

COUNCIL MINUTES

June 4, 1998

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 June 4, 1998 at 7:30 a.m.

COUNCIL PRESENT

Mayor Wayne Brown
Jim Davidson
John Giles
Keno Hawker
Bill Jaffa
Dennis Kavanaugh
Pat Pomeroy

COUNCIL ABSENT

None

STAFF PRESENT

C.K. Luster
Pauline Backer
Wayne Balmer
Denise Bleyle
Steve Burg
Jack Caroline
Tanya Collins
Linda Crocker
Debby Driscoll
Gerry Gerber
Laurie Goggin
Joe Holmwood
Mike Hutchinson
Harry Kent
Wayne Korinek
Dorinda Larsen
Greg Marek
Jeff Martin
Tom Mattingly
Frank Mizner
Keith Nath

STAFF PRESENT (CONT)

Ellen Pence
Bryan Raines
Tom Remes
Rob Schultz
Jenny Sheppard
Jan Strauss
Ursula Strehphans
Jamie Warner
Mindy White
Paul Wilson
Larry Woolf
Christine Zielonka
Others

OTHERS PRESENT

Doug Barnard
Edward Lebow
Robbie Sherwood
Bev Tittle-Baker
Others

1. Hear and consider a report from the Neighborhood Action Team concerning Stabilizing and Enhancing Mesa's neighborhoods.

Assistant City Manager Mike Hutchinson informed the Council that approximately nine months ago, a group of employees was targeted and asked to form a Neighborhood Action Team, the purpose of which was to review neighborhood enhancements/support that for the previous two-year period of time and provide recommendations relative to future goals.

Mr. Hutchinson noted that three years ago a community effort initiated by the Mesa United Way entitled Building a Healthy Mesa was implemented for the purpose of organizing neighborhoods and

providing added response to the community's needs. Mr. Hutchinson stated that the City of Mesa was actively involved in the Building a Healthy Mesa program and said that as a result of that participation, the City formed the Neighborhood and Community Assistance Office (NCAO). Mr. Hutchinson added that Tanya Collins is the Director of the NCAO.

Discussion ensued relative to community policing, the construction of a new community center in the Bellview area of Mesa, the fact that the City is partnering with the Mesa Public Schools to construct a community center facility at Jefferson Elementary School in east Mesa, efforts to strengthen the City's code compliance regulations, improved notification to neighbors regarding City issues and a variety of additional programs and community issues.

Mr. Hutchinson advised that the Neighborhood Action Team has developed a list of goals which include the following: 1) include resident input in City decision making; 2) have a comprehensive response to neighborhood issues; 3) address property maintenance; 4) assure a neighborhood-friendly police presence; 5) locate resident-desired services in neighborhoods; 6) employ neighborhood-friendly communication strategies, and 7) make neighborhood appearance, vitality and safety a City budget and planning priority.

Additional discussion ensued relative to the targeted goals, a description of Fiscal Year 1998-99 programs, funding recommendations and anticipated fiscal impacts, the fact that an additional staff person has been added to the NCAO to assist in carrying out the office's goals, the importance of training and resources to enhance communication, the addition of two more staff persons to the Code Compliance Department to work in conjunction with the City's 'Clean Sweep' Program, and the development of a neighborhood kit.

Mr. Hutchinson expressed appreciation to the members of the Neighborhood Action Team, the Neighborhood and Community Assistance Office, and everyone involved for their efforts.

Ms. Collins and Mr. Hutchinson responded to a number of questions from the Council regarding this agenda item.

Mayor Brown thanked Mr. Hutchinson and staff for their input, commended them on their in-depth report, and stated that he fully supports the recommendations as outlined in the report.

2. Discuss and consider various issues associated with the development of an Arts and Entertainment Center.

Assistant City Manager Mike Hutchinson addressed the Council relative to this agenda item. Mr. Hutchinson reported that the Arts and Entertainment Center represents a \$55 million capital project. Mr. Hutchinson stated that in addition to the \$55 million building cost, an additional \$5 million will be spent on land acquisition and \$3 million for equipment for the various buildings and theatres.

Mr. Hutchinson briefly reviewed the site and building program components and noted that the project will be located south of Main Street on the corner of Center and Main. Mr. Hutchinson noted

that the Mesa Arts Center's operations will be moved into this complex and commented on the fact that the unique concept will include entertainment, arts, and educational facilities at one location.

Mr. Hutchinson discussed staff's recommendation that efforts to locate an architectural team be initiated as soon as possible and stated that the appointment of an Advisory Committee to oversee this process should also be initiated. Mr. Hutchinson informed the Council that the members of the committee will be charged with the responsibility of reviewing the architects' submittals and providing the Council with specific recommendations relative to the selection process. Mr. Hutchinson stated that final selection of the architectural team and the selection of a construction management services team should occur in September 1998.

Discussion ensued relative to the fact that the design of the project will begin in October 1998 and should be finalized by September 1999, the fact that it will take approximately one year to complete the acquisition of the properties for the project, the fact that the project will go out to bid from October to December 1999 and the bid award will occur in January 2000, and the fact that the grand opening for the Arts and Entertainment Project is scheduled for January 2002.

Mayor Brown thanked Mr. Hutchinson for the update on the project.

3. Review and consider approving the selection of the artist team of Eric Weber and Geoffrey Bruce to design and fabricate three bus shelters along Main Street.

Assistant City Manager Mike Hutchinson stated that in response to Council recommendations, the staff of the Mesa Arts Center was requested to coordinate the selection of an artist(s) to design and fabricate three bus shelters along Main Street. Mr. Hutchinson introduced Rob Schultz, Visual Arts Supervisor at the Mesa Activity Center and stated that Mr. Schultz been actively involved in this project and has provided recommendations in a report distributed to the Council.

Mr. Schultz introduced Public Arts Consultant Ed Lebow to the members of the Council. Mr. Lebow discussed the proposed locations for the three bus shelters and briefly commented on the Request for Qualifications (RFQ) that was developed and mailed to over 700 artists. Mr. Lebow noted that a total of 25 artists and artist teams responded to the RFQ, including two Mesa artists, and discussed makeup and composition of a selection panel which reviewed the qualifications and past work of the 25 responding artists. Mr. Lebow stated that after discussion and deliberation, the panel selected the team of Eric Weber and Geoffrey Bruce to design and fabricate the three bus shelters.

Discussion ensued relative to the fact that the bus shelters will be constructed of steel for durability and minimum maintenance; the fact that the shelters will be both durable, attractive and comfortable, and the fact the each of the shelters will cost \$25,000 for a total cost of \$75,000.

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

Carried unanimously.

4. Discuss and consider a recommendation to discontinue the operation of the Powell Community Center Program.

Neighborhood and Community Assistance Director Tanya Collins discussed staff's recommendations that the Powell Community Center Program be discontinued at the close of the current fiscal year. Ms. Collins provided the Council with brief background information relative to the program and stated the opinion that although a number of programs were successful, interest and participation has not been sustained over time. Ms. Collins added that it has also been determined that a number of the programs were duplications of existing programs provided by the Mesa Public Schools District and/or the City's Parks and Recreation Department and said that a variety of programs also failed to produce interest or support among students/parents and/or neighborhood residents.

Ms. Collins reported that Mesa Public School officials have indicated that the District agrees with staff's assessment of the situation and plans to discontinue the program. Ms. Collins added that the District has assumed or will assume responsibility for a number of Powell Community Center programs which have proven to be successful over the past four years to ensure that all viable services to the residents continue to be provided.

Discussion ensued relative to funding, the fact that staff is recommending that of the \$90,000 budgeted for the upcoming fiscal year, \$75,000 be eliminated and the remaining \$15,000 be transferred to a Parks and Recreation line item to defray the costs of the Powell area expanded summer and after-school programs.

The Council commended Ms. Collins and staff for their honest evaluation and recommendations and thanked them for their efforts.

It was moved by Councilmember Kavanaugh, seconded by Councilmember Jaffa, that staff's recommendation to discontinue the Powell Community Center be approved.

Carried unanimously.

5. Further discussion and consideration concerning the construction and funding for the Main Street Streetscape Project.

Mayor Brown indicated that he had a potential conflict of interest in connection with the matter currently under discussion which he wanted reflected in the minutes of the meeting and because of such conflict he would refrain from voting upon or participating in any manner in connection with same.

Councilmember Pomeroy indicated that he had a potential conflict of interest in connection with the matter currently under discussion which he wanted reflected in the minutes of the meeting and because of such conflict of interest, he would refrain from voting upon or participating in any manner in connection with same.

Mayor Brown passed the gavel to Councilmember Giles for discussion and possible action regarding this agenda item.

City Manager Charles Luster advised that at the May 21, 1998 Regular Council Meeting, the Council awarded a contract for phase one of the Main Street Streetscape Project in the amount of \$7.9 million. Mr. Luster added that an item on the same agenda to authorize the utilization of excise tax revenue obligations in the amount of \$10.7 million to fund both phases of the project failed to achieve the required vote. Mr. Luster stated that staff is recommending an alternative funding proposal which calls for phase one of the project to be completed by utilizing \$900,000 from the City's water and wastewater bond funds. Mr. Luster explained that both water and sewer lines must be replaced on this project. Mr. Luster added that staff is also recommending that \$3.1 million of Highway User Revenue Funds (HURF) be utilized, leaving a total project deficiency of \$3.9 million. Mr. Luster expressed the opinion that excise tax revenue obligation bonds may be utilized to fund the remaining \$3.9 million cost for the project.

In response to a question from Mayor Brown, Mr. Luster advised that City Attorney Neal Beets has stated the opinion that HURF funds may be utilized as recommended by staff.

Councilmember Hawker commented that part of the project may encompass asphalt work and stated that his company would exclude itself from the bidding process and therefore no conflict of interest exists.

Councilmember Hawker expressed concerns regarding the utilization of excise tax financing for the project and expressed the opinion that excise tax funding is inappropriate and should not be implemented. Councilmember Hawker noted that excise tax funding pledges future sales tax revenues and spoke in opposition to this process. Councilmember Hawker recommended that the Council consider targeting portions of the Main Street Streetscape Project and coordinating work in conjunction with the Voit project and/or the performing arts center quadrant. Councilmember Hawker stressed the importance of utilizing current funding methods/resources that are available. Councilmember Hawker expressed the opinion that the Streetscape Project should be separated from the financing and indicated strong opposition to the proposed use of excise tax funding in any manner or amount.

Councilmember Kavanaugh stressed the importance of continuing with the project as quickly as possible and discussed staff's efforts to ensure that businesses are impacted as little as possible by the project. Councilmember Kavanaugh stated the excise tax funding option was authorized by the Legislature for community use and added that a number of cities throughout Arizona have implemented this funding technique without the occurrence of negative incidents or results. Councilmember Kavanaugh said that the excise tax funding represents a tool that the State has provided cities for use in projects similar to the Main Street Streetscape Project. Councilmember Kavanaugh commented that he supports staff's recommendations.

Councilmember Davidson pointed out that the citizens have indicated their support for the project and emphasized the need to proceed in a timely manner.

In response to a question from Councilmember Davidson, Councilmember Hawker commented on phased project implementation and the importance of identifying and targeting budget priorities during future budget sessions.

Councilmember Jaffa noted that construction of the performing arts center is not scheduled to begin until January 2000 and added that negotiations continue between the City of Mesa and the Voit Companies.

In response to a question from Councilmember Jaffa relative to the possibility of reducing the allocated funding for phase one to \$4 million and utilizing HURF funds proportionately over the next two years, Mr. Luster expressed the opinion that in order to accomplish this, the current contract would have to be rejected and the project would have to be rebid.

Discussion ensued relative to the fact that phase one is planned to be divided into two construction phases, from Country Club to Robson by November 1998 and then starting again in March 1999 to November 1999 finishing to Lewis, and the possibility of coordinating phase one with the Voit project and with other projects in order to obtain maximum benefit.

In response to a request for clarification from Councilmember Giles, Councilmember Jaffa indicated that he would not support a motion which utilizes the proposed excise tax funding formula.

It was moved by Councilmember Kavanaugh, seconded by Councilmember Davidson, that the alternative funding recommendations outlined by staff be approved.

Councilmember Hawker commented on the fact that unlike other cities, Mesa does not realize the benefits and added flexibility that result from the implementation of a property tax. Councilmember Hawker added that he supports borrowing from fund balances for emergency projects only and added that he would not support such an expenditure without having a plan to replenish the fund balances (contingency funds) in place.

Councilmember Jaffa concurred with Councilmember Hawker's remarks relative to the use of contingency funds and stated that the City should be increasing rather than decreasing the fund balance. Councilmember Jaffa added that he would not support the motion and said that he would prefer rebidding the project and dividing phase one into two separate initial phases.

Upon tabulation of votes, it showed:

AYES - Giles-Davidson-Kavanaugh

NAYS - Hawker-Jaffa

ABSTAIN - Brown-Pomeroy

Councilmember Giles declared the motion failed.

It was moved by Councilmember Jaffa that the first phase of the project, from Country Club Drive to Robson, be rebid and proceed at a cost not to exceed \$4 million and that the second phase of the

project, from Robson to Lewis proceed when available funding other than contingency funds can be identified and allocated for that purpose.

Councilmember Giles stated that the motion dies for lack of a second.

Councilmember Hawker stated that although he does not disagree with the concept, in his opinion this issue requires additional review prior to consideration.

Councilmember Giles advised that discussion of this item will be continued to a future meeting for additional review and consideration.

With action on this agenda item completed, Councilmember Giles yielded the gavel to Mayor Brown for the remainder of the meeting.

6. Consider appointments to boards and committees.

Mayor Brown recommended the following appointments to Boards and Committees:

BOARD OF ADJUSTMENT

C. Webb Crockett - Reappointment to first complete term
Scott Beck – Reappointment
Bud Page – Appointment to fill vacancy for term ending 6/30/99 to replace Mike Riordan

CRIME PREVENTION ADVISORY BOARD

Kent Nicholas - Reappointment to first complete term
C.K. Sator II – Reappointment
Angie Gann – Appointment

DESIGN REVIEW BOARD

Carie Allen – Reappointment to first complete term

DOWNTOWN DEVELOPMENT COMMITTEE

Wayne Pomeroy - Appointment
Claudia Walters – Appointment
Art Jordan – Appointment
Theresa Carmichael – Appointment to fill vacancy for term ending 6/30/99 to replace Ed Peno

ECONOMIC DEVELOPMENT ADVISORY BOARD

Carolyn Baecker – Reappointment to Economic Development Advisory Board and the Greater Phoenix Economic Council

Mike Elliott – Appointment
Robert Bradford – Appointment

ELECTRICAL ADVISORY BOARD

Chuck Vowell – Reappointment
Scott Riggs – Appointment

FIRE DEPARTMENT PENSION BOARD (Terms ending 6/30/2002)

Kathy Pace – Reappointment
Mike Selby – Reappointment (Re-elected by Fire Department personnel)
Sam Halverson – Reappointment (Re-elected by Fire Department personnel)

HISTORIC PRESERVATION COMMITTEE

Dan Eccles – Reappointment to first complete term
Lori Osiecki – Reappointment to first complete term
Boyd Thacker – Reappointment to first complete term

HOUSING AND HUMAN SERVICES ADVISORY BOARD

Susan Klecka – Appointment
Alcira Lynn – Appointment

INDUSTRIAL DEVELOPMENT AUTHORITY

Neal Yukolis – Term to expire 6/30/2004
Chris Schneck – Appointment to fill vacancy for term ending 6/30/2000

JUDICIAL ADVISORY BOARD

James Hart II – Reappointment to first complete term
Joe Shipley – Appointment

LIBRARY ADVISORY BOARD

Karen Peters – Reappointment
Thomas Rhodes – Reappointment
Dana-Jean Lahaie – Reappointment to first complete term

MUSEUM AND CULTURAL ADVISORY BOARD

Carmen de Novais – Reappointment to first complete term
Linda Larson – Reappointment to first complete term

PARKS AND RECREATION BOARD

Ray Rafford – Reappointment
Robin White – Appointment
Joe Reynolds – Appointment
Chester Smith – Appointment
Robert Brinton – Appoint to fill vacancy of Win Holden for term ending 6/30/99

PERSONNEL APPEALS BOARD

Jon Nielson – Reappointment to first complete term

PLANNING AND ZONING BOARD

Marty Whalen – Reappointment to first complete term
Alan Parker – Appointment

POLICE DEPARTMENT PENSION BOARD

Kathy Pace – Reappointment

SELF-INSURANCE BOARD OF TRUSTEES

Mary Lou St. Cyr – Appointment

TRAFFIC SAFETY COMMITTEE

Garrett Smith – Reappointment
Jack Keller – Reappointment to first complete term
Vern Mathern – Reappointment
David Glass – Reappointment

It was moved by Councilmember Pomeroy, seconded by Councilmember Kavanaugh, that the Council concur with the Mayor's recommendations and the appointments be confirmed.

In response to a question from Councilmember Jaffa regarding proposed appointments, Mayor Brown advised that the Mayor selects candidates for appointment and reappointment and the members of the Council ratify the appointments. Mayor Brown added that appointment recommendations and Council input that is received regarding proposed candidates is considered by the Mayor prior to appointment.

Carried unanimously.

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

Mayor Brown advised that there were no reports on meetings and/or conferences attended.

8. Scheduling of meetings and general information.

City Manager Charles Luster advised that the meeting schedule is as follows:

Wednesday, June 10, 1998, 2:00 p.m. – Transportation Committee

Thursday, June 11, 1998, 7:30 a.m. – Council Study Session

Monday, June 15, 1998, 5:45 p.m. – Regular Council Meeting

Thursday, June 25, 1998, 7:30 a.m. – MEGACORP Annual Meeting at the Holiday Inn

Thursday, June 25, 1998, 7:30 Study Session - **CANCELLED**

Tuesday, July 23, 1998, 8:00 a.m. – Study/Retreat, Williams Gateway Airport, Building #41

9. Prescheduled public opinion appearances (maximum of three speakers for three minutes per speaker).

Mayor Brown advised that there were no prescheduled public opinion appearances.

10. Adjournment.

Without objection, the Study Session adjourned at 9:31 a.m.

WAYNE BROWN, 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 4th day of June 1998. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this ____ day of _____ 1998

BARBARA JONES, CITY CLERK