

# COUNCIL MINUTES

April 8, 1999

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 April 8, 1999 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  
Kevin Adam  
Wayne Balmer  
Neal Beets  
Denise Bleyle  
Jamie Brennen  
Dennis Compton  
Linda Crocker  
Jack Friedline  
Mike Hutchinson  
Barbara Jones  
Karl Kohlhoff  
Dorinda Larsen  
Beth Miller  
Frank Mizner  
Ellen Pence  
David Plumb  
Bryan Raines  
Andrea Rasizer  
Tom Remes  
Becky Richardson

## STAFF PRESENT (CONT.)

Jan Strauss  
Mindy White  
Others

## OTHERS PRESENT

Jeff Blandford  
Tom Klabunde  
Larry Landry  
Carol Owens  
Bill Puffer  
Ray Stern  
Others

(Mayor Brown excused Vice Mayor Giles from the beginning of the meeting. Vice Mayor Giles joined the meeting at 7:35 a.m.)

(Items were discussed out of order but for purposes of clarity will remain as listed on the agenda.)

### 1. Discuss and consider providing long-term protection to the Usery Mountain area of the Tonto National Forest against development.

Government Relations Assistant Kevin Adam, Tom Klabunde, Deputy Supervisor of the Tonto National Forest, and Larry Landry, representing proponents of further protection for the Tonto National Forest area, addressed the Council relative to this agenda item.

Mr. Adam stated that although the Usery Mountain area of the Tonto National Forest is not in any immediate danger of development, staff is recommending that proactive measures be initiated by the Council to ensure the protection of this important parcel of land. Mr. Adam noted that this area was previously considered a

potential part of a proposed land exchange that would have transferred the property out of Federal ownership. Mr. Adam added that this exchange would have resulted in the possible development of the parcel in the future and said that although the proposal did not occur, the possibility of it occurring has resulted in the drafting of a resolution calling for the permanent protection of this pristine mountain area.

Mr. Landry stressed the importance of protecting this land and noted that Senator Hayworth has written letters requesting permanent protection of the Usery Mountain area. Mr. Landry stated the opinion that the Pima Indians will adopt a resolution similar to the one that is being proposed in Mesa and recommended that a "Friends of the Tonto National Forest" group be organized to assist in protecting the area and speaking out against future development.

Mayor Brown commented that the entire City Council supports this issue and said that he has invited citizens who may be interested in serving as Friends of the Tonto National Forest to speak at this meeting. Mayor Brown introduced Carol Owens, Bill Puffer and Jeff Blandford to those present at the meeting and encouraged them to provide input regarding this agenda item.

Ms. Owens advised that wildlife habitat is her particular area of interest and noted that a variety of desert native wildlife inhabit the Usery Mountain area of the Tonto National Forest. Ms. Owens emphasized the importance of initiating measures to protect the wildlife that exists at this location. Ms. Owens indicated an interest in becoming a Friend of the Tonto National Forest.

Bill Puffer, representing the Spook Hill Homeowners' Association, stated that the area is densely vegetated and noted a variety of trees and bushes that exist at that site. Mr. Puffer commented that a variety of groups have expressed an interest in utilizing the area for recreational purposes and stated that he would be interested in participating in the Friends of the Tonto National Forest group.

Jeff Blandford, a home builder and developer of the Las Sendas subdivision, concurred with Ms. Owens' and Mr. Puffer's remarks regarding the uniqueness of the land and the importance of preserving this entire area. Mr. Blandford advised that he has received numerous requests to joint venture projects in this area and stressed the importance of being proactive and protecting the land before development can occur. Mr. Blandford also noted his interest in participating as a member of the Friends of the Tonto National Forest group.

Mayor Brown thanked Ms. Owens, Mr. Puffer and Mr. Blandford for their comments and interest in preserving this importance parcel of land.

In response to a question from Councilmember Davidson, Mr. Klabunde commented that the land has been designated mainly for recreational purposes and agreed with Councilmember Davidson's remarks relative to the importance of achieving a good balance of recreational, desert, and wildlife environments.

Councilmember Pomeroy thanked staff for their efforts to preserve this area and agreed that immediate steps should be initiated to protect this valuable parcel of land.

It was moved by Councilmember Pomeroy, seconded by Vice Mayor Giles, that the recommendations of staff be approved and Resolution No. 7345 adopted.

Councilmember Jaffa also expressed concern regarding the possible overuse of that site by residents and the importance of maintaining a balance to avoid negatively impacting the area. Councilmember Jaffa stressed the importance of clarifying in the resolution that the City of Mesa supports maintaining the land in its

present, pristine condition without the addition of amenities that would destroy the natural aesthetics of the area.

Mayor Brown noted that the purpose of the proposed resolution is to state for the record that the City of Mesa strongly supports the preservation of this land.

Councilmember Hawker stated that he supports the adoption of the resolution.

Vice Mayor Giles concurred with the previous Councilmembers' remarks relative to the importance of preserving this area but questioned the feasibility of preserving the existing pristine condition in view of the fact that the land will be subject to heavy use, particularly on weekends. Vice Mayor Giles added the opinion that recreational use will be a part of this property's future and steps should be initiated to manage that aspect of the parcel's use.

Councilmember Kavanaugh stated that he supports the adoption of the resolution and stressed the importance of assisting the Forest Department in the management of this land. Councilmember Kavanaugh encouraged staff and Council to pursue other preservation areas in the future, such as native plant protection.

Carried unanimously.

Mayor Brown announced that information on becoming a member of the Friends of the Tonto National Forest group will be available in the near future. Mayor Brown encouraged all interested parties to forward letters of interest to the Mayor's office and provided a mailing address.

Mayor Brown commented that additional areas located adjacent to the City also require protection and encouraged the Council to pay close attention to future County zoning cases pertaining to those areas, particularly out east.

2. Discuss and consider contracting for an additional 7,031 Acre Feet of Central Arizona Project (CAP) water.

Assistant Utilities Manager Karl Kohlhoff referred to a letter from Rita Pearson, Director of the Arizona Department of Water Resources (DWR), advising that the Department intends to forward a recommendation to the Secretary of the Interior for the reallocation of 65,647 acre-feet of uncontracted Central Arizona Project (CAP) water for municipal and industrial (M&I) purposes.

Mr. Kohlhoff informed the Council that the DWR conducted a lengthy public process to determine the best possible method of reallocating the water supply and noted that the Department is recommending that the City of Mesa be reallocated 7,031 acre-feet of water.

Water Resources Coordinator Beth Miller briefly highlighted background information relative to this agenda item, which was distributed to the members of the Council, and noted that the increasing demand in Mesa's water service area can best be met by utilizing the CAP municipal and industrial water supplies. Ms. Miller stated that the City of Mesa and a variety of other entities, have continually requested a reallocation of the 65,647 acre-feet of uncontracted water that was declined by other users.

Discussion ensued relative to the fact that in 1994, the DWR reallocated the remaining CAP M&I water to those users, including Mesa, who requested same, the fact that Mesa received an allocation of 13,765 acre-feet, and the fact that DWR's reallocation recommendations were never finalized due to uncertainty that existed at that time regarding pending litigation over the CAP's repayment obligation.

Ms. Miller stated that over the last several months, the DWR has developed a revised set of recommendations for the disposition of the water. Ms. Miller added that due to the volatile nature of the settlement discussions, the DWR has requested that all users, including Mesa, who have been recommended to receive a portion of the 65,647 acre-feet of water, respond in writing no later than April 25, 1999 indicating their commitment to contract for the water should the supply be offered to them. Ms. Miller stated that the City is also required to commit to pay back-capital charges associated with the reallocated water, once the final subcontract transfer has been legally validated.

Ms. Miller reported that in accordance with the proposed DWR recommendations, Mesa would receive 7,031 acre-feet of CAP M&I water, which would be added to Mesa's existing subcontract of 34,888 acre-feet. Ms. Miller said that the back-capital charges due on the reallocation water would be approximately \$2.55 million, assuming validation of the amended subcontract occurred in 2002.

Mr. Kohlhoff and Ms. Miller emphasized the importance of credits as a future water supply in times of shortage and spoke in strong support of proceeding with the reallocation process.

Councilmember Kavanaugh complimented staff on their continuing efforts to enhance, protect and expand Mesa's water supplies.

It was moved by Councilmember Kavanaugh, seconded by Vice Mayor Giles, that the recommendations of staff relative to contracting for an additional 7,031 acre-feet of Central Arizona Project water, be approved.

Councilmember Hawker commented that once the actual costs have been determined, staff will include a portion of those costs into the City's impact fees, and stated that based on this occurring, he will support the motion.

Carried unanimously.

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

- a. Museum and Cultural Advisory Board meeting held March 25, 1999.

It was moved by Vice Mayor Giles, seconded by Councilmember Kavanaugh, that receipt of the above listed minutes be acknowledged.

Carried unanimously.

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

Councilmember Hawker briefly commented on an Aquatics Committee meeting held the previous evening to discuss the status of the aquatics center/Mesa Verde proposal. Councilmember Hawker discussed concerns that have been expressed regarding interaction between private and non-private entities and stated the opinion that a variety of issues and concerns remain to be addressed regarding this proposal.

Councilmember Hawker also discussed his participation as a member of the Valley Vision 2025 Committee.

5. Scheduling of meetings and general information.

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

Tuesday, April 13, 1999, 3:30 p.m. – General Development Committee

Wednesday, April 14, 1999, 7:30 a.m. – Fire Committee Meeting

Thursday, April 15, 1999, 7:30 a.m. – Council Study Session

Monday, April 19, 1999, Utility Committee Meeting – Preceding the Regular Council Meeting

Monday, April 19, 1999, 5:45 p.m. – Regular Council Meeting

Wednesday, April 21, 1999, 3:30 p.m. – General Development Committee Meeting

Thursday, April 22, 1999, 7:30 a.m. – Council Study Session

Vice Mayor Giles stated that in response to a request from the Council, Senator Kyle has written a letter requesting additional funding for a light rail system. Vice Mayor Giles expressed appreciation to Senator Kyle for his support and assistance.

6. Prescheduled public opinion appearances (there will be a maximum of three speakers for three minutes per speaker).

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

7. Items from citizens present. (Maximum of three speakers for three minutes per speaker).

Mayor Brown advised that there were no items from citizens present.

8. Adjournment.

Without objection, the Study Session adjourned at 8:20 a.m.

Carried unanimously.

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WAYNE BROWN, MAYOR

ATTEST:

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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 8th day of April, 1999. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this \_\_\_\_ day of \_\_\_\_\_ 1999

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BARBARA JONES, CITY CLERK