

COUNCIL MINUTES

July 2, 2007

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on July 2, 2007 at 5:45 p.m.

COUNCIL PRESENT

Mayor Keno Hawker
Rex Griswold
Kyle Jones
Tom Rawles
Scott Somers
Claudia Walters
Mike Whalen

COUNCIL ABSENT

None

STAFF PRESENT

Christopher Brady
Debbie Spinner
Barbara Jones

Invocation by Councilmember Jones.

Pledge of Allegiance was led by Councilmember Whalen.

Mayor's Welcome.

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

Carried unanimously.

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

Minutes of the April 12, May 7, and June 4, 25, and 28, 2007 Council meetings.

3. Take action on the following liquor license application:

*3a. Red Brick Pizza

New Restaurant License for Red Brick Pizza, 1041 N. Dobson Road, Ste D-2, Pizza Modena LLC – Applicant; Randy D. Nations – Agent. This is new construction, with no previous liquor licenses at this location. **(District 1)**.

4. Take action on the following contracts:

*4a. Eighty-five (85) Colt Law Enforcement Carbine Rifles for the Police Department. (Fully Funded through Asset Forfeiture Funds).

The Procurement Services Department recommends awarding the Mesa contract to the lowest responsive bidder, All State Police Equipment Co. at \$82,049.62, including use tax.

*4b. One replacement truck with aerial lift and utility body for the Transportation Department, Field Operations Division.

The Procurement Services Department recommends awarding the Mesa contract to Equipment Technology, LLC at \$80,383.78, including use tax.

5. Introduction of the following ordinances and setting July 9, 2007, as the date of the public hearing on these ordinances:

*5a. **Z07-28 (District 3)** 1350 West Main Street. Located west of Alma School Road and north of Main Street (3.32± ac.). Rezone from C-3 to C-1 BIZ CUP and R-4-BIZ and Site Plan Review. This request will allow the development of a mixed-use office/retail and townhouse development. Dan Randal/Mulberry Business Park, LLC, owner; Fred Woods/Fred Woods Architecture, applicant. *(Held neighborhood meetings, notified property owners, homeowners' associations and registered neighborhoods.)*

P&Z Recommendation: Approval with Conditions. (Vote: 5-0 with Boardmember Salas absent).

5b. **Z07-59 (District 5)** The 5500 block of East McKellips Road (south side). Located east of Higley Road on the south side of McKellips Road (4.09± ac.). Rezone from O-S to R-2 BIZ DMP and Site Plan Review. This request will allow the development of a townhouse community. Ross N. Farnsworth, RSB Partners, LLC., owner; Jeff D. Welker, Welker Development Resources, applicant. *(Held two neighborhood meetings, notified property owners, homeowners' associations and registered neighborhoods.)*

P&Z Recommendation: Approval with Conditions. (Vote: 4-0 with Boardmembers Salas and Carter absent).

Councilmember Jones declared a potential conflict of interest and stated that he would refrain from participation/discussion on this agenda item.

Chris Yedlicka, 463 East Vinedo Lane, Tempe (owner of Unit #56 at 5445 East McKellips Road in Mesa) addressed the Council regarding his concerns that the location of the driveway for the townhouse development was too close to his unit in an adjoining complex and would negatively affect the value of his property. He stated that at a meeting of the Planning and Zoning (P&Z) Board, the applicant indicated that the gate would be designated as an "emergency only" gate.

Jeff Welker of Welker Development Resources, the applicant, stated that he first became aware of Mr. Yedlicka's concerns at the P&Z meeting and that the "emergency only" gate option was considered at the time. He advised that after evaluating various alternatives, the developer determined that a secondary exit from the complex was required in that general location. Mr. Welker stated that the developer proposes to relocate the driveway an additional five feet from the property line and improve the landscape buffer by doubling the number of trees between the driveway and the property line. He added that this driveway would be utilized as an "exit only" and that the driveway in another location would serve as the primary entrance to and exit from the townhouse development. Mr. Welker said that Mr. Yedlicka was not satisfied with the developer's proposal.

Mayor Hawker noted that the ordinance is being introduced for Council consideration at the next Council meeting on July 9th.

In response to a question from Mayor Hawker, Mr. Yedlicka stated that the setback between his unit and the property line is ten feet.

Discussion ensued relative to the fact that there is an Engineering standard for a ten-foot setback from a driveway to the property line; and that the developer's proposal to move the driveway five feet to the east would increase the setback from ten feet to fifteen feet.

It was moved by Councilmember Griswold, seconded by Vice Mayor Walters, that the ordinance be introduced and that July 9, 2007 be established as the date for the public hearing.

Upon tabulation of votes, it showed:

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

Mayor Hawker declared the motion carried unanimously by those voting.

*5c. **Z07-60 (District 6)** The 2600 block of South Power Road (east side). Located north of Guadalupe Road on the east side of Power Road (20.62± ac.). Rezone from AG and R1-7 to R1-6 PAD, C-2 on the northwest and southwest corners of the site and Site Plan Review. This request will allow the development of a single residential subdivision and to future retail sites. Mark Reeb, owner; Greg Hitchens, applicant. *(Held a neighborhood meeting, notified property owners, homeowners' associations and registered neighborhoods.)*

P&Z Recommendation: Approval with Conditions. (Vote: 5-0 with Boardmember Salas absent).

- *5d. **Z07-63 (District 5)** The 1340 to 1430 block of North Power Road (east side). Located north of Brown Road on the east side of Power Road (2.05± ac.). Rezone from R1-35 to O-S, and Site Plan Review. This request will allow for the development of office buildings. Dave Marquez, owner; Boyd Thacker – Brock, Craig and Thacker Architects, Ltd., applicant. *(Held two neighborhood meetings, notified property owners, homeowners associations' and registered neighborhoods.)*

P&Z Recommendation: Approval with Conditions. (Vote: 4-0 with Boardmembers Salas and Carter absent).

- *5e. **Z07-64 (District 3)** The 1000 to 1200 block of West Grove Avenue (north side). Located south of Southern Avenue and east of Alma School Road (4.9± ac.). Site Plan Modification and Modification of the existing BIZ overlay. This request will allow the development of a mixed-use mid-rise condominium project with first floor retail. TR Alma Partners, LLC; Thomas Roszak, owner; Pew and Lake, PLC; Reese Anderson, applicant. *(Held a neighborhood meeting, notified property owners, homeowners associations' and registered neighborhoods.)*

P&Z Recommendation: Approval with Conditions. (Vote: 4-1 with Boardmembers Langkilde and Salas absent).

- *5f. **Z07-65 (District 6)** The 5600 to 5900 blocks of East Baseline Road (north side). Located west of Recker Road on the north side of Baseline Road (78.5± ac.). Rezone from AG, AG (Conceptual C-2 and M-1) and PEP-PAD to PEP-DMP-CUP, and Site Plan Review. This request will allow for the development of a hospital, specialty hospital, and physician office buildings including a 15,000 sf pharmacy. Dan F. Ausman, Sr. V.P. of Operations, VHS Acquisition Subsidiary No. 11 Abrazo Health Care, owner; Stephen C. Earl – Earl, Curley and Lagarde, applicant. *(Held a neighborhood meeting, notified property owners, homeowners associations' and registered neighborhoods.)*

P&Z Recommendation: Approval with Conditions. (Vote: 4-0 with Boardmembers Salas and Carter absent).

- *5g. **Z07-67 (District 6)** 11202 East Germann Road. Located on the west side of the Meridian Road alignment between Pecos Road and Germann Road (227± ac.). Rezone from M-2 to M-2 BIZ, Council Use Permit, and Site Plan Review. This request will allow the development of a steel mill. TRW-VSSI; Will C. Rogers, owner; Commercial Metals Company; Andrew Sarat, applicant. *(Held a neighborhood meeting, notified property owners, homeowners associations' and registered neighborhoods.)*

P&Z Recommendation: Approval with Conditions. (Vote: 4-0 with Boardmembers Salas and Adams absent).

- *5h. **Z07-68 (District 3)** 1803 South Vineyard Road. Located north and west of Baseline Road and Country Club Drive (7.8± ac.). Rezone from M-1 and C-3 to C-3 and Site Plan Review. This request will allow the development of five medical office buildings. David Sellers, LGE Design Build, owner; Michael Edwards, DFD Architecture, applicant. *(Held*

two neighborhood meetings, notified property owners, homeowners' associations and registered neighborhoods.)

P&Z Recommendation: Approval with Conditions. (Vote: 4-0 with Boardmembers Salas and Carter absent).

- *5i. **Z07-69 (District 6)** 9135 East Guadalupe Road. Located on the southwest corner of Guadalupe Road and Ellsworth Road (9.9± ac.). Site Plan Review. This request will allow the development of a retail shopping center and health club facility. Chris Lattanzio, VDG Guadsworth, LLC., owner; Jeff Looker, Looker & Cappello Architects Inc., applicant. *(Held a neighborhood meeting, notified property owners, homeowners associations' and registered neighborhoods.)*

P&Z Recommendation: Approval with Conditions. (Vote: 4-0 with Boardmembers Salas and Carter absent).

- *5j. **Z07-70 (District 5)** 4827 East McKellips Road. Located west of Higley Road on the south side of McKellips Road (2.8± ac.). Rezone from M-1 to M-1 BIZ and Site Plan Review. This request will allow the development of a four-story hotel and a restaurant pad. Jason Jones, Hansji Hotels, owner/applicant. *(Held two neighborhood meetings, notified property owners, homeowners' associations and registered neighborhoods.)*

P&Z Recommendation: Approval with Conditions. (Vote: 4-0 with Boardmembers Salas and Carter absent).

- *5k. **A06-24 (District 5)** Annexing land located on Sossaman Road north of McDowell Road (1.7± ac.) Initiated by the property owner, Ronda White.

6. Take action on the following resolutions:

- 6a. Approving and authorizing the City Manager to execute an Intergovernmental Agreement between the Regional Public Transportation Authority (RPTA) and the City of Mesa for FY 2007-08 East Valley Dial-A-Ride service – Resolution No. 9016.

It was moved by Councilmember Somers, seconded by Vice Mayor Walters, that Resolution No. 9016 be adopted.

Upon tabulation of votes, it showed:

AYES – Hawker-Griswold-Jones-Somers-Walters-Whalen
NAYS – Rawles

Mayor Hawker declared the motion carried by majority vote and Resolution No. 9016 adopted.

- 6b. Approving and authorizing the City Manager to execute an Intergovernmental Agreement between the Regional Public Transportation Authority (RPTA) and the City of Mesa for FY 2007-08 fixed-route transit services – Resolution No. 9017.

It was moved by Councilmember Somers, seconded by Vice Mayor Walters, that Resolution No. 9017 be adopted.

Upon tabulation of votes, it showed:

AYES – Hawker-Griswold-Jones-Somers-Walters-Whalen
NAYS – Rawles

Mayor Hawker declared the motion carried by majority vote and Resolution No. 9017 adopted.

- *6c. Approving and authorizing the City Manager to execute an agreement between the Arizona Automobile Theft Authority and the City of Mesa to accept grant funds in the amount of \$5,810.00 to purchase equipment to be used for auto theft investigations – Resolution No. 9012.
- *6d. Approving and authorizing the City Manager to execute an agreement between the Arizona Automobile Theft Authority and the City of Mesa to accept grant funds in the amount of \$19,128.00 to purchase equipment and fund overtime for auto theft prevention and education – Resolution No. 9013.
- *6e. Approving and authorizing the City Manager to execute an agreement between the Arizona Automobile Theft Authority and the City of Mesa to accept grant funds in the amount of \$3,000.00 for training costs – Resolution No. 9014.
- 6f. Modifying fees and charges for the Planning Division, Mesa Town Center Development Office and Historic Preservation Office as recommended by the Audit & Finance Committee – Resolution No. 9018. (Approval. Vote: 2-1, Rawles nay).

P & Z Recommendation: Approval. (Vote: 4-0 with Boardmembers Salas and Carter absent).

It was moved by Vice Mayor Walters, seconded by Councilmember Whalen, that Resolution No. 9018 be adopted.

Upon tabulation of votes, it showed:

AYES – Hawker-Griswold-Jones-Somers-Walters-Whalen
NAYS – Rawles

Mayor Hawker declared the motion carried by majority vote and Resolution No. 9018 adopted.

- *6g. Approving and supporting the submittal of a grant applicant to the Salt River Pima-Maricopa Indian Community. **Deleted.**
- *6h. Authorizing the use of eminent domain to acquire land and land rights necessary for right-of-way and public utilities at the southwest corner of Baseline and Crismon Roads – Resolution No. 9015. **(District 6).**

7. Discuss, receive public comment, and take action on the ordinances introduced at a prior Council meeting. Any citizen that 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.

7a. Amending the Mesa City Code regarding the following traffic modifications as recommended by the Transportation & Infrastructure Committee – Ordinance No. 4731. (Approval. Vote: 3-0):

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

On Second Avenue from Mesa Drive to Pomeroy (north of Broadway Road and west of Mesa Drive) (**District 4**).

On the east side of Pomeroy from Broadway Road to a point 198 feet north of Broadway Road and on the west side of Pomeroy from Broadway Road to a point 210 feet north of Broadway Road (3rd Avenue alignment) (north of Broadway Road and west of Mesa Drive) (**District 4**).

It was moved by Councilmember Jones, seconded by Vice Mayor Walters, that Ordinance No. 4731 be adopted.

Mayor Hawker stated the opinion that although immigration and day laborer issues need to be addressed, he did not believe that the proposal was the proper approach to resolve the problems. He stated that he would oppose the motion, and he further stated the opinion that the Council should address a comprehensive program for the City of Mesa.

Councilmember Rawles expressed the opinions that this proposal merely moves the problems to other locations in the City and that the community as a whole should address the day laborer issue as a safety problem without regard to race or illegal immigration.

Councilmember Griswold noted that drivers turning off a major street do not expect to encounter people standing in the roadway. He stated that this proposal addresses a safety issue and that he would vote in support of the ordinance.

Mayor Hawker called for the vote.

Upon tabulation of votes, it showed:

AYES – Griswold-Jones-Somers-Walters-Whalen

NAYS – Hawker-Rawles

Mayor Hawker declared the motion carried by a majority vote and Ordinance No. 4731 adopted.

*7b. Amending the Mesa City Code regarding the following traffic modification – Ordinance No. 4729:

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

On the east side of Terripin from McKellips Road to June Street and on the west side of Terripin from McKellips Road to a point 91 feet south of McKellips Road (south of McKellips Road and east of Power Road) **(District 5)**.

- *7c. **Z07-53 (District 6)** 9107 East Southern Avenue. Located west of Ellsworth Road on the south side Southern Avenue (1.8± ac.). Rezone the western portion of the site from AG (Conceptual C-2) to C-2 and Site Plan Modification. This request will allow for the development of a retail building. Scott Anderson, owner; William E. Canjura, Archicon, L.C., applicant – Ordinance No. 4730. *(Notified property owners, registered neighborhoods and homeowners associations.)*

PHO Recommendation: Approval with conditions.

8. Take action on the following recommendation from the Transportation & Infrastructure Committee:

- 8a. Request by David E. Willard for water service outside the City limits at 7711 E. Plymouth.

Committee Recommendation: Approval of Option 3 with conditions. (Vote: 3-0).

David E. Willard, 3155 North 78th Street, stated that his request for water service, which originally required a payment of \$3,800 for a water meter, has been complicated by changes in City rules and regulations. He said that although he was willing to construct and maintain dirt roadways, he believed that the requirement to build roads to “City standards” was unnecessary because there are few roads in the area. He added that the existing County roads are constructed to a lesser standard. Mr. Willard advised that his construction loan was insufficient to address the unexpected cost of \$60,000. He expressed concern that the proposal for the construction of one road could change in the future to include the construction of a second road.

Deputy City Manager Jack Friedline advised that staff recommends Council approval of Option No. 4 (see Attachment 1). He stated that the in lieu payments would reflect a suburban ranch standard for Plymouth Street, and he added that Mr. Willard would not be required to pay for an additional roadway in the future. He said that the one-time costs, including the in lieu payment, would total \$29,882 rather than \$60,000. Mr. Friedline confirmed that Mr. Willard’s property is eligible for annexation as the result of a recent Council policy change. He said that in response to Mr. Willard’s request to access City water service prior to annexation, staff prepared a development agreement for the in lieu payment. Mr. Friedline clarified that the in lieu portion of the payment is \$25,938.

Councilmember Jones, Chairman of the Transportation and Infrastructure Committee, confirmed that the annexation policy has changed since the Committee considered Mr. Willard’s request.

Responding to a question from Councilmember Jones, Mr. Friedline stated that although the County does not want to install or maintain a road in that area, the City’s position is that staff will continue to work with the County and that pavement would be required in the future in order to comply with particulate matter (PM) regulations. He added that Mr. Willard’s proposal does not include constructing the road to City standards. Mr. Friedline explained that the in lieu payment would remain on account with the City for future construction of the roadway.

Mayor Hawker noted that the recent annexation policy change includes a requirement that roadways in annexed areas be constructed to City standards.

Mr. Friedline advised that staff recommends accepting in lieu payments in some of these areas rather than requiring the immediate construction of a roadway. He said that when sufficient in lieu funds are accumulated, the City could negotiate with the County regarding the construction of the roadways.

Discussion ensued relative to the fact that many properties in the County presently receiving City water service were not required to make in lieu payments; that the Council is attempting to facilitate the annexation of properties requesting water service without burdening the existing City residents with the cost to construct the roadways to City standards; that in lieu payments would be in the form of a cash payment to the City; and that the City utilizes any accrued interest on in lieu accounts to address the cost of inflation.

In response to a question from Councilmember Whalen, Mr. Friedline advised that the agreement stipulates that the in lieu payment to the City would be due on February 1, 2008.

Deputy Building Safety Director Tammy Albright noted that Mr. Willard's construction loan terminates on December 31, 2007 and that the proposed development agreement specifies that the \$25,938 in lieu payment would be due on February 1, 2008. She explained that the original amount of \$60,000 reflected the cost to construct both roadways, East Plymouth Road and 77th Street. Ms. Albright advised that the Transportation and Infrastructure Committee recommended that Mr. Willard be responsible for constructing only the roadway on East Plymouth Road, which reduced the in lieu payment to \$25,938. She noted that it is possible that 77th Street would never be constructed. Ms. Albright added that the only circumstance under which Mr. Willard would be responsible for future road construction costs associated with 77th Street would be if he split the existing lot and sold a portion of his current acreage.

Responding to a question from Mayor Hawker, Utilities Attorney Bill Taebel stated that the proposed Utilities Agreement provides for a number of legal protections for the City, including termination of water service, in the event Mr. Willard fails to make the in lieu payment.

In response to a comment from Councilmember Rawles, Mr. Friedline confirmed that Mr. Willard is not being asked to pay higher fees because his property is located outside the City limits. He stated that the same impact fees and roadway construction costs would be applicable to a City property, and he noted that the roadway construction costs could be higher if the property was located in a mature residential area.

It was moved by Councilmember Rawles, seconded by Vice Mayor Walters, that Option 4 be approved.

Councilmember Griswold restated the fact that Mr. Willard would be obligated to pay \$29,882 and that the City would retain the in lieu portion to address future construction costs.

Mr. Friedline advised that the City would continue to discuss long-term roadway issues with the County.

Vice Mayor Walters emphasized that the City cannot utilize Mr. Willard's in lieu payment for any road project other than the roadway adjacent to Mr. Willard's property.

In response to comments by Mayor Hawker, Councilmember Jones noted that Mr. Willard's request for service occurred during the time of a transition in Council policy, and he added that the policy requiring annexation and payment of fees is now in place to address future cases.

Mayor Hawker called for the vote.

Carried unanimously.

8.1. Take action on an ordinance and resolution modifying the Electric Energy Cost Adjustment Factor as recommended by the Audit & Finance (Approval. Vote 2-1, Rawles nay) and Transportation & Infrastructure Committees. (Continued from the June 25th Council Meeting).

Mayor Hawker announced that several citizens requested the opportunity to speak to this issue.

Corrine "Corri" Miller, 520 East 10th Place, spoke in opposition to charging the City's electric customers for the cost of this federally mandated program. She noted that the City's electric customers presently pay higher rates than do Salt River Project (SRP) customers. Ms. Miller expressed the opinion that the entire City should share in the expense for this program because the entire City benefits from the electric utility revenues that support the General Fund.

Bob Parker, 123 North Robson, representing the Mesa Grande Community Alliance, expressed opposition to this proposal, and he stated that he concurred with the comments of the previous speaker. Mr. Parker suggested that the Council make an effort to distribute the program costs across the entire community rather than imposing the burden on the older areas of the City.

Heather Scantlebury, 120 West University Drive, stated that she opposed any rate increase for the City's electric utility customers. She noted that information she received indicated that the City's electric customers pay rates that are eight to thirteen percent higher than the rates charged by SRP. Ms. Scantlebury advised that seven poles are located on her one-acre property, two of which were marked as being hazardous two years ago and remain on her property. She expressed the opinion that the City's electric customers are being charged higher rates in order to address the City's budget deficits.

In response to a question from Mayor Hawker, City Manager Christopher Brady noted that the percentage differences between SRP and City of Mesa electric customers are difficult to estimate and can change frequently.

Utilities Resources Director Frank McRae stated that a recent survey estimated that the average City of Mesa residential electric customer pays a rate that is ten percent higher than the average SRP customer. He noted that comparisons are problematic because of different consumption patterns, and he added that the City and SRP implement different types of seasonal rate adjustments at various times of the year. Mr. McRae advised that the Electric Integrated Resource Plan, which was presented to the Council in the December/January timeframe, included a provision that staff would return to Council for recovery of the \$200,000 required to implement the demand side management cost of the plan.

Mr. Brady advised that the Plan is intended to be a conservation program that will reduce the City's on-peak summer requirements.

Mr. McRae added that the savings generated by the Plan over a ten-year period are projected to be double the amount of the City's investment. He explained that residents replacing a regular light bulb with a compact fluorescent bulb would realize sufficient savings to pay for the annual cost of the Energy Cost Adjustment Program. Mr. McRae noted that the "Chill Your Bill" Program is designed to reduce energy consumption by encouraging those residents who must replace a cooling unit to do so with a more efficient model.

Vice Mayor Walters stated that she is not opposed to the program, but she believes that the rates charged to the City's electric customers should be more closely aligned to the rates charged to SRP customers. She added that although the City's electric customers pay approximately ten percent higher rates, they do not receive ten percent more in City services. Vice Mayor Walters recommended that contingency funds be utilized to pay for the program costs in the next year, and that in future years the costs should be shared by all utility customers. She stated the opinion that the City's current method of financing places a substantial burden on the utilities, which is unfair to the City's electric utility customers.

Councilmember Rawles expressed the opinion that a program intended to benefit the entire community should be paid for by the entire community.

It was moved by Vice Mayor Walters, seconded by Councilmember Rawles, to deny modification of the Electric Cost Adjustment Factor.

Further discussion ensued regarding the fact that the source of the funds for this program expense would be the Utility Fund balance rather than the General Fund.

Councilmember Griswold stated that this program provides an opportunity for citizens to reduce their utility bills. He commented that the City's method of financing operations was ineffective, and he expressed support for the motion.

Mayor Hawker said he would vote in favor of the motion. He stated that he would have preferred to discuss this item before the budget was established because of the affect on the fund balances.

Councilmember Whalen expressed support for the motion, and he thanked Ms. Scantlebury for coming forward to address this issue.

Mayor Hawker called for the vote.

Carried unanimously.

9. Take action on the following subdivision plat:

- *9a. "COSTCO WHOLESALE & SUPERSTITION COMMERCE PARK" (**District 6**) 1300 to 1500 blocks of South Sossaman Road (west side) located south and west of Southern Avenue and Sossaman Road. 2 C-2 PAD DMP commercial lots and 3 M-1 PAD DMP industrial lots (35.96 ac.) Superstition Commerce Park, LLC, Kevin Page, owner.

10. Items from citizens present.

Frank Alger, 1009 North April Street, provided an update on fundraising efforts for the Mesa Veterans' Day Parade. He also referred to an article that appeared in a newspaper today, which incorrectly portrayed his disagreement with Councilmember Rawles. Mr. Alger stated that his disagreement with Councilmember Rawles relates to a lack of respect for the flag as the national symbol. He acknowledged the efforts of all the Councilmembers and their service to the community.

Margaret De Santi, 2600 East Allred Avenue, a former United States Army nurse, expressed her opposition to the actions of Councilmember Rawles. She said that the flag represents the country throughout the world.

Diane Woods, 1426 West Pepper Place, suggested that the citizens of Mesa consider a City-wide Crime Free Program for all rental properties as a future ballot issue.

Councilmember Rawles thanked Mr. Alger for his comments, and he concurred that their disagreement regarding the Pledge of Allegiance is not a personal issue.

11. Adjournment.

Without objection, the meeting adjourned at 7:06 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 2nd day of July 2007. I further certify that the meeting was duly called and held and that a quorum was present.

BARBARA JONES, CITY CLERK

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Attachment (1)