



COUNCIL MINUTES

July 10, 2003

The City Council of the City of Mesa met in a Study Session in the lower level meeting room of the Council Chambers, 57 East 1st Street, on July 10, 2003 at 7:30 a.m.

COUNCIL PRESENT

Mayor Keno Hawker
Dennis Kavanaugh
Rex Griswold
Kyle Jones
Janie Thom
Claudia Walters

COUNCIL ABSENT

Mike Whalen

OFFICERS PRESENT

Paul Wenbert
Debbi Dollar
Debbie Spinner

(Mayor Hawker excused Councilmember Whalen from the meeting.)

1. Review items on the agenda for the July 14, 2003 Regular Council Meeting.

All of the items on the agenda were reviewed among Council and staff and the following was noted:

Items deleted from the consent agenda: 8.1b

2. Discuss and consider proposed 2004 League of Arizona Cities and Towns' resolutions.

Assistant to the City Manager Jim Huling addressed the Council relative to this agenda item. He reported that each year prior to the Regular Legislative Session, the League of Arizona Cities and Towns adopts a League Policy Statement which includes League resolutions adopted by a voting majority of the member communities. Mr. Huling advised that the Policy Statement represents the collective views of Arizona cities on a wide range of issues for the 2004 Legislative Session. He also stated that the League resolutions will be formally adopted at the League's Annual Conference which is scheduled for late August of this year in Paradise Valley. Mr. Huling added that Councilmember Walters will serve as the City's representative on the League Resolutions Committee and will vote on behalf of Mesa.

Mr. Huling briefly outlined the following resolutions that Councilmember Griswold requested be considered by the Council for possible submission to the Resolutions Committee: 1.) Highway Litter Removal and Landscape Maintenance Funding; 2.) Regulation of Pay Day Lenders (Councilmember Walters also requested that the Council consider this issue for possible

submission), and 3.) Fair Housing Act Group Home Reform. (See Attachment) He also highlighted an additional resolution that would maintain funding levels for the Heritage Fund.

Councilmember Jones stated that with regard to the Regulation of Pay Day Lenders, he urged that language be added to the resolution which would require lending companies to clearly disclose the amount of interest that they would charge to an individual seeking a short-term loan.

Councilmember Walters commented that relative to the Fair Housing Act Group Home Reform, she suggested that the resolution restrict the placement of halfway homes within a specified distance from schools.

Vice Mayor Kavanaugh concurred with Councilmember Walters' comments.

Mayor Hawker stated that the Council has reached consensus with regard to the submission of four proposed resolutions to the Arizona League of Cities and Towns' Resolutions Committee.

Mayor Hawker thanked Mr. Huling for his presentation.

3. Discuss and consider a proposal from Hunter Interests, Inc. for a Northeast Quadrant planning study.

Deputy City Manager Debbi Dollar reported that the purpose of this agenda item is to consider a proposed letter of agreement from Hunter Interests, Inc. to undertake a planning study with analysis and implementation recommendations for the Northeast Quadrant in the Town Center square mile. She explained that the proposal is in response to Council direction at the April 24, 2003 Study Session wherein discussion occurred regarding the issuance of a Request for Qualifications (RFQ) for Site 17, which is located in the Northeast Quadrant. Ms. Dollar stated that at that time, the Council also discussed issues regarding the Centennial Center, the expanded presence of Mesa Community College (MCC), Irving School, and the Post Office site, as well as future development in the Northeast Quadrant.

Ms. Dollar commented that because Hunter Interests has already prepared an extensive study of five City-owned development sites within the downtown area, the consultant was asked to prepare a scope of work for a Northeast Quadrant study as well. She noted that Hunter Interests is prepared to complete the Technical Memorandum for the MCC expansion within 45 days and the remainder of the study within four months of the notice to proceed. Ms. Dollar added that the cost of the entire study is estimated at \$53,000.

Mayor Hawker expressed support for staff's recommendation and commented that he is excited about the prospect of a downtown MCC campus. He also stated that Hunter Interests' planning study will provide the City with a thoughtful and careful analysis in its effort to create a more vibrant Town Center area.

Vice Mayor Kavanaugh concurred with Mayor Hawker's comments. He added that because Hunter Interests has previously conducted a comprehensive study of the downtown area, the company already has a working knowledge of the community.

Councilmember Thom voiced support for the proposal and stressed that she would like Hunter Interests to address the need for increased parking in the Town Center area if a downtown MCC campus is established. She also requested that Hunter Interests research the issue of traffic flow at the corner of Mesa Drive and University and that those findings be incorporated into the planning study as well.

It was moved by Councilmember Walters, seconded by Councilmember Jones, to approve a Letter of Agreement with Hunter Interests, Inc. and also to work in conjunction with Mesa Community College and Hunter Interests, Inc. to undertake a planning study with analysis and implementation recommendations for the Northeast Quadrant in the Town Center square mile.

Mayor Hawker declared the motion carried unanimously by those present.

4. Appointments to boards and committees.

Mayor Hawker recommended the following appointments to Boards and Committees:

MERIT SYSTEM BOARD

Jill Bonewell – Term Expires June 30, 2006

It was moved by Vice Mayor Kavanaugh, seconded by Councilmember Walters, that the Council concur with the Mayor's recommendation and the appointment be confirmed.

Mayor Hawker declared the motion carried unanimously by those present.

5. Hear reports on meetings and/or conferences attended.

Mayor Hawker

Community Housing Task Force

6. Scheduling of meetings and general information.

Deputy City Manager Paul Wenbert stated that the meeting schedule is as follows:

Monday, July 14, 2003, TBA – Study Session

Monday, July 14, 2003, 5:45 p.m. – Regular Council Meeting

7. Prescheduled public opinion appearances.

There were no prescheduled public opinion appearances.

8. Items from citizens present.

There were no items from citizens present.

9. Adjournment.

Without objection, the Study Session adjourned at 8:43 a.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 Study Session of the City Council of Mesa, Arizona, held on the 10th day of July 2003. 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

City Council Report

Date: July 8, 2003
To: City Council
Through: Mike Hutchinson
From: Jim Huling
Subject: League of Arizona Cities and Towns' 2004 Resolutions
Citywide

Purpose and Recommendation

The purpose of this report is to provide the Council with an overview of the League Resolution process for 2004 and to seek the input and approval of the Council on proposed Mesa-sponsored resolutions.

Background

Each year the League of Arizona Cities and Towns adopts a Municipal Policy Statement that outlines the League agenda and priorities for the upcoming legislative session. This statement includes League Resolutions passed by a voting majority of the member communities at the League Resolutions Committee meeting. This statement is then distributed to the State Legislature. It consists of two core principles: priority resolutions and general resolutions which include categories of General Government, Public Health and Safety, Neighborhoods, Community Planning, Fiscal Policy, Transportation, Community Concerns and Federal Policy Initiatives. Using these principles and priorities, the League promotes Arizona cities and towns.

The League Resolutions are formally adopted at the Annual League Conference. A Pre-conference Resolutions Committee will be held on August 1, 2003 and the final meeting will occur at the League Conference, which be held at the Camelback Resort in Paradise Valley in late August. Councilmember Walters will serve as the City's representative on the League Resolutions Committee and will vote on behalf of Mesa.

Discussion

Councilmember Griswold has requested that the following three resolutions be considered by the City Council for possible submission to the Resolutions Committee. Councilmember Walters also requested the submittal of the Regulation of Pay Day Lenders resolution.

1. Highway Litter Removal and Landscape Maintenance Funding
Urges the Legislature to appropriate funding for the Arizona Department of

Transportation to provide litter removal on Arizona highways.

The recent accumulation of litter along the roadside has become a considerable problem. Due to legislative budgetary reductions to state agencies, the Arizona Department of Transportation (ADOT) has been forced to scale back funding for highway litter removal and suspend new freeway landscape installation. Many freeways and highways have become unsafe and unsightly for the hundreds of thousands of people traveling these roadways each day. This resolution would restore funding to ADOT for the purpose of improving litter removal on state highways and allow ADOT to resume its normal landscape installation as new freeways are completed.

2. Regulation of Pay Day Lenders

Urges the Legislature to protect short-term loan consumers by modifying existing banking laws regulating pay day lenders to limit the number of roll-overs allowed, to require a waiting period between loans and to lower the interest rates charged.

With the proliferation of payday lender businesses throughout our state in recent years, many people have found themselves in tremendous debt due to the high rates and tempting rollover options prolonging and accruing the amount of debt owned on a once small, short-term loan. This resolution seeks legislative action to lower interest rates.

3. Fair Housing Act Group Home Reform

Urges Congress to amend the Federal Fair Housing Act to address local concerns with group homes by granting cities and towns the ability to enact home spacing requirements.

Many neighborhoods have voiced concern over having more than their "fair share" of group homes located within their neighborhoods. This concentration or "clustering" of group homes a neighborhood can change the essential character of the neighborhood, thereby causing a decline in property values and creating the public perception that group homes increase the occurrence of vandalism, theft, and crime. Local and state governments are currently limited by the Federal Fair Housing 1998 Amendment as to the types of controls and regulations that can be placed on group homes. This resolution seeks congressional action to allow local spacing requirements.

Recommendation

Staff is requesting Council direction.

Jim Huling
Assistant to the City Manager

Mike Hutchinson
City Manager

Urges the Legislature to appropriate funding for the Arizona Department of Transportation to provide litter removal on the highways throughout Arizona.

Submitted by: City of Mesa

A. Purpose and Effect of Resolution

The recent accumulation of litter along the roadside has grown into a considerable problem. Due to legislative budgetary reductions to state agencies, the Arizona Department of Transportation (ADOT) has been forced to scale back its funding for highway litter removal. As a result, many freeways and highways are becoming unsightly and unsafe for the hundreds of thousands of people traveling these roadways each day. In addition, ADOT has recently suspended landscape installation on recently completed and all future freeways due to its inability to provide adequate litter control. This resolution seeks legislative action that would restore funding to ADOT for the purpose of improving litter removal for the state's highways.

B. Council Action

Council action is scheduled for Thursday, July 10, 2003 Council Study Session.

C. Relevance to Municipal Policy

Litter can impose many problems for a community (i.e. blight, reduction of property values, decline in civic pride, negative tourism and public health impacts). Although these problems are to be found on the state's highways and are under the jurisdiction of ADOT, this pollution unnecessarily affects the adjacent communities.

D. Impact to Municipal Powers

This resolution would have no impact on municipal powers.

E. State Law Change Required

The responsibility of providing litter removal for the state's highways is that of ADOT.

F. Importance of Resolution to Your City or Town

The Mayor and City Council have continued to express their concerns with the increasing litter problem on Arizona's freeway system. The number of resident complaints to the City regarding this issue has been on the rise. This resolution would help address a pollution issue that negatively impacts the "quality of life" of our residents statewide.

G. Fiscal Impact to Cities and Towns

This resolution would have no fiscal impact to cities and towns.

H. Fiscal Impact to the State

This resolution would require the State Legislature to replace the necessary litter cleanup funds to ADOT.

Urges the Legislature to protect short-term loan consumers by modifying existing banking laws regulating pay day lenders to limit the number of roll-overs allowed, to require a waiting period between loans and to lower the interest rates charged.

Submitted by: City of Mesa

A. Purpose and Effect of Resolution

With the proliferation of payday lender businesses throughout our state in recent years, many people; have found themselves in tremendous debt due to the high rates and tempting rollover options prolonging and accruing the amount of debt owned on a once small, short-term loan. This resolution seeks legislative action to lower interest rates.

B. Council Action

Council action is scheduled for Thursday, July 10, 2003 Council Study Session.

C. Relevance to Municipal Policy

Residents who use this service can easily end up owing a great deal more than the amount originally borrowed. Cities and towns that provide services such as housing, electricity, financial and other public assistance will need to provide additional services to those residents who will no longer be able to afford to pay their bills.

D. Impact to Municipal Powers

This resolution would have no impact on municipal powers.

E. State Law Change Required

This proposal would require an amendment in state statute regarding Consumer Loans.

F. Importance of Resolution to Your City or Town

This resolution would assist residents of our cities and towns that are taken advantage of by these payday lenders.

G. Fiscal Impact to Cities and Towns

This resolution would have no fiscal impact to cities and towns.

H. Fiscal Impact to the State

There is no anticipated fiscal impact to the state.

LEAGUE OF ARIZONA CITIES AND TOWNS
SPECIAL RESOLUTION

WHEREAS, local governments and the State of Arizona are limited by the Federal Fair Housing Act 1998 Amendment as to the types of controls and regulations that can be placed on group homes; and

WHEREAS, some neighborhoods feel they have more than their "fair share" of group homes located in their neighborhood but local spacing requirements that would require a group home to be a certain minimum distance from another group home have generally been ruled to be inconsistent with the Federal Fair Housing Act as well as subsequent case law; and

WHEREAS, this concentration or "clustering" of group homes in a neighborhood can sometimes change the essential nature or character of the neighborhood by causing a decline in property values and create the public perception that group homes increase the occurrence of vandalism, theft and crime;

NOW, THEREFORE BE IT RESOLVED, that the League of Arizona Cities and Towns urges Congress to amend the Federal Fair Housing Act to address local concerns with the clustering of group homes by granting cities and towns the ability to enact group home spacing requirement.

Submitted by: City of Mesa