

COUNCIL MINUTES

November 19, 2001

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 November 19, 2001 at 4:47 p.m.

COUNCIL PRESENT

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

COUNCIL ABSENT

None

OFFICERS PRESENT

Mike Hutchinson
Debbie Spinner
Barbara Jones

1. Review items on the agenda for the November 19, 2001 Regular Council Meeting.

All of the items on the agenda were reviewed among Council and staff with no formal action taken. There was specific discussion relative to the following items:

Vice Mayor Davidson declared a potential conflict of interest on agenda item 6b (Granting an Underground Power Easement to Salt River Project) and said he would refrain from discussion/participation on this item.

Mayor Hawker stated that agenda items 7.2 and 7.5 will be removed from the consent agenda.

2. Presentation of the SPRA Janet Marcus Leadership Award to Jennifer Means of the Solid Waste Department.

Assistant Development Services Manager Kari Kent addressed the Council relative to this agenda item. She reported that on November 9, 2001, the Southwest Public Recycling Association (SPRA), a non-profit agency created to assist communities through the promotion of waste reduction, reuse and recycling, held its annual conference in Tucson, Arizona. Ms. Kent explained that at that meeting, Recycling and Special Projects Coordinator Jennifer Means was presented with the Janet Marcus Leadership Award for her efforts in the development and implementation of the City of Mesa's award-winning recycling program. She added that due to her knowledge and expertise in the area of commingled curbside recycling and green waste recycling, Ms. Means has become a popular speaker at seminars and presentations throughout the United States regarding Mesa's recycling program.

Mayor Hawker congratulated Ms. Means on her award.

3. Discuss and consider approving the Commemorative Gift levels identifying naming recognition opportunities for donations of \$50,000 and more to the capital and endowment campaign to benefit the new Mesa Arts Center.

Arts and Cultural Director Gerry Gerber and Joanie Flatt, President of the Mesa Arts and Entertainment Alliance (MAEA) addressed the Council relative to this agenda item. Ms. Gerber reported that in 1996, the MAEA was formed for the purpose of raising private dollars to benefit the new Mesa Arts Center. She noted that the MAEA has subsequently entered into a partnership with the City of Mesa to raise \$3.7 million in capital and endowment funds for the Center, and that on August 28, 2000, the City Council approved in concept the use of naming recognition as fund-raising leverage.

Ms. Gerber stated that the firm of Young and Company was retained by the City to conduct a fund-raising feasibility study that resulted in a Chart of Accounts which identified the dollar amount and the necessary number of gifts in each category to reach the \$3.7 million goal. She added that the Commemorative Gift Opportunities list was created in conjunction with the Chart of Accounts, and that the MAEA, the Mesa Arts Center Design Committee and the Campaign Cabinet have approved the gift levels. (See Attachment 1)

Ms. Gerber advised that the Council must approve the Commemorative Gift Opportunities list prior to the initiation of a fund-raising campaign, and also that it is the request of the MAEA that City Manager Mike Hutchinson be given the authority to negotiate and approve specific naming recognition gifts.

Discussion ensued relative to the criteria established by the MAEA to select an appropriate naming opportunity for the Lyric Theater; the fact that the suggested \$1 million gift opportunity for the Lyric Theater is not required to reach the \$3.7 million goal, and the fact that it is the recommendation of the MAEA that the facility's name remain the Mesa Arts Center only and that no corporate name be attached to it.

Vice Mayor Davidson encouraged the City Attorney's Office to conduct further research relative to this matter.

It was moved by Councilmember Pomeroy, seconded by Councilmember Kavanaugh, that the Commemorative Gift levels, identifying naming recognition opportunities for donations of \$50,000 and more to the capital and endowment campaign to benefit the new Mesa Arts Center, be approved.

In response to concerns expressed by Councilmember Whalen and Vice Mayor Davidson, Interim City Attorney Joe Padilla clarified that staff and the MAEA will draft a formal agreement regarding this matter and present it to the Council at a future meeting. He added that staff will issue a Council Report and address methods of monitoring the fundraising campaign. The Report will also address the City's involvement, various expenditures, and provide a breakdown of distributions.

In response to a question from Mayor Hawker, Ms. Flatt clarified that it is the recommendation of the MAEA, the Mesa Arts Center Design Committee, and the Campaign Cabinet that the City Manager be granted the authority to negotiate and approve specific naming recognition gifts.

Carried unanimously.

Mayor Hawker thanked everyone for their presentation.

4. Discuss and consider items related to the proposed updated General Plan.

Planning Director Frank Mizner addressed the Council relative to this agenda item. He reported that Monday, November 26, 2001 begins the mandatory 60-day review process for the updated Mesa General Plan in order to place the Plan on the ballot of the May 21, 2002 General Election. Mr. Mizner stated that staff is seeking input from the Council on whether to proceed with the public hearing process or to delay it to a future date. He also briefly outlined a variety of documentation provided to the Council including a Compilation of Comments from the November 14, 2001 Joint Master Planning Committee (JMPC) Public Meeting and the November 15, 2001 draft of the proposed updated General Plan.

Mr. Mizner explained that if the Council approves the commencement of the 60-day public comment period today, the option will still exist to cancel placement of this issue on the ballot of the May 21, 2002 General Election; the fact that the City has notified the Maricopa County Elections Department of its current intention to hold a May 21, 2002 General Election, and also the fact that the 60-day public comment period does not preclude changes to the General Plan.

Discussion ensued relative to the necessary criteria to implement "significant changes" to the General Plan.

Mr. Mizner commented that at the present time, staff is comfortable with proceeding with the 60-day review process. He also assured the Council that approval of the public hearing process does not constitute adoption of the General Plan or the establishment of a specific election date.

In response to a question from Mayor Hawker, Mr. Mizner clarified that if Council approves the 60-day review period, the proposed updated General Plan will be made available on November 26, 2001 to the public, appropriate City departments, public agencies and adjacent jurisdictions. He added that Council can provide input regarding the General Plan update at the Council public hearing or through a memo to staff.

Mayor Hawker requested input from the Council regarding this matter.

Councilmember Jaffa voiced support for a delay in the 60-day public review period. He also expressed disappointment regarding the limited amount of time afforded to the Councilmembers to discuss their concerns regarding the proposed General Plan. Councilmember Jaffa requested that due to time constraints, his prepared remarks be made a part of the record. (See Attachment 2)

Councilmember Walters stated that although she is not convinced that the General Plan update can be substantially improved by further delays, she will support a postponement of the mandatory public hearing process. She added that she is hopeful that the General Plan will be placed on the ballot of the November 2002 election for voter approval. Councilmember Walters emphasized that she has received input from Mesa residents that the process has been conducted too quickly and she stated that it is imperative that the City regain the citizens' trust.

Vice Mayor Davidson spoke in support of delaying the public hearing process and stated that in his opinion, substantial improvement could be made to the proposed General Plan.

Councilmember Kavanaugh also voiced support for a delay in the public hearing process and suggested that it would be appropriate to submit this issue to the voters in November 2002. He added that although the General Plan has been extensively reviewed by the Council, staff and various property owners in southeast Mesa, the remainder of the community should be afforded the opportunity to review the document and to offer constructive comments.

Councilmember Pomeroy spoke in support of a continuation of the 60-day review period. He requested that greater emphasis be focused on a future "vision" for Mesa in 10 to 20 years, and also greater coordination between the various General Plan elements.

Councilmember Whalen concurred with his fellow Councilmembers regarding this issue. He suggested that a joint meeting be held between the Council and the members of the JMPC to address land use issues; urged the Council to attend the public hearings, and also outlined various transportation concerns.

Mayor Hawker voiced his support to commence the 60-day review period on November 26, 2001. He also expressed a variety of concerns including the fact that if the General Plan is not placed on the ballot until the November 2002 election, many property owners may be placed in the difficult situation of not knowing which land use plan will be implemented by the City; the fact that it is anticipated that the November 2002 election ballot will be crowded with State and County races and issues and that the General Plan may be overlooked by Mesa voters, and the fact that he would favor the March 2002 election ballot when individuals are running in Districts 4, 5 and 6, the areas most greatly impacted by the modifications to the General Plan.

Mayor Hawker thanked the Council for offering their comments relative to this issue.

It was moved by Councilmember Pomeroy, seconded by Councilmember Walters, to delay the proposed Mesa General Plan mandatory 60-day public comment period to a future date.

Upon tabulation of votes, it showed:

AYES - Davidson-Jaffa-Kavanaugh-Pomeroy-Walters-Whalen
NAYS - Hawker

Mayor Hawker declared the motion carried by majority vote.

In response to concerns expressed by Mayor Hawker, Mr. Mizner clarified that in December, staff will present the Council with an ordinance or a resolution to re-ratify the current 1996 General Plan to be utilized as a basis for interim land use decisions.

Mayor Hawker requested that a Study Session be scheduled to solicit input from the Council relative to a six-month General Plan update timeline. He also requested that the Council give the JMPC a specific charge on their tasks and responsibilities as well.

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

Vice Mayor Davidson reported on his attendance at the funeral of Erma Johnson, the first African-American principal in the Mesa Public Schools. He voiced appreciation for her contributions to the City and noted that Ms. Johnson will be deeply missed.

6. Scheduling of meetings and general information.

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

Wednesday, November 21, 2001, 7:30 a.m. – Special Council Meeting

Wednesday, November 28, 2001, 4:00 p.m. – Utility Committee Meeting

Thursday, November 29, 2001, 7:30 a.m. – Study Session

Thursday, November 29, 2001, 9:30 a.m. – General Development Committee Meeting

Thursday, November 29, 2001, 4:00 p.m. – Fire Committee Meeting

Monday, December 3, 2001, TBA – Study Session

Monday, December 3, 2001, 5:45 p.m. – Regular Council Meeting

Thursday, December 6, 2001, 7:30 a.m. – Study Session Cancelled

7. Prescheduled public opinion appearances.

There were no prescheduled public opinion appearances.

8. Adjournment.

Without objection, the Study Session adjourned at 5:36 p.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 19th day of November 2001. 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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Attachments

MESA ARTS AND ENTERTAINMENT ALLIANCE
Capital/Endowment Development Campaign

Commemorative Gift Opportunities

To commemorate unselfish support for the development of and accessibility to the visual and performing arts, the campaign leaders wish to make a public and enduring record of those who have invested generously to make the new Mesa Arts Center a reality.

A beautiful wall plaque will be prominently located at the Mesa Arts Center as a permanent reminder for generations to come of your interest and generous support. What better way to memorialize yourself, a loved one, your family or company than to add your name to a space in the Mesa Arts Center. Following are commemorative possibilities for you to consider.

COMMEMORATIVE GIFT NAMING OPPORTUNITIES	SUGGESTED GIFT
Theater Wing	Not Available
Lyric Theater (1,600-seat)	\$1,000,000
Repertory Theater (550-seat)	500,000
Playhouse Theater (200-seat)	300,000
Signature Theater (99-seat)	200,000
North Theatre Lobby	125,000
South Theatre Lobby	125,000
Theatre Terrace	100,000
North Green Room	50,000
South Green Room	50,000
Studios-South Wing	\$250,000
Amphitheatre	100,000
Exterior Terrace	100,000
Acting Studio	50,000
Dance Studio	50,000
Drama Studio	50,000
Glass Studio	50,000
Music Studio	50,000
Pottery Studio	50,000
Glass Courtyard	50,000

Studios-North Wing	\$250,000
Exterior Terrace	50,000
Jewelry Studio	50,000
Lapidary Studio	50,000
Painting Studio	50,000
Painting Courtyard	50,000
Printmaking Studio	50,000
Welding/Sculpture Studio	50,000
Contemporary Arts Wing	Not Available
Sculpture Courtyard	150,000
Community Gallery	100,000
Main Gallery	100,000
Lobby	100,000
Lecture Room	100,000
Multi-media Gallery	50,000
Secondary Gallery	50,000
Conference/Meeting Room	50,000
Shadow Walk	\$250,000
Center & Main Corner	150,000

Note: Amounts indicated do not necessarily reflect actual construction costs; rather, they are an indication of the memorial or tribute value. Donors will be offered selection of commemorative naming opportunities based on the amount and date of their gift commitment.

Commemorative Plaques

Plaques will reflect gifts of \$50,000 or more, which have played a major part in building the new Mesa Arts Center. They may be inscribed with (1) *the donor(s) name(s)*; (2) *"in memory of"*; or (3) *"in honor of"*. These plaques will be prominently displayed in each commemorative area of the new facility. More information is available upon request.

General Plan
Comments

By Councilmember Bill Jaffa

November 18, 2001

I have decided to vote to postpone moving the General Plan forward for further public comment as currently written. I have said over the last several months that the plan is being pushed forward too fast. One consulting company working with us was so concerned about our general plan process that the firm resigned.

My experience as a CPA and in business and my responsibility to the public tell me that the City's General Plan product should not be disseminated to the public for critical comment until I have sufficient comfort that the plan will take Mesa along a path sufficiently close to our collective goals and objectives.

I continue to have three basic concerns, public dialogue, general plan use designations, and the narrative.

On lack of public dialogue, I am concerned that the general plan committee members have not had sufficient opportunities for appropriate discussions with one another and with those they have gathered information to develop the plan, I am concerned about the lack of public dialogue with the consultants who are being paid \$1.5 million to assist us in developing the plan, insufficient public council discussions and insufficient public discussions with staff, insufficient discussions with interested parties separate and apart from the general public and the total lack of discussions with the development community.

On general plan land use designations, I am concerned that our insufficient public dialogue, and the manner employed to determine land use designations, has resulted in a plan that does not sufficiently present our best efforts for land use designations at build out.

My greatest concerns are land use designations at Williams Gateway Airport and Falcon Field. At WGA, although I have gained more confidence over the past several weeks about flight paths along the power line corridor south of Guadalupe Road, I still do not have sufficient confidence that presumed future flight paths are realistic, especially in light of the complaints we receive from residents well north of the power lines, and irrespective of the WGA Part 150 noise compatibility study. If our information on flight paths is sufficiently incorrect, and residential development occurs at the General Motors property before we have sufficient quality job development, we may destroy the opportunity to attract the quality job development we so desperately need in Mesa for balanced residential, commercial and industrial development. To a lesser extent, I believe the Queens Park acreage south of WGA now currently improperly developed as residential should be designated industrial to assist in proper quality job development in that surrounding area.

Similarly, at Falcon Field, designating the southeast corner of Greenfield and McKellips Roads, our gateway entrance to Falcon Field, for commercial development, may provide jobs to Mesa, but Mesa's issue on jobs is not the ratio of jobs to residents, it is the ratio of **quality** jobs to residents. Minimum wage jobs at a proposed super Wal-Mart are not my concept of jobs for Mesa residents. The continued rezoning of land from industrial to commercial will continue to drive a negative imbalance in our development, will continue to place a stress on our transportation infrastructure as residents drive to jobs in other cities, and will continue to negatively impact the quality of life our residents have in our city. As we have seen in the past, cannabilizing our industrial property before reaching a critical mass of quality job development also diminishes our opportunity to attract

quality jobs in surrounding industrial property and provides developers arguments for domino effect cannibalization.

On our narrative, I want my name associated with a document that is cogent and clear, and clearly demonstrates the path we shall follow to achieve our general plan vision. Notwithstanding the opportunity to continue to craft the general plan and still not have a change that requires the 60 day public period to begin again, the document we circulate to the public as our presumably intended final product should be a document that we believe is well written and well presents our general plan thoughts. I do not believe we have that document.

Only in the past week, as an example, staff has rewritten the definitions of major and minor amendments, two basic and critical elements in our narrative. I urged that these definitions be revisited for the past several months. I believe the definitions move us forward, but these most important definitions that address making changes to land use designations, should be discussed and debated by all interested bodies, including the city council.

I am not only concerned about new development, but redevelopment and infill, and the concepts we shall rely on for approving redevelopment and infill projects. In redevelopment, I do not want to repeat or duplicate the errors of our past, and on infill I am interested in element language that spurs creativity and novel development ideas in return for relaxation of basic development rules.

On parks and open space at build out; 7.5% of our land for parks and open space is insufficient. I believe our sister city in Burnaby requires 20% of developable land be set aside for open space, I would consider 10%, but at least 1/3 more than what we currently are seeking. Both West Mesa and Southeast Mesa desperately need more park land and open space. On transportation, besides from the concepts of alternatives modes of transportation including mass transit and planning for such use, I believe insufficient attention has been given to north south arterials. My greatest concerns are on the cost of development and future city revenue streams. As we seek to bring quality jobs to Mesa, we must consider the revenues provided by industry and charge industry sufficiently to pay for the maintenance and operation of the city and related infrastructure contemplated as part of that development. We must look at ongoing fees assessed industry and whether additional industries may be charged special fees such as in the hotel and car rental industries. We must be creative in trying to ensure regular revenue streams. Development or impact fees are currently a one time charge and payment. Have we as a City ever considered whether the impact fees we charge developers may be paid over a period of time, say 20 years, perhaps subject to a development bond, and for that financing option, charge a larger fee based on an implicit interest rate. And in connection with our revenue stream annual analysis, we should add a policy to annually consider new funding mechanisms.

I appreciate the hard work of all parties who have been so instrumental in bringing us to this point, but we have a duty to take our residents a product that we believe is critically sound. We are not there yet, but I believe can be in the next six months. Let's break down the areas that need rework into manageable and easy to focus on components with clear and reachable time lines, and ask all of our stakeholders to participate in a truly meaningful public process.