



INDEPENDENT COMMISSION ON COMPENSATION FOR ELECTED OFFICIALS MINUTES

October 29, 2012

The Independent Commission on Compensation for Elected Officials met in the lower level meeting room of the Council Chambers, 57 East 1st Street, on October 29, 2012 at 5:32 p.m.

MEMBERS PRESENT

Kate Ali'varius
Stacy Holmstedt
Gary Levine
Tom Rhodes
Dan Wollam

MEMBERS ABSENT

None

STAFF PRESENT

Christopher Brady
John Pombier
Debbie Spinner
Jill Kotsur
Linda White

Chairperson Ali'varius welcomed everyone to the meeting.

1. Approval of the minutes of the Independent Commission on Compensation for Elected Officials meeting held on October 16, 2012.

It was moved by Commission Member Rhodes, seconded by Commission Member Wollam, that the minutes of the October 16, 2012 Independent Commission on Compensation for Elected Officials meeting be approved.

Carried unanimously.

2. Conduct a public hearing regarding the compensation for Mayor and City Council.

Chairperson Ali'varius announced that this was the time and place for a public hearing regarding the compensation for the Mayor and City Council.

Commission Member Rhodes stated that he asked former City Councilmember/Vice Mayor Pat Gilbert to attend tonight's meeting, but noted that unfortunately he was out of town. He commented that Mr. Gilbert authored two memos which offered various observations and comments regarding his tenure on the City Council. **(See Attachments 1 and 2)** He also noted that Ms. White was provided copies of the documents so that she could distribute them to the Commission Members and enter them into the record.

At the request of Chairperson Ali'varius, Commission Member Rhodes read the memos into the record.

Responding to a question from Chairperson Ali'varius, Commission Member Rhodes clarified that Mr. Gilbert's suggestion with respect to a salary in the range of \$50,000 was in reference to compensation for the City Council only and not the Mayor.

Mayor Scott Smith addressed the Commission and stated that this issue was not introduced by the City Council, but rather the Mesa Chamber of Commerce and citizens who expressed a concern as to whether the Mayor and the City Council's level of compensation was sufficient to attract a number of quality individuals to serve the City of Mesa.

Mayor Smith explained that when he ran for the Office of Mayor, he made the decision that Mesa would be best served by having someone who could and would serve in a full-time capacity. He remarked that during his first term as Mayor, he has determined that is, in fact, the case, especially as it relates to representing the interests of the City Council and citizens and interacting on a daily basis with the City Manager and staff.

Mayor Smith pointed out that the City Council, at the behest of the Mesa Chamber of Commerce, agreed that it was worthwhile to consider the creation of an Independent Commission on Compensation for Elected Officials. He advised that per the City Charter, the Mayor and the City Council have the authority to set their salaries, but noted that a formal process has never been established in this regard.

Mayor Smith further commented that through the creation of this Commission, the City Council opted to implement an approach that not only would be rational from a professional outlook, but also realistic from a political standpoint. He stated that the Commission Members are tasked with making recommendations to the Council, who will then take action on such recommendations. He suggested that the process can be very simple by focusing on the following: 1.) What is fair compensation for citizens who serve as Mayor or Councilmembers; and 2.) For what costs or expenses should they be reimbursed.

Mayor Smith added that the role of the Commission Members is not "a one shot deal." He explained that the Commission was established in such a manner to offer a certain degree of flexibility, recognizing that there would be changes and growth, and that perhaps it might be appropriate to take incremental steps regarding the Mayor and City Council's compensation.

Mayor Smith also reported that it was the intention of the City Council that the Commission would determine what is fair compensation based on compensation levels in other Arizona cities and throughout the country and at a level that "makes sense" for a citizen who is interested in serving the community. He emphasized that "no one should get rich off of public service," and said he would hope that people running for any office would not consider such compensation "a huge salary increase."

Mayor Smith also remarked that he would like to see individuals run for office who have already experienced success, have great ideas and not just because of financial reasons. He noted, on the other hand, that it was important to remember that the cost of service precludes many qualified individuals from undertaking such an endeavor and added that the City suffers when that occurs.

Mayor Smith further commented that although he was not so worried about what happens to him with respect to compensation, he was concerned for future Mayors. He stated that in his

opinion, the opportunity to run for the Office of Mayor has been limited to a much smaller group of individuals than the City deserves. He also said that he would hope that whoever takes his place as Mayor will take what the current City Council has done and make it better and that such a process will continue into the future.

Mayor Smith reiterated that it was never the intention of the Council to "lobby" the Commission for a pay raise. He stated that he would hope the Commission's recommendation would "pass the smell test" and cautioned that it would be unreasonable for the Council to approve a recommendation based on another city's compensation for its Mayor and Councilmembers that was "out of whack one way or the other" and not "a good fit" for the Mesa City Council.

Mayor Smith concluded his comments by stating that he ran for a second term as Mayor based on his current compensation, but remarked that it would be unfortunate for the entire City Council if they did not take advantage of an opportunity to "bring things into balance."

Mayor Smith expressed appreciation to the Commission Members for their willingness to serve.

Chairperson Ali'varius thanked Mayor Smith for his service to the City of Mesa.

Councilmember Dennis Kavanaugh addressed the Commission and remarked that not only was he the oldest Councilmember in terms of age, but he also has the longest tenure of service from a Citywide and Council District perspective. He noted that he has also served as Vice Mayor.

Councilmember Kavanaugh commented that serving on the City Council is "a 24/7 job" and indicated that there is no place that Councilmembers can go inside or outside of this community where they will not be asked questions about their work for the City Council. He pointed out that being a Councilmember or Mayor is a full-time job and one that is often difficult for people to balance with private jobs. He noted that for 23 years, he has been a shareholder in his law firm, which has afforded him greater flexibility to structure his schedule in order to meet City Council obligations.

Councilmember Kavanaugh explained that being on the City Council is similar to serving on a Board of Directors of a multi-national corporation. He noted that Councilmembers deal with issues that can be simple or complex; spend hours working with the City's attorneys reviewing difficult Development Agreements; become familiar with numerous complex issues, such as wastewater and water rights; and that the public expects the Councilmembers to become versed and knowledgeable on such matters.

Councilmember Kavanaugh, in addition, advised that the City Council is the Board of Directors for a billion dollar corporation, the City of Mesa. He remarked that over the course of a single day, the City deals with many issues and said that the City Council has frequent and extensive interaction with staff.

Councilmember Kavanaugh further commented that there is an expectation for the members of the City Council to become involved in regional, State and national organizations and assume leadership roles. He cited, by way of example, that all of the Councilmembers are engaged in leadership positions in the National League of Cities and added that such engagement has led to policy changes at the national, State and regional levels.

Councilmember Kavanaugh also reported that the Councilmembers serve on various boards by virtue of their office and stated, for instance, that he serves on the West Mesa Community Development Corporation (West Mesa CDC) since the organization serves west Mesa and his Council district. He said, in addition, that he represents the City of Mesa on the Mesa United Way Board of Directors.

Councilmember Kavanaugh remarked that he first joined the City Council in 1996 and noted that one year later, his charitable donations tripled and have continued to be significant. He stated that a major portion of his Council salary has been donated to many community organizations and said that all of the Councilmembers he has served with throughout the years have taken the same approach.

Councilmember Kavanaugh commented that over the years, the mode of communication with respect to serving as a Councilmember has dramatically changed. He noted that currently, an estimated 80% of the e-mails he receives in the course of a day are related to City and community issues. He pointed out that communication is constant and said that with the development of social media, there is an expectation that the Councilmembers are always connected to the community. (i.e., Facebook, Twitter, e-mail)

Councilmember Kavanaugh concluded his remarks by providing a brief snapshot of his law practice/City Council schedule for the current week as follows: appearing at a Court hearing in Phoenix; responding to numerous e-mails to schedule upcoming meetings/appointments; attending a Council Subcommittee meeting and multiple other City-related meetings; participating in an out-of-town national historic preservation conference; attending 16 block parties in his Council District for the annual Getting Arizona Involved in Neighborhoods (G.A.I.N.) event; attending a church picnic; and assisting with the closing ceremony of the Asian Community Festival at the Mesa Arts Center. He stated that such a schedule is not unique and added that in the 12 years he has served on the City Council, his former and current colleagues have experienced similar schedules.

Chairperson Ali'varius thanked Councilmember Kavanaugh for his dedication to the community.

Claudia Walters, a former Councilmember at Large, the first Councilmember in District 1 and Vice Mayor, addressed the Commission and said that for more than eight years, it was a privilege to serve the City of Mesa.

Ms. Walters recounted her efforts to find employment on a part-time basis that offered the flexibility to accommodate her work on the City Council. She also noted that during her tenure on the City Council, the role of the Councilmembers changed and stated, in particular, that greater emphasis was placed on promoting economic development in Mesa.

Ms. Walters highlighted her participation and service on numerous regional, State and national boards. She also discussed a variety of duties that she performed as part of her service on the City Council as follows: spent countless hours reading reports and various materials; met with constituents; answered e-mails; received phone calls; attended innumerable meetings with neighbors, developers, attorneys; visited zoning sites in order to better understand a particular case; attended numerous ceremonial events; researched issues she did not understand; and met with staff on a frequent basis. She pointed out that there was no place she was "off the job" and said that even at the grocery store citizens would stop her to talk about various City issues.

Ms. Walters, in conclusion, acknowledged that the Mayor makes significant contributions to the City of Mesa, but pointed out that the Councilmembers also work hard even though they do not have “the spotlight shinning on them.” She added that it was important to remember that the role of a Councilmember is a full-time job and has been for quite some time.

Joan Newth, a former Councilmember from 1988 to 1992, concurred with many of the comments of the previous speakers. She stated that Mr. Gilbert’s memo accurately described what occurred during her term on the City Council in the early 1990s.

Ms. Newth remarked that when she served on the City Council, she had no office staff, computers or cell phone and Council Districts did not exist. She remarked that she was one of the first Councilmembers to have a Council office, while most of her colleagues worked out of their homes. She stated that at that time, Mesa had a population of 180,000 residents and she worked 60 to 80 hours a week to become well versed with respect to matters such as infrastructure, airports, water systems, highways and freeways. Ms. Newth further remarked that serving on the City Council was not only a full-time job, but a commitment from the heart. She pointed out, however, that it also required that she incur additional expenses to attend City and community functions for the privilege of serving on the Council.

Ms. Newth thanked the Commission for their efforts and hard work and added that it has been an awkward situation for the elected officials to consider their own compensation.

Chairperson Ali’varius thanked Ms. Newth for her service to the City of Mesa.

Chairperson Ali’varius read into the record a statement by John E. Kressaty expressing his support for increasing the Mayor and City Council’s yearly salaries. **(See Attachment 3)**

(Chairperson Ali’varius declared a brief recess at 6:21 p.m. The meeting resumed at 6:24 p.m.)

Mark Schofield, a Mesa resident, made the suggestion that rather than comparing the City of Mesa to other Arizona communities or throughout the country, that it might be appropriate for the Commission to consider accessing talent from corporate America. He stated that if the Mayor and City Council were compensated, for example, at 70% to 80% of a corporate salary, it would be attractive to executives, whether retired or not, to dedicate their time and talent for the betterment of the community.

Mr. Schofield noted that he was not suggesting that the City pay salaries for the Mayor and Council like those in corporate America, but urged the Commission to consider corporations of similar size, revenues and similar budgets as the City of Mesa. He stated that in his opinion, the Mayor should be paid \$100,000 per year since it is a full-time and demanding job.

Mr. Schofield clarified that he has no plans to run for the Office of Mayor or City Council, but has always been of the opinion that the elected officials were underpaid. He added that he would recommend \$60,000 per year in compensation for the City Council and \$100,000 per year for the Mayor.

Chairperson Ali’varius thanked Mr. Schofield for his service to the iMesa Program.

There being no additional citizens wishing to speak on this issue, Chairperson Ali'varius declared the public hearing closed.

3. Discuss and provide direction on the Commission's recommendation to the City Council regarding the compensation for the Mayor and City Council.

Chairperson Ali'varius commented that the Commission Members had an opportunity to review the materials distributed by staff illustrating Mayors and Councils who perform comparable duties in other Arizona communities and across the country. She stated that it was also necessary for the Commission Members to take into consideration the comments that they heard this evening in reaching consensus with respect to this issue.

It was moved by Commission Member Wollam, seconded by Commission Member Rhodes, that the Mayor and Council be provided the same Executive Benefits Package offered to the Executive staff including, but not limited to, healthcare, dental, a yearly physical and tuition reimbursement.

Chairperson Ali'varius stated that it would be her preference to review the total Executive Benefits Package before making a decision.

Chairperson Ali'varius called for the vote.

Carried unanimously.

Chairperson Ali'varius invited the Commission Members to offer their input relative to the issue of compensation for the Mayor and City Council.

Commission Member Rhodes stated that he has struggled with this matter and noted that he concurred with some of Mr. Schofield's comments. He stressed the importance of the Commission carefully selecting the compensation levels and noted that it was easy to increase the amount, but virtually impossible to decrease said compensation. Commission Member Rhodes also commented that while it would be advantageous to attract high quality individuals to serve as Mesa's elected officials, it was also important that the Commission be mindful of the amount of taxpayer money that they recommend for such compensation.

Commission Member Levine remarked that tonight the Commission Members heard from a tremendous group of individuals that have been and are significantly underpaid for the services they provide the City of Mesa and its citizens. He stated that in reviewing all of the data, the Commission has seen a variety of different salary comparisons from throughout the country and Arizona.

Commission Member Levine noted that in an effort to move forward with this process, he suggested that the Mayor and the City Council be paid a base salary of \$85,000 and \$55,000 respectively. He stated that such amounts do not include the benefits that were previously discussed (i.e., car allowance and cell phone).

Commission Member Holmstedt concurred with Commission Member Levine's proposal. She stated that she was considering City Council salary ranges between \$55,000 and \$65,000 and \$60,000 to \$85,000 for the Mayor.

Commission Member Holmstedt thanked the speakers for their comments and noted that it was clear from their statements that the amount of hours put into the job far exceed a standard even for a full-time position. She also expressed appreciation to staff for breaking out the data for part-time and full-time positions and noted that even if the Commission continued with the assumption that the City Council and the Mayor work part time, Mesa is still far below what comparable cities pay their elected officials. She added that it is clear that the Council works in a full-time range and the Commission should consider fair compensation in light of that information.

Commission Member Wollam also concurred with Commission Member Levine's proposal and said that those figures were closely in line with his thought processes. He explained that in the course of the Commission's review of the data, he has been mindful of the suggestions that the amount of compensation should be more and said he would not argue with that sentiment.

Commission Member Wollam commented that in the past, he had noted that he did not believe the Commission's decision should be based strictly on what other communities have paid, but noted that he still considers it important input in the process. He remarked that looking at the other communities that the Commission has used as examples and hearing the caliber of work that has been discussed this evening, the proposal is "a reasonable movement from the current salaries."

Commission Member Wollam, in addition, remarked that he has also been concerned at the compensation ratio difference between the City Council and the Mayor. He stated that in his opinion, the City Council's compensation ought to be somewhere between two-thirds and three-quarters of what the Mayor's compensation is. He reiterated that Commission Member Levine's proposal falls right in the middle of those levels and said he was comfortable with those amounts.

Responding to a question from Commission Member Rhodes, Councilmember Kavanaugh clarified that in terms of a time commitment, the role of Vice Mayor is not appreciably different than that of a Councilmember. He noted that the tasks may be somewhat different, but the overall role is the same. He added that in his opinion, it would not be necessary for the Vice Mayor to receive an additional stipend above what his fellow Councilmembers receive.

Chairperson Ali'varius stated that she would like to take a brief recess so that she can review her notes and would encourage her fellow Commission Members to do the same. She said that the Commission Members have done a lot of work behind the scenes and wanted to ensure that they complete their due diligence.

(Chairperson Ali'varius declared a brief recess at 6:46 p.m. The meeting reconvened at 6:59 p.m.)

It was moved by Chairperson Ali'varius that in addition to the Executive Benefits Package, the Mayor should receive compensation in the amount of \$80,000 per year and that Councilmembers received \$55,000 per year. In addition, the Mayor and Councilmembers shall receive a \$300 per month car allowance and an \$80.00 per month phone allowance, and that these issues be revisited in September 2013.

Chairperson Ali'varius commented that her proposal includes all of the information the Commission had been provided for consideration; the fact that Mesa has a population in excess of 439,000; that the Councilmembers and Mayor, although by Ordinance are considered part-time positions, are working full-time hours and more; and that tonight's comments have established for the record that such amounts do not come close to paying the Council what indeed are the number of hours they are putting forth and the sacrifices they are making personally and professionally to carry out the service on behalf of the City not only during their term, but after their term has expired.

Commission Member Wollam stated the opinion that the compensation for the City Council should be higher than that proposed by Chairperson Ali'varius. He also noted that the Commission has not heard testimony on the other items included in her motion and said he would want to hear more information about those benefits.

Deputy City Manager John Pombier clarified that the \$300 car allowance and the \$80 communications allowance are what the vast majority of department heads, including himself, receive. He said the City Manager negotiates his benefits with the City Council.

City Attorney Debbie Spinner added that there are other executives that receive a higher car allowance, including herself and the City Manager, but reiterated that those are negotiated contracts with the City Council. She added that the City Council does receive an \$80.00 per month communications allowance and a \$150.00 per month car allowance.

Commission Member Rhodes seconded the motion.

It was moved by Commission Member Wollam that the original motion be amended to reflect the compensation for Councilmembers to be \$65,000 per year.

Chairperson Ali'varius stated that she would like to clarify why she made the proposal that she did. She explained that she believes the Commission is in a delicate situation and have reviewed data from similarly-situated cities with respect to compensation. She commented that Mesa is a burgeoning-growth community and the Mayor and the City Council work extremely hard and are well known throughout the region for doing wonderful work and have established a wonderful reputation for Mesa.

Chairman Ali'varius commented that if she could give corporate salaries to the Mayor and the City Council she would do so, but stated the opinion that in these times, it would be met with some resistance. She stated that she believed her proposal was "more palatable" and added that the Commission could revisit the issue in September 2013 and increase the compensation again, if warranted.

Commission Member Holmstedt inquired if Chairperson Ali'varius would consider a \$60,000 per year salary for the City Council as a compromise.

Responding to a question from Commission Member Rhodes, Ms. Spinner clarified that the Ordinance states that the Commission's recommendation will be voted up or down by the City Council.

Chairperson Ali'varius further commented that the City Council will either accept or reject the Commission's recommendation, but will not modify such recommendation. She added that what the Commission proposes must be fitting and acceptable.

It was moved by Chairperson Ali'varius, seconded by Commission Member Rhodes, that the original motion be amended to read that in addition to the Executive Benefits Package, the Mayor shall receive compensation in the amount of \$80,000 per year and the Councilmembers shall receive \$60,000 per year. In addition, the Mayor and Councilmembers shall receive a \$300 per month car allowance and an \$80.00 per month phone allowance, and that these issues be revisited in September of 2013.

Carried unanimously.

Ms. Spinner advised that per the Ordinance, the Commission must make a written report and recommendation to the City Council. She stated that per the direction of the Commission, staff will take the motion as approved by the Commission tonight, put it in report form, bring it to the Commission at a future meeting for its final approval and then submit it to the Council for action.

Chairperson Ali'varius stated that Ms. Spinner's proposal was acceptable to the Commission Members.

4. Discuss and set dates for upcoming meetings.

Chairperson Ali'varius stated that it was the consensus of the Commission that the next meeting of the Independent Commission on Compensation for Elected Officials will be held on Thursday, November 8, 2012 at 5:30 p.m. in the Lower Level meeting room of the Council Chambers, 57 East 1st Street.

5. Adjournment.

Without objection, the Independent Commission on Compensation for Elected Officials meeting adjourned at 7:12 p.m.

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Independent Commission on Compensation for Elected Officials held on the 29th day of October, 2012. I further certify that the meeting was duly called and held and that a quorum was present.

LINDA CROCKER, CITY CLERK

bdw/pag
(attachments – 3)

MEMO

TO: Tom Rhodes – Committee on ...

From: Pat G.

Re: Councilmember compensation

Date: October 18, 2012

You have asked that I offer some perspectives on the job of a Mesa City Councilmember and whether any changes might be necessary in the compensation package. I will be out of town on October 29 so have offered to provide these thoughts in writing. The comments are in no particular order and do not represent any priority.

As a necessary predicate, please be reminded that I served nearly fifteen years ago. Moreover, my service was prior to districts. In other words, I was among the last generally elected members of the council. Finally, Mesa has changed dramatically to state the obvious. While the “go, go” days of population growth estimates have been modified by a more sober housing market, the city continues to grow and remains an attractive place to live and raise a family.

So, with these disclaimers in mind, here are a few observations.

- My service occurred during particularly contentious times. Meetings could last many hours. Zoning cases were numerous. These created an extraordinary time demand.
- It was not unusual to spend 20 hours a week in meetings: biweekly council meetings, study sessions and council committee meetings.
- During the budget cycle, since the budget became the policy debate focus, there were additional meetings so that staff could present their areas and programs. This cycle went from February to adoption at the last meeting in June.
- Ribbon cuttings, neighborhood meetings (transportation related, land use related, controversy related – e.g. town center), business events, MAG meetings, banquets, and so on can take up to 5 to 10 hours each week and are often “after hours” which is a burden on families. Of course, many events and meetings are during the day which is a burden on employment.
- If a councilmember seeks additional service on behalf of the City (e.g., AZ League or the national league) then there are usually conferences to attend. Sometimes these look more like junkets. In the old days, members eschewed this service as something outside the core function of government and therefor an unnecessary expense to taxpayers and a useless perk to the elected official – useless in the sense that the only beneficiary was the individual not the community.
- Phone calls – both receiving and returning – take additional time.

- The council meeting schedule makes family vacation time difficult. Telephonic attendance seems to help this.
- Of course, to be informed, it requires a lot of reading. The staff reports are often voluminous. When issues are contentious, one cannot be uninformed or the result will be someone who knows the record better.

For a conscientious member, it's been full time or nearly so for quite a while. If one were really doing the kind of "connect with the community" work that gets done in Phoenix, for example, it is clearly full time. My guess is that the City staff could not support full time councilmembers. It obviously takes support to run a full time office for a full time elected. It might reasonably be forecasted that district offices might follow, too.

Another factor is something as simple as the number of nonprofit banquets and lunches that occur. These organizations expect attendance, and they typically cost real money – not insignificant anyway. Of course, the prudent Mesa elected must always pay this out of pocket and not accept a "comped" ticket.

An old friend told me one time that the only way that people can run for council was if they were independently wealthy or intentionally poor like the Gilberts.

The challenge with a compensation review is finding the sweet spot – stating the obvious. If it were even theoretically possible to increase the salary (?), can it be increased enough for a person to set aside their career and earning capacity for 8 years? Stated differently, if \$30,000 isn't enough, would \$40,000 work? I don't think there is a number that induces complete loyalty to the position unless it's in the range of \$50,000 or plus this number. Thus, are there ways to more carefully align the time demands to a person's realistic career and family? Perhaps actually expanding the number on the council might be one way to reduce time? Perhaps there are other ideas, too.

Tom Rhodes

Pat Gilbert [pat.gilbertmesaz@gmail.com]
Thursday, October 18, 2012 11:28 AM
Tom Rhodes
memo

Subject:

Tom,
To state the obvious, the problem with sending you something written is the continuing thinking...

So, it seems to me that your committee will want to try and identify both the problem that needs to be fixed and/or the philosophical basis for a proposed change.

For example, if the goal was to recruit more/better candidates, it obviously begs the question of the current group.

Thus, is it fairness? It's simply fundamentally unfair to ask people to be significantly injured economically to take up this service?

Compared to others, we're not keeping pace? You know that this approach is DOA.

Money is a factor, an important but not dispositive factor in a decision to seek elected office. Thus, a compensation study must consider the entire package: pay, retirement benefits, health plan, and any perks. Mesa should not get so far behind that its elected officials compensation is 20 years behind the "market."

It might be important for your committee to zero base budget the question. In other words, if we can't get to a professional wage - whatever that is - we should return to the status as volunteers. You get a car and phone allowance and some expenses, but that's it. This starting point usually gets wide agreement that that doesn't make sense.

BTW, I think our budget was in the 1/2 bil range and now it's a billion, right? Operating and capital.

Pat Gilbert
Attorney at Law
421 E. University
Mesa, AZ 85203
480-688-3486
fax 480-969-5448

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October 29, 2012

To: Mesa Compensation Commission

From: John E. Kressaty
3758 N. Desert Oasis Circle
Mesa, AZ 85207

I would like to go on record that I am in
FAVOR of Raising the yearly salaries of the
Mayor + City Council of Mesa, Arizona.

