

COUNCIL MINUTES

December 14, 2000

The City Council of the City of Mesa met in a Study Council Meeting in the lower level meeting room of the Council Chambers, 57 East 1st Street, on December 14, 2000, at 7:30 a.m.

COUNCIL PRESENT

Mayor Keno Hawker
Jim Davidson
Dennis Kavanaugh
Pat Pomeroy
Claudia Walters
Mike Whalen

COUNCIL ABSENT

Bill Jaffa

OFFICERS PRESENT

Mike Hutchinson
Neal Beets
Barbara Jones

Mayor Hawker excused Councilmember Jaffa from the meeting. Councilmember Jaffa joined the meeting at 7:39 a.m.

1. Review items on the agenda for the December 18, 2000 Regular Council Meeting.

All of the items on the agenda were reviewed by Council and staff with no formal action taken.

2. Discuss and consider a proposal concerning the City's financial participation in the acquisition of permanent sculptures/statues.

Former Mayor Wayne Pomeroy, Charlie Deaton, Milt Lee and Tom Verploegen, Executive Director of the Mesa Town Center, addressed the Council relative to this agenda item. Mr. Pomeroy stated that the purpose of this meeting is to discuss a public/private sharing proposal for the acquisition of permanent sculptures in the Town Center Area. He stated that the Sculptures in the Streets program has created significant entertainment and brought a large number of people into the area. Mr. Pomeroy said that in order to continue and expand the program, it is recommended that a number of sculptures be purchased each year, allowing the City to accumulate some of their own sculptures that can be rotated on a continual basis. He stated that he would like to bring the public/private sector together to raise the funds, with the City of Mesa matching whatever funds are raised.

Mr. Pomeroy commented that the goal is to raise \$600,000 from the private sector and to have the City match that at a rate of \$150,000 a year. He explained that this would allow the City to purchase several sculptures a year for the next three or four years. He added that the sculptures would be selected on the

same level that they are now, the same type of characters that everyone can relate to, J. Seward Johnson sculptures and/or local sculptors may be commissioned to produce a similar style.

Mr. Pomeroy informed the Council that the current program is bringing Mesa the best publicity it has had in years and has positively impacted the City's image. He stressed the importance of continuing and expanding the program.

Mr. Verploegen commented that the Ultimate Imaginations Board has agreed to act as a depository for funds to allow the tax deductible donations and has also agreed to perform the processing, documentation, auditing and accounting for those funds in addition to providing technical/networking assistance.

Mr. Deaton said that the Board of Directors of the Chamber of Commerce has not had an opportunity to discuss this issue and clarified that he is speaking solely on behalf of himself rather than as President of the Mesa Chamber of Commerce. Mr. Deaton stated the importance of supporting public art in Mesa and commented on the positive impacts that the current program has had on the entire community. He said that he has talked to Mr. Pomeroy and Mr. Lee about recruiting local artists to provide them as much exposure as possible, and urged the Council to explore this suggestion.

Mr. Lee informed the Council that he was asked to perform a feasibility study in order to determine whether a sufficient amount of funds could be raised to ensure the success of the proposal. He reported that two focus groups were conducted and the results unanimously supported the value and importance of the sculptures to the City of Mesa. He also discussed the results of a feasibility study he conducted and reported that it was concluded that a significant amount of money may be raised for this purpose during a three month period of time at a low cost, but added that it would not be possible for the group to raise the entire \$1 million to \$1,200,000 in that period of time without offering incentives. He said that he has recommended that a public/private partnership be entered into with a matching incentive and explained that corporations and foundations are eager to participate when matching programs are in place. Mr. Lee stated that this can be accomplished within 90 days with an advance gifts campaign to kick off the program. Mr. Lee informed the Council that he is providing his services and experience at no charge and urged the Council to approve the public/private partnership and matching funds recommendations as outlined.

Discussion ensued relative to the development of a color brochure and pledge card.

In response to a question from Councilmember Davidson, Mr. Lee stated the opinion that a maximum of \$500,000 to \$600,000 private matching funds could be raised over the next three months and said that the total costs of the pledge cards and other materials will be under \$5,000.

Councilmember Davidson said that Mr. Deaton's remarks relative to local artists are valid and should be presented and discussed separately as part of the City's public art program. Mr. Pomeroy clarified that sculptures other than J. Seward Johnson may be used as part of their proposal and said that the art that would be selected would relate to the same type of sculptures.

Mr. Lee emphasized that monies set aside for the City's public art program would not in any way be utilized and the funds for this project would be strictly a public/private partnership.

Councilmember Jaffa concurred with the suggestion that the work of local artists be considered for placement in the Town Center area.

Councilmember Kavanaugh said he is generally supportive of the proposal and appreciates all of the work that has gone into this proposal to date. He commented on the fact that policies are in place regarding the City's regular collection of public art and public art projects and stressed the importance of clarifying in the public/private partnership the ownership of the various pieces, whether joint or City-owned. Councilmember Kavanaugh also discussed maintenance and liability issues and agreed that the statues should be rotated throughout the City.

Councilmember Pomeroy spoke in strong support of the public/private partnership and said that now is the time to raise the monies.

It was moved by Councilmember Pomeroy, seconded by Vice Mayor Davidson, that recommendations relative to the City's financial participation in the acquisition of permanent sculptures/statues be approved.

Councilmember Walters thanked Mr. Pomeroy and Mr. Lee for their hard work and said that she previously expressed concern that once the statues are permanently placed in the City of Mesa, the momentum would decrease because people will know they can see them any time. She said that Mr. Pomeroy assured her that a rotating exhibit and exchanges with other cities will be explored and stated that those two options have addressed her concerns. Councilmember Walters said she supports the proposal.

Councilmember Whalen said that he is in strong support of proceeding with this proposal as quickly as possible and agreed that rotating the sculptures throughout the City of Mesa should be explored.

Mayor Hawker commented that he also likes the idea of rotating the statues and expressed concerns regarding the multiple fund raising projects that are currently taking place, such as the Arts Center and the Aquatics Facility, and stated the opinion that a number of other funding issues should be addressed prior to the purchase of statues. Mayor Hawker said he supports continuing the current program and providing statues downtown through corporate sponsorship and a smaller contribution from the City of Mesa. He also commented on the fact that a 1% tax for the arts is in place and will not be used although additional City resources, taxpayer dollars, will be used to purchase statues that have not been programmed into a budget cycle. Mayor Hawker expressed the opinion that approving up to \$150,000 a year for the next four to five years, without prioritizing this proposal along with all of the other budget constraints, is inappropriate. He said that he concurs that the statues represent one of the best programs ever to be in effect in the City of Mesa and stated that he would like to continue to bring the statues to the downtown area each year as long as it is a successful program. Mayor Hawker added that he does not feel comfortable obligating the City for up to \$600,000 to actually purchase the statues and said for those reasons he will not support the motion.

Mr. Lee pointed out that it would be extremely difficult to obtain the support of the private sector for this proposal on a continuing basis.

Councilmember Kavanaugh asked City Attorney Neal Beets to comment on whether the Council has the authority to bind the City to ongoing payments. Mr. Beets said that typically the City would include a "fiscal funding clause" which says that the City is required by State law to budget and appropriate on an annual basis, and so long as future Councils budget and appropriate the money, the City will pay it, but the City cannot predict two, three or four years from now the financial condition of the City. The clause will allow support for the program to be withdrawn if the financial condition of the City is such and/or if the Council desires not to continue to fund the project.

Upon tabulation of votes, it showed:

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

Mayor Hawker declared the motion carried by majority vote.

3. Discuss and consider approving staff's recommendation to combine the monthly Batteries, Latex Paint and Tires (BLT) program with the Annual Household Hazardous Waste (HHW) Program to create monthly HHW events.

Recycling and Special Projects Coordinator Jennifer Means and Senior Environmental Engineer Lee Mendelzon, addressed the Council relative to this agenda item.

The Council spoke in unanimous support of the recommendations as presented and commended staff for their hard work and on-going efforts in this area.

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

Carried unanimously.

4. Hear an evaluation and consider recommendation on the Simply Citrus! and A Merry Main Street events.

Mayor Hawker stated this item will be continued to the Study Session on Monday, December 18, 2000.

5. Acknowledge receipt of minutes of various boards and committees.

- a. Industrial Development Authority meeting held November 29.
- b. Museum and Cultural Advisory Board meeting held November 22.
- c. Transportation Advisory Board meetings held November 21 and 30.

It was moved by Councilmember Jaffa, seconded by Councilmember Walters, that receipt of the above-listed minutes be acknowledged.

Carried unanimously.

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

Mayor Hawker stated that there were no meetings and/or conferences to report on at this time.

7. Scheduling of meetings and general information.

City Manager Mike Hutchinson advised that the meeting schedule is as follows:

Monday, December 18, 2000, 3:00 p.m. – Police Committee

Monday, December 18, 2000, 4:00 p.m. – Study Session

Monday, December 18, 2000, 5:45 p.m. – Regular Council Meeting

Thursday, December 28, 2000, Study Session – Cancelled

8. Prescheduled public opinion appearances.

There were no public opinion appearances.

9. Items from citizens present.

There were no items from citizens present.

10. Adjournment.

Without objection, the Study Session adjourned at 9:28 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 14th day of December, 2000. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this ____ day of _____ 2000

BARBARA JONES, CITY CLERK