exempt lease.

The Purchasing Division recommends approving:

- The low bid from Xerox Corporation for a Laser Printing System for a total of \$116,937.75;
- The low bid from Pitney Bowes for a Bill Inserting and Mailing System for a total of \$168,945.62;
- Sole source pricing from System Innovators for an upgrade to the City's Cashiering System for a total of \$156,605.00;
- Sole source pricing from EMC Corporation for an upgrade to the City's DASD (mainframe data storage subsystem) for a total of \$189,643.75;
- \$532,902.44 for a SUN file server, configuration services, and network hardware from the State of Arizona contracts with CompuCom Systems; and
- \$31,354.10 for Cisco Network Hardware from the State of Arizona contracts with Qwest Communications.

The total recommended award is \$1,196,388.66.

In addition, Council is requested to approve an increase to the five-year tax exempt lease previously approved for CIS to add the above purchases, plus \$100,000.00 for file servers previously approved by Council, and \$351,617.28 for interim CIS project staffing through June 2002. The combined total to be added to the five year lease is then \$1,648,005.94.

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

Carried unanimously.

- *d. Upgrade to the Patrol Resource Optimization System (PROS) and the Dynamic Community Oriented Policing System (DCOPS) used by the Police Department, as requested by the Information Services Division (ISD).

The Purchasing Division recommends accepting the only bid from Analysis Central Systems for software totaling \$25,305.00. **(Sole Source)**

- *e. Health Claims Processing System Upgrade for Employee Benefits as requested by the Information Services Division (ISD).

The Purchasing Division recommends exercising an additional purchase option from RFP #97039 for EDI™ software and first year support from FACTS® Services, Inc., for a total of \$28,875.00. **(Sole Source)**

- *f. Fire tools, hose and related equipment as requested by the Fire Department. The Purchasing Division recommends accepting the following low bids:

United Fire Equipment for Section I, items 5, 23, 26, 28, 29, 30, 31, 32, 36, 37, 38, 46, 50, Section II, items 5, 23, 26, 36, 37, 38, 46, 65, Section III, items 5, 22, 32, 33 and 41 at \$18,190.34 plus 7.0% sales tax of \$1,273.32 for a total of \$19,463.66.

L.N. Curtis & Sons for Section I, items 15, 16, 17, 18, 19, 27, 44, 45, 47, 51, 53, 54, Section II, items 15, 16, 17, 18, 19, 27, 44, 47, 54, 55, Section III, items 14, 15, 16, 23, 38, 39, 40 and 45 to at \$4,463.25 plus 5% use tax of \$223.16 for a total of \$4,686.41.

Canyon State Emergency Products for Section I, items 43, 57, Section II, items 43, 57, 58, 59, 60, 61, 62, 63, Section III items 37, 47, 48, 49, 50, 51, 52, and 53 at \$2,032.12 plus 7.2% sales tax of \$146.31 for a total of \$2,178.43.

The combined award is then \$26,328.50.

- *g. Two new Holmatro rescue tool devices as requested by the Fire Department.

The Purchasing Division recommends accepting the low bid by Canyon State Emergency Products at \$50,506.53.

- *h. Two-year renewal of the supply contract for multi-jet water meters for the Materials & Supply Division inventory to be used by the Utility Service Division.

The Purchasing Division recommends exercising the two-year renewal option with the original low bid by Dana Kepner Company, Inc. at \$409,004.91 based on estimated annual requirements.

*i. Deleted.

*j. One new tire service truck body as requested by the Fleet Support Services Division.

The Purchasing Division recommends accepting the only bid by Teague Equipment Company at \$39,397.68.

*k. Two-year supply contract for pavement striping powder for Materials and Supply Division warehouse inventory to be used by the Transportation Division.

The Purchasing Division recommends accepting the low bid by Cataphote, Inc. at \$114,024.23 based on estimated annual requirements.

*l. Websense Software Licenses as requested by the Information Services Division (ISD).

The Purchasing Division recommends authorizing purchase from the State of Arizona contract with IKON Technology Solutions for a total of \$11,658.38.

m. Two-year supply contract for bronze water service valves and fittings for the Materials & Supply Division inventory to be used by the Utilities Department.

The Purchasing Division recommends accepting the lowest overall bid by Arizona Waterworks at \$61,456.18 based on estimated annual requirements.

Darwin Viker, 1550 West Peralta, Mesa, representing the Fullerform Company stated that it was his understanding that the bidding package would be broken up into five (5) sections and said that his Company was low bidder on two (2) of the five (5) sections but was not awarded the bid. He added that all five sections were awarded to Arizona Waterworks and questioned the validity of the bid award. He asked the Council to re-evaluate the process and award the two sections his company was lowest on to Fullerform rather than AZ Waterworks.

Materials Management Director Sharon Seekins said that staff is always seeking ways to continue to improve the process and said that it was made clear to the bidders that the bids could be approved as a group or overall total and said the bid was easier to manage in this manner. She said that staff will take Mr. Viker's comments seriously during the next bidding process, but believes that this time his company is not eligible for the award.

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

Carried unanimously.

- n. Main Library Entry Improvements. City of Mesa Project No. 01-47.

This project will replace the concrete sidewalk, entry slab and integral bench at the main entrance to repair and eliminate water infiltration. The existing doors will be replaced with new doors that operate on infrared detection.

Recommend award to low bidder, Tucacon Construction, L.L.C., in the amount of \$51,544.50 plus an additional \$5,154.45 (10% allowance for change orders) for a total award of \$56,698.95.

Mayor Hawker declared a potential conflict of interest and refrained from discussion/participation on this agenda item. He yielded the gavel to Vice Mayor Davidson for action on this agenda item.

It was moved by Councilmember Kavanaugh, 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 completed, Vice Mayor Davidson yielded the gavel to Mayor Hawker.

- *o. Baseline Road Widening, Horne to 24th Street. City of Mesa Project No. 98-41.

This project will improve Baseline Road to 3 lanes in each direction with raised, landscaped medians, from Horne to Stapley, and from 1/4 mile east of Stapley to 24th Street.

Recommend award to low bidder, Pulice Construction, Inc., in the amount of \$5,781,899.90 plus an additional \$578,189.99 (10% allowance for change orders) for a total award of \$6,360,089.89.

It was moved by Councilmember Whalen, seconded by Councilmember Kavanaugh, that this matter be continued to the June 4, 2001, Regular Council Meeting.

Carried unanimously.

- *p. Demolition of the theatres located on the Mesa Arts Center Site.

Recommend award to low bidder, B.C.S. Enterprises, in the amount of \$58,590.00.

- q. Consider approving the lease/purchase of sixteen (16) 800 kW natural gas fired generators with NOxTECH emissions control devices for \$6,294,400.00, to be financed over five years.

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

Kirby Allan, 2043 East Hackamore, addressed the Council regarding this agenda item and spoke in opposition to this issue.

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

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.

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

- *a. Prohibiting parking between 8:00 a.m. and 4:00 p.m. on school days on the north side of Glencove Street from Gaylord Circle to a point 155 feet east of Gaylord Circle, on the south side of Glencove Street from 24th Street to Gaylord, on Gaylord from Brown Road to Glencove Street, on the north side of Fountain Street from Lindsay Road to 26th Street, on the south side of Fountain Street from 26th Street to a point 100 feet east of 26th Street, on the south side of Fountain Street from Lindsay Road to a point 185 feet east of 26th Street, on the east side of 26th Street from Fox Street to Fairfield Street, on the west side of 26th Street from Fox Street to Fountain Street, and on the west side of 26th Street from Fairfield Street to a point 120 feet north of Fairfield Street, as recommended by the Transportation Advisory Board.
- b. Amending Section 6-4-20 of the Mesa City Code (Fowl, Rodent, and Livestock Restrictions) to allow livestock to be kept on properties reduced to less than an acre as a result of acquisition of public right of way, repealing the current exception for certain pigeons and chinchillas, and repealing a current enforcement clause.

THE ABOVE LISTED AGENDA ITEM WAS REMOVED FROM THE AGENDA.

- *c. **Z01-16** 730 East Brown Road. Council Use Permit for a tattoo parlor.
- *d. **Z01-17** 6426 East Superstition Springs Blvd. Site Plan Review (1.06 ac.). This case involves development of a Credit Union building and facility.

- *e. **Z01-18** The southeast corner of Baseline and Hawes Roads. Rezone from AG to R1-6-PAD (30± ac.). This case involves development of a cluster home development.
- *f. **Z01-19** West of the southwest corner of McKellips and Country Club. Rezone from R-3 to C-2 and Site Plan Review (1.27 ac). This case involves development of a fast food restaurant.
- *g. **Z01-20** 2158 North Gilbert Road. Rezone from R-2 to O-S (3.12 ac.). This case involves development of offices.
- *h. **Z01-22** The northwest corner of Broadway Road and 70th Street. Site Plan Modification (1.91 ac.). This case involves development of an office and shell building.
- *i. **Z01-23** The northwest corner of University and Extension. Site Plan Modification (3± ac.). This case involves development of a convenience store with fuel pumps.
- *j. **Z01-24** The southeast corner of Parkcrest and Jensen. Rezone from M-1 to M-1-PAD (2.05 ac.). This case involves the development of a warehouse building.
- k. Modifying rate schedules for the following utility services:
 - 1. Gas utility service.
 - 2. Solid Waste utility service.

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

Carried unanimously.

6. Consider the following resolutions:

- a. Authorizing the annual assessments for the Mesa Town Center Improvement District No. 228. This District provides enhanced municipal services for the Mesa Town Center – Resolution No. 7662.

Mayor Hawker and Councilmembers Pomeroy and Jaffa declared potential conflicts of interest and refrained from discussion/participation on this agenda item.

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

Jason Garrett, 204 East 1st Avenue, representing Yesterday's Grill, posed a question regarding this agenda item and received clarification relative to the actual intent of the issue.

It was moved by Councilmember Walters, seconded by Councilmember Kavanaugh, that Resolution No. 7662 be adopted.

Upon tabulation of votes, it showed:

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

Vice Mayor Davidson declared the motion carried by majority vote of those voting and Resolution No. 7662 adopted.

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

- b. Authorizing the City Manager to enter into an Intergovernmental Agreement for the operation and maintenance of streetlights within the University Manor subdivision (9705 East University Drive) – Resolution No. 7663.

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

It was moved by Councilmember Whalen, seconded by Councilmember Pomeroy, that Resolution No. 7663 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. 7663 adopted.

- *c. Approving the use of the Scalloped Street Assessment Laws to assess a portion of the street improvement costs for North Power Road from McKellips Road and McDowell Road – Resolution No. 7658.
- *d. Approving the City Manager to execute an Intergovernmental Agreement between the Maricopa County Department of Transportation and the City of Mesa for the design of street improvements for North Val Vista Drive from Thomas Road to the South Canal – Resolution No. 7659.
- e. Granting an Underground Power Easement to Salt River Project at the Northwest Water Reclamation Plant – Resolution 7664.

Salt River Project is requesting this easement to cover their electric service lines.

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

It was moved by Councilmember Kavanaugh, seconded by Councilmember Whalen, that Resolution No. 7664 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. 7664 adopted.

- *f. Approving and authorizing the City Manager or his designated representative to execute an Intergovernmental Cooperative Purchasing Agreement among various school districts and governmental jurisdictions in the State of Arizona and the City of Mesa – Resolution No. 7660.
- *g. Approving and authorizing the City Manager or his designated representative to execute an Intergovernmental Cooperative Purchasing Agreement between Maricopa County and the City of Mesa – Resolution No. 7661.
- h. Granting irrigation easements to Salt River Project on Gilbert Road from Lockwood to the Red Mountain Freeway – Resolution No. 7665.

Salt River Project is requesting these easements to cover the new irrigation pipe locations.

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

It was moved by Councilmember Pomeroy, seconded by Councilmember Whalen, that Resolution No. 7665 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. 7665 adopted.

*6.1. Consider a notice of intention setting June 25, 2001 as the date for the public hearing to modify water, irrigation, and wastewater utility rates, rate components, fees and/or service charges.

*6.2. Consider the following recommendations from the Finance Committee:

- a. Recommend approval of staff's recommendations for proposed increases to the current fees assessed by the Building Safety and Planning Divisions in conjunction with the issuance of development-related permits.
- b. Recommend approval of staff's recommended changes to the Mesa Centennial Center and Mesa Amphitheatre fees and charges.

6.3 Consider the Appointment of an Interim City Attorney.

It was moved by Vice Mayor Davidson, seconded by Councilmember Kavanaugh, that the recommendations of staff be approved and that Joe Padilla be appointed Interim City Attorney at an annual salary of \$109,985 effective June 18, 2001.

Carried unanimously.

7. Consider the following case from the Planning and Zoning Board and possible adoption of the corresponding Ordinance:

- a. **Z01-12** The southwest corner of US 60 and Superstition Springs Boulevard, Lot 7 of Superstition Springs DMP. Rezone from C-2 to M-1-PAD (32± acres). This case involves development of an automall with two restaurant pad sites. Superstition Springs Investors, Limited Partnership, owner; represented by: Mark Ward, DMB; Karrin Taylor applicant – Ordinance No. 3889.

P&Z Recommendation: Approval with conditions Vote: Passed 6-1 (Parker nay)

1. Compliance with the basic development as described in the Project Narrative, Design Guidelines, and Planned Area Development Narrative (dated February 16, 2001) and as shown on the preliminary plat dated February 21, 2001 and Site Plan dated February 20, 2001 except as noted below.
2. Review and approval by the Planning and Zoning Board, Design Review Board and City Council of future development plans for the two pad buildings on lot F and G.
3. Compliance with all City development codes and regulations, unless otherwise amended by the PAD.
4. Compliance with all requirements of the Development Services Department (Engineering and Traffic Engineering, etc.), unless otherwise amended by the PAD.
5. Dedicate the right-of-way required at the time of application for a building permit, at the time of recordation of the subdivision plat, or at the time of the City's request for dedication whichever comes first.
6. Compliance with all requirements of the Subdivision Technical Review Committee.
7. Compliance with all requirements of the Design Review Board for all lots with specific attention to a coordinated landscape design and sign plan.

8. Review and approval of a Special Use Permit by the Board of Adjustment for a comprehensive sign plan.
9. No drive through restaurants on lots F or G.
10. Appropriate screening of all rooftop and upper level auto storage and mechanical equipment from all public rights-of-way to be approved by the Design Review Board.
11. Provide a 2' clear width of landscape area along the Golf Course and along US 60/Superstition Springs Boulevard. Developer shall also install trees outside of the perimeter wall (on the Golf Course) adjacent to the west and south sides of the property. Trees shall be clustered to blend with existing Golf Course landscaping, shall be spaced 15' on center (average), a minimum 50% of required trees shall be 24" box or larger, and the remainder shall be at least 15 gallon.
12. A vertical curb or screen wall shall be provided adjacent to display parking along the loop road to prevent parking encroachment into the required landscaping.
13. Provide a 10' clear width of landscape area along the loop road in front of all display areas.
14. Lighting
 - A. Parking area lighting associated with retail Lots F and G shall be designed so as to provide an average illumination level of 2 foot-candles with a maximum to average ratio 4 to 1.
 - B. Auto Center front row display area lighting (along loop road, US 60, and Superstition Springs Boulevard) shall be designed so as to provide a maximum illumination level at the bumper of 55 foot-candles during hours of operation reducing to an average of 10-foot candles during off-hours for security lighting.
 - C. Auto Center retail lot area lighting shall be designed so as to provide a maximum illumination level of 40 foot-candles during hours of operation reducing to an average 5 foot-candles during off-hours for security lighting.
 - D. Pole heights in the retail parking associated with Lots F and G shall be installed such that the bottom of lighting fixtures shall be at 20'-0" maximum height above finished grade.
 - E. Pole heights in the Auto Center front row display area and retail lot area shall be installed such that the bottom of lighting fixtures shall be at 24'-0" maximum height above finished grade. Pole heights in the Auto Center service, storage, and employee parking area shall be installed such that the bottom of lighting fixtures shall be at 20'-0" maximum height above finished grade.
 - F. All exterior Auto Center lighting sources shall be limited to color corrected metal halide.
 - G. All area lighting fixtures shall be limited to the Gardco Gullwing series and the Kim Architype series fixtures, or equal.
 - H. Wall mounted lighting fixtures shall be limited to fixtures of full-cutoff and shielded construction. Installation of such fixtures shall be limited to a maximum mounting height of 15'-0" above finished grade. No "wall packs" shall be installed.

15. Outdoor speakers may not be used for paging purposes. All paging shall occur with hand-held, electronic pagers or similar devices.
16. Permitted Uses on Lots F and G shall be limited to C-2 uses only.
17. All loop road and perimeter landscaping adjacent to each respective lot shall be installed prior to the issuance of a Certificate of Occupancy for such lot.
18. In the event of a conflict between the above stipulations and the PAD, the stipulations shall control.

Karrin Taylor, representing the applicant, addressed the Council and provided an overview of this case.

Councilmember Jaffa expressed concerns regarding the C2 development as far as landscaping buffers are concerned.

George Pappas addressed the Council and presented remarks on behalf of his fellow residents at Superstition Springs Resort Condominiums. He asked the Council to deny the application and presented the Council with 48 signed protests to this rezoning application.

It was moved by Vice Mayor Davidson, seconded by Councilmember Whalen, that Ordinance No. 3889 be adopted. (Vice Mayor Davidson said that within this motion, DMB requests that Council direct staff to notify the Superstition Springs Homeowners' Association when a Design Review Board application is filed and of the time and date of the Design Review Board meeting for individual auto dealerships and that particular attention be paid to ensuring the consistent use of shade/shadow building materials and color on building elevations, with particular attention being paid to four-sided architectural treatment on buildings that are visible from Superstition Lakes Condominiums and to the orientation of all auto dealership buildings as they relate the Superstition Lakes Condominiums.)

Carried unanimously.

7.1 Consider approving a Development Agreement between the City of Mesa and Superstition Springs Investors Limited Partnership (d.b.a. DMB Associates, Inc.) for a 31.7 acre auto center at the southwest corner of the Superstition Freeway and East Superstition Springs Boulevard - Resolution No. 7666

It was moved by Councilmember Pomeroy, seconded by Councilmember Jaffa, that Resolution No. 7666 be adopted.

Carried unanimously

8. Consider the following recommendation from the Transportation Committee:

- a. Approving Loop 202 landscaping enhancements from Country Club Drive to Higley Road in the amount of \$500,000.00.

Vice Mayor Davidson, who serves as Chairman of the Transportation Committee, said that he asked that this item be removed from the Consent Agenda to give him an opportunity to explain his vote. He said that the Committee cast a split vote on this issue and said that he has taken the position in the past of not spending HURF, bond or Quality of Life dollars on enhancements based on the fact that the Arizona Department of Transportation (ADOT) already provides enhancements and landscaping for the freeways. He stated the opinion that the funding dollars could be better spent on other transportation needs/infrastructure.

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

Upon tabulation of votes, it showed:

AYES - Hawker-Jaffa-Kavanaugh-Pomeroy-Walters-Whalen
NAYS - Davidson

Mayor Hawker declared the motion carried by majority vote.

9. Consider the following subdivision plats:

- *a. "INVERNESS COMMONS APARTMENTS" (Council District 6) 5332 East Baseline Road (north side) 1 R-4 multiple residence lot and 3 tracts (21.82 ac) Fairfield Higley Rd. L.P., developer; GeoDimensions, engineer.
- *b. "TOWNES WEST AMENDED" (Council District 1) 420 North Drew Street (west side) 4 TCB-1-BIZ and R-2-BIZ townhouse lots and 1 tract (0.3991 ac) Mark Gunning and Ron Bailly, developer; Allen Consulting Engineers, Inc., engineer.

10. Items from citizens present.

Kirby Allan again addressed the Council and spoke in opposition to the City's current form of government. He expressed the opinion that the City Manager's position is too powerful and called upon the Council to change their structure.

11. Adjournment.

Without objection, the Regular Council Meeting adjourned at 8:36 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 May 2001. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this ____ day of _____ 2001.

BARBARA JONES, CITY CLERK

lgc