

# COUNCIL MINUTES

August 30, 2000

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 August 30, 2000 at 7:30 a.m.

## COUNCIL PRESENT

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

## COUNCIL ABSENT

None

## OFFICERS PRESENT

Mike Hutchinson  
Neal Beets  
Barbara Jones

Mayor Hawker welcomed the candidates for office in Districts 21 and 29 and stated that the purpose of this meeting is to hear from the candidates regarding City of Mesa issues and to provide the citizens an opportunity to become familiar with the candidates. Mayor Hawker explained the proposed format for the meeting and said that each of the Councilmembers will pose questions to the candidates relating to specific Mesa issues. Mayor Hawker encouraged the candidates to voice their opinions.

### 1. Discuss various issues with candidates for election in Legislative Districts 21 and 29.

Mayor Hawker requested that the Council introduce themselves and also asked the candidates to introduce themselves and provide a brief overview of their background and experience.

Candidates in attendance included:

**DISTRICT 21 CANDIDATES – SENATE:** Rusty Bowers & Paul Cash  
**HOUSE:** Dean Cooley, Marilyn Jarrett, Linda Somo

**DISTRICT 29 CANDIDATES - SENATE:** Ernie Jaurigui & David Petersen  
**HOUSE:** Mark Anderson, Carma Lee Ellingson,  
Russell Pearce

Senator David Peterson stated that it has been a privilege to serve in the Legislature for three terms and said that his area of focus continues to be the family services area. Senator Peterson noted that he has dealt with issues relating to foster care, adoptions, Child Protective Services

issues, child abuse, and teenage pregnancies. Senator Peterson commented on the importance of addressing quality of life issues, including criminal activity among teenagers, and said that character building is crucial.

Senator Rusty Bowers, District 21 Senate Candidate, and current Majority Leader, said that he has experienced great success in the area of team building in the Legislature and added that an area of priority for him is regulatory and budgetary reform as well as educational reform. Senator Bowers advised that he has served for eight years in the Legislature and noted that he serves on the Education Committee.

Paul Cash, District 21 Senate Candidate, advised that he is a semi-retired attorney with 26 years of military experience and added that he served on a Planning Board for approximately 7 years. Mr. Cash said his area of expertise is growth and growth management and his main focus is in the areas of education, growth management and leadership.

Representative Dean Cooley, District 21 House Candidate, said that he has served in the Legislature for four years. Representative Cooley stressed the importance of experience and working together to accomplish mutual goals for the East Valley. Representative Cooley discussed his interest in transportation issues and said he served as Chairman of the Transportation Committee, has been a member of the Appropriations Committee for four years, and has served as the Chairman of the Government Reform Committee for the last two years. Representative Cooley also commented on his interest in the area of education.

Representative Marilyn Jarrett, District 21 House Candidate, said that she has served the citizens of northeast Mesa for six years and that last year she managed to get extra funding approved for reading clinics. Representative Jarrett also advised that she was responsible for the creation of the Auto Theft Authority and urged Mesa to become involved in this successful program which has helped to curtail rising insurance rates.

Linda Somo, District 21 House Candidate, informed the audience that she recently retired after serving for 29 years as an English teacher and counselor. Ms. Somo commented that she has time, energy, expertise and is committed to addressing key issues. Ms. Somo said her expertise lies in the areas of communication, consensus building, problem solving and facilitating and added that her goals are to enhance education, transportation, and health/mental health care issues and to facilitate economic development.

Representative Mark Anderson, District 29 House Candidate, provided the audience with his e-mail address and said that he is seeking a fourth term in the House of Representatives and is also running for the position of Majority Leader. Mr. Anderson noted that he was the prime sponsor of the Tuition Tax Credit Bill and reported that this legislation provided public schools with millions of dollars and funded scholarships for low-income children. Mr. Anderson said that other legislation he was involved in allows teachers to remove disruptive children from the classroom and discussed a number of other bills that he was involved in that benefited the citizens of his district and the community as a whole.

Carma Lee Ellingson, District 29 House Candidate, said that she was encouraged by Lela Steffey to seek office and has deep roots in the community and a strong sense of community. Ms. Ellingson indicated that her areas of focus include assisting small businesses, and improving education and healthcare. Ms. Ellingson commented that if elected she will serve as a "watchdog" for small businesses.

Ernie Jaurigui, District 29 Senate Candidate, commented on the fact that he is an active community member, was honorably discharged from the Navy and also served in the Arizona National Guard. Mr. Jaurigui added that he was honorably discharged as a Captain in the Core of Engineers. Mr. Jaurigui said that his areas of interest include education, mental health, law enforcement and crime prevention.

Russell Pearce, District 29 House Candidate, advised that he has served in a variety of capacities, including Chief Deputy of the Maricopa County Sheriff's Office, as JP for the North Mesa Justice Court, as the Director of the Governor's Office of Highway Safety and as Director of the Motor Vehicle Division. Mr. Pearce added that he also authored the auto theft legislation and worked with Marilyn Jarrett on getting the bill passed. Mr. Pearce said that he has a strong commitment to less government and less intrusive government and his areas of focus include transportation, education, and public safety.

Mayor Hawker thanked the candidates for their remarks and stated that the question portion of the meeting will now begin.

Councilmember Pomeroy posed the following question: **Over the years, the Legislature has considered bills that would preempt local planning and zoning authority. Legislation has been considered in the past that would have preempted local planning and zoning authority over billboards and gun shops. Cities exercise their planning and zoning authority to protect public health and safety, and to look after the property rights and quality of life of adjacent property owners. What is your position on local planning and zoning authority?**

Senator Bowers stated the opinion that it is essential to have "right's-based" planning and zoning authority and said that Nolan & Dolan proved that cities can abuse private property owners and the Supreme Court ruled on this. Senator Bowers said that it has to be in a context of correct Constitutional rights. Senator Bowers commented that a majority of what the cities do does not come before the Legislature and said the legislators become intercedes involved only in issues of abuse that are of sufficient magnitude that the Legislature is asked to act.

Mr. Cash expressed the opinion that cities and towns should have the right to deal with planning and zoning issues but cautioned that great effort must be expended to ensure that the rights of the property owners are not abused. Mr. Cash spoke in support of local control without abuse to personal property rights.

Representative Cooley concurred with Senator's Bowers' remarks and said that the cities that do interpret the law to where it imposes improper actions upon their citizens happens in perhaps one or two cities and very infrequently and those involved come to the Legislature for relief. Representative Cooley said that he, as a Representative of this area, wants to have the input of the City of Mesa to assist him in making his decisions.

Representative Jarrett stated the opinion that it is important to inform people that the proposition put forth by the Sierra Club is detrimental to the quality of life. Representative Jarrett stressed the importance of owning and sustaining private property and said that she supports local control in this area.

Ms. Somo expressed the opinion that planning and zoning issues should be addressed on the local level and added that the State should not become involved except when personal property rights are being abused.

Representative Anderson commented that for the most part the cities do a good job in managing their planning and zoning issues and agreed that 90% of the time, the Legislature would not become involved in any manner with those issues. Representative Anderson added that the role of a legislator is that of an "ombudsmen" for private citizens and said that when a citizen believes that his or her rights are being violated, whether by a State, Federal or City agency, as a legislator he feels it is his responsibility to respond to the citizen and assist them in this matter.

Ms. Ellingson stated the opinion that the very basic level of control should be the city's and added that before any action is taken, when constituents contact their legislators, it is incumbent upon those legislators to seek the input of those who are involved on a day-to-day basis on a local level. Ms. Ellingson stressed the importance of soliciting local government input and advice before passing any legislation that may affect the entire City or State. Ms. Ellingson said that private property rights must be guarded and that the State should only become involved in matters related to the abuse of those rights.

Mr. Jaurigui emphasized the importance of planning and zoning issues and said that the cities should have control over these areas since they are the ones that will be affected by the results.

Mr. Pearce agreed that "rights-based" management is crucial and said the Constitution and people's rights must be upheld. Mr. Pearce stated the opinion that this action is best taken on a local level and said that everyone basically serves the same constituency and should work together, respect each other, and establish a good working relationship.

Representative Peterson said that he respects the authority given to the cities on issues of planning and zoning and added that he also respects the right of citizens to come to him as a legislator and request that he review the issue and perhaps develop a solution to existing problems. Representative Peterson said that quite often there are no easy remedies to the problems and his job is to then go back to the cities and attempt to balance the issues.

Councilmember Kavanaugh posed the following question: **Many years ago, the public passed a series of ballot initiatives that provided cities and towns with a portion of state generated taxes known as state shared revenue. These revenue sources were provided to local governments in exchange for the loss of certain tax authorities. Cities can not impose their own income, gas, or luxury taxes. State shared revenue is used by cities to provide valuable public services such as police and fire protection. Do you support state shared revenue going to cities to provide local services?**

Mr. Cash stated that he does support revenue sharing and said this is an important benefit for the cities.

Representative Cooley commented that he supports uniformity in taxes and added that the idea of the cities sharing in that revenue instead of individually levying their own taxes is appropriate.

Representative Jarrett concurred with the remarks of the previous two speakers and said that state shared revenue was the original agreement with the cities and it should remain in effect.

Ms. Somo advised that she too supports state shared revenue and added that she is opposed to unfunded mandates.

Representative Anderson commented that he supports state shared revenue as it currently exists.

Ms. Ellingson indicated that she too supports state shared revenues and said that efforts are underway to address what will happen if those revenues are diminished.

Mr. Jaurigui expressed the opinion that since the cities gave up part of its tax structure to receive the revenue from the state, the revenues should be shared.

Mr. Pearce stated that he supports state shared revenue and said that everyone benefits from this in terms of uniformity.

Senator Peterson advised that he supports state shared revenue.

Senator Bowers commented that while supporting state shared revenue, it would be impractical and imprudent to say that once you put a law into practice that it will always remain dynamic and fulfilling and do all that it is needed to do. Senator Bowers said that for this reason issues such as this are constantly being appraised and added that a delicate inter-relation of how the taxes are formulated is critically done at the legislative level and not by initiative. Senator Bowers added that he is not a 'porker' and said that if the City of Mesa or any other city requested that they be provided an advantage over another city, he would make sure that this does not occur.

Councilmember Davidson posed the following question: **A tremendous amount of concern has been espoused concerning the "brown cloud" problem facing our region. The citizens of Mesa have expressed their support for the City's dust control program, that goes beyond the oversight currently provided by the County, to curb dust pollution within the City's jurisdiction. Legislative proposals have been considered over the last two years to preempt or diminish local dust control authority. What is your position on increasing both county and City dust control authority?**

Representative Cooley expressed the opinion that dust control is generally part of construction and could be better managed on a local level. Representative Cooley added that he would want to study this issue further but agreed that air quality is a major issue. Representative Cooley said that Mesa has been in the forefront on many clean air issues and questioned whether Mesa ever received any funding from the state for their efforts.

Representative Jarrett stated the opinion that dust control is a wide-spread issue and not confined to Mesa. Representative Jarrett stressed the importance of gaining regional cooperation to address this increasing air quality hazard in a consistent manner.

Ms. Somo commented that she supports providing cities with control over the quality of air within their jurisdictions. Ms. Somo added that she also supports the development of an appeal process for developers, since a major portion of the dust is generated by construction activities which occur all over the east valley.

Representative Anderson said that he supports the City's efforts to remedy the problem to the best of their ability and added the opinion that the "brown cloud" has more to do with vehicles than

with dust. Representative Anderson commented that he is a strong supporter of alternative fuels as a long-term solution to the problem.

Ms. Ellingson noted that the U.S. Congress has passed legislation that will require new vehicles within the next ten years to be much cleaner than they are currently, including the diesel vehicles, and said that this action, combined with the efforts that have been extended within the state regarding alternative fuels, will make a huge difference. Ms. Ellingson commented on the dust issue and concurred with Representative Jarrett's comments that it is a state and regional problem and cooperation must take place between the different entities in order to achieve success. Ms. Ellingson added that the cities should have the right to determine regulations within their own cities regarding construction but emphasized that it must be done within a framework that is realistic and part of a cooperative effort.

Mr. Jaurigui indicated that he supports allowing the City of Mesa to pass and enforce their own laws regarding dust control within the City. Mr. Jaurigui stated the opinion that much could be done at construction sites, including the watering of those site, to minimize the amount of dust that is carried through the air, and urged Mesa to adopt laws requiring this type of preventative action.

Mr. Pearce advised that he supports Mesa's efforts and said that the City has made significant progress in this area. Mr. Pearce commented on the fact that cities and towns receive approximately \$600 million a year from the Vehicle License Tax and commented on the significant amount of vehicle owners who do not register their vehicles in the state. Mr. Pearce said that many of those owners are afraid that their vehicles would not pass emission testing and spoke in support of developing a strong enforcement program to increase the number of registered vehicles and improve air quality through the emission testing process.

Senator Peterson commented that he believes his job is to solicit Mesa's input regarding this matter and then discuss it with the legislators and attempt to reach a balance.

Senator Bowers stated that he was able to get twelve bills through during the last session because he builds teams of consensus and teams of stakeholders. Senator Bowers said that the stakeholders, relative to the dust issue and new mandates that have come from the EPA for local implementation, had agreed to a County-wide implementation and funding mechanism. Senator Bowers noted that all of the stakeholders indicated that they wanted to work this at the County level because air doesn't stop at the city limits and has to be regionally addressed. Senator Bowers added that Mesa unilaterally decided that it wanted to impose an administrative penalty without benefit of due process and stated the opinion that the City's proposal was patently unconstitutional and broke the team-building process. Senator Bowers added that Mr. Al Brown, head of the Maricopa County environmental group, spoke in opposition to the City's proposal and said that Mesa is breaking the agreement, which was to make the County-wide process work.

Mr. Cash indicated support for dust abatement efforts and reported that 1,000 people die every year in Arizona because of dust and particulates related to dust. Mr. Cash added that he also supports civil penalties being leveled against offenders.

Councilmember Jaffa posed the following question: **Recently, state leadership has suggested that it will consider funding an additional 100 DPS officers next year. Some discussion has also occurred concerning how to fund these added officers, including funding them from the Highway User Revenue Fund (HURF). However, a recent state study found that the state**

**highway program is underfunded by \$8 billion dollars over the next twenty years. Given this shortfall, shouldn't the State fund these DPS officers from its general fund, much like local government funds its public safety programs?**

Representative Jarrett stated the opinion that the additional DPS officers should for this, be funded out of the general fund, and said that in the past part of the HURF funds have been used and stressed that HURF funds should only be used to fund highways. Representative Jarrett commented on the critical need for more DPS officers and reported that no new officers have been appointed in Maricopa County in the last ten years.

Ms. Somo agreed that more DPS officers are needed to control speeding and added that she supports the funding of the additional DPS officers from the general fund as quickly as possible.

Representative Anderson commented that it is a budget issue and that it depends on how the budget looks next session. Representative Anderson said that everyone would like to support more DPS officers, along with a variety of other priorities, but it depends on funding amounts. Representative Anderson agreed that HURF funds should not be used for this purpose.

Ms. Ellingson agreed with Representative Anderson's remarks and said that HURF funds finance the construction of the freeways and with the extensive growth we are having, costs are already greater than the amount of the funding. Ms. Ellingson pointed out that the HURF funds do not fund maintenance costs, and said that this is a problem that will have to be addressed in the future. Ms. Ellingson concurred that the additional officers should be funded from the general fund on a priority basis.

Mr. Jaurigui stated that he agrees with the remarks of the previous speakers and supports funding the positions out of the general fund. Mr. Jaurigui also commented that HURF funds should be used for freeway construction purposes only.

Mr. Pearce advised that during the time he served as Director of the Motor Vehicles Department, HURF funds were increased by over \$400 million and stated that these funds were available because of the various programs that were implemented by him during his tenure with the Department. Mr. Pearce noted that the Highway Patrol used to be part of the Highway Department and was funded 100% by HURF dollars and said that this process was slowly eliminated. Mr. Pearce said that nine years of budget cuts have resulted in a decreased general fund and stated the opinion that the funding of the additional officers cannot all be taken out of the general fund. Mr. Pearce added that sufficient HURF monies exist to fund the officers and stated that HURF was developed for purposes such as this.

Representative Peterson said that he agrees with the comments offered by Representative Anderson and Mr. Pearce.

Senator Bowers commended Mr. Pearce on his efforts to increase the HURF funds and expressed appreciation to him for this accomplishment. Senator Bowers added that he concurs with Mr. Pearce's remarks regarding the extensive competition for general fund dollars. Senator Bowers said that when you put in a mile of freeway, all of the infrastructure, including police protection and the maintenance, should be included to ensure that citizens are riding on protected, safe roadways. Senator Bowers stated that all of the costs should be part of the formula for construction and should be funded in that manner.

Mr. Cash advised that he supports funding the officers out of the general fund and said that HURF funds were primarily established for highway construction and other related expenses and should not be used for other purposes.

Representative Cooley commented that he serves on the Transportation and Appropriations Committees and has dealt personally as a sub-committee chairman with DPS. Representative Cooley said that extensive effort has been expended to gain additional patrol cars for the officers. Representative Cooley pointed out that a 55 mile an hour speed limit is in place on the freeways and stated the opinion that the speed limit would be increased to 65 miles an hour if sufficient DPS officers were in place. Representative Cooley said that DPS is resisting increasing the speed limit based on the insufficient number of available officers and noted that additional DPS officers are needed at this time. Representative Cooley commented that he has been extremely protective of HURF funds but agrees that all of the revenue sources must be looked at before setting priorities. Representative Cooley added that he would personally prefer that the HURF funds remain protected but agreed that justification may be provided in the future to warrant the utilization of the funds for this purpose.

Councilmember Walters posed the following question: **The explosive population growth of the region has made growth a target for numerous reform proposals for land use planning. Recent legislation requires revisions to City general plans and greater public participation in their development and approval. A ballot initiative on the upcoming November election also calls for greater public participation in local land planning decisions to include the creation of voter approved growth boundaries. What is your position on how to properly manage the population growth that we are experiencing in the region?**

Ms. Somo expressed the opinion that the processes that are already in place should be given an opportunity to work, such as Growing Smarter and Growing Smarter Plus. Ms. Somo added that the citizen growth management initiative, Proposition 202, would have drastic consequences for cities and for the State and indicated strong opposition to the proposal.

Representative Anderson concurred with Ms. Somo's remarks and added that he opposes the Sierra Club's initiative. Representative Anderson said that he particularly opposes the provision that would allow people from other states to come in and sue on a local planning and zoning issue. Representative Anderson stated that he supports continuing the work that has already begun.

Ms. Ellingson expressed the opinion that the Proposition 200 is intrusive and would negatively impact the State. Ms. Ellingson said that the people at the local level are the ones who know what needs to be done because they are affected by it and spoke in strong support of local control over planning and zoning issues.

Mr. Jaurigui agreed that cities should maintain local control in the area of planning and zoning and encouraged the City to pursue the elimination of environmental hazards.

Mr. Pearce commented that growth is always an issue and stressed the importance of dealing with it in an appropriate manner. Mr. Pearce stated the opinion that the Sierra Club's proposition would have far-reaching negative effects on the entire state and spoke in opposition to its passage.

Senator Peterson also spoke in opposition to the Sierra Club's initiative and commended Senator Bowers for the time he has spent on the development of a plan and funding to help preserve some

of the more important parcels of land in the State and ensure that the State trust lands are used properly for the benefit of education.

Senator Bowers reported that sufficient land exists at the rate of reclassification and sales to last about 900,000 years, but noted that 'safe yield' is 2025. Senator Bowers added that the natural infrastructures that are necessary for good growth must be in place first. Senator Bowers said that cities are now under statutory obligation to present a general plan for a public vote and stated that this is a huge undertaking. Senator Bowers added that Proposition 200 is a litigation nightmare and urged citizens to defeat it at the polls.

Mr. Cash commented that two weeks ago at a similar forum, he stated that both the Sierra Club's proposal and the Governor's Growing Smarter legislation contain defects and will have harmful effects if passed. Mr. Cash said that the courts have now seen fit to identify problems contained in the Governor's plan and advised that the Sierra Club's plan will invite lawsuits. Mr. Cash encouraged all of the communities to get together and address this issue and develop a coordinated regional plan.

Representative Cooley stated the opinion that growth is a local issue and added that the 1998 Growing Smarter Act goes a long way towards giving local government a method of managing rapid development and provides a way for local governments to preserve open space and control growth. Representative Cooley commented that the current proposals need an opportunity to work before they are replaced and spoke in strong opposition to the passage of Proposition 200.

Representative Jarrett noted that the growth management plan was written for the entire State. Representative Jarrett added that the County is putting in developments and requiring cities to put in the utilities and the facilities for the projects. Representative Jarrett said that this is an area that must be looked at and stressed the importance of protecting Williams Gateway Airport as an economic engine for this area.

Councilmember Whalen posed the following question: **The cities of Phoenix and Mesa are ranked first and third in the Nation in red light running fatalities. In the past couple of years, cities have attempted to increase their authority to use photo radar and intersection cameras to assist in the enforcement of traffic laws. What is your position on the use of camera technology and efforts of local law enforcement agencies to improve public safety?**

Representative Anderson stated that he supports red light technology but is opposed to the use of photo radar. Representative Anderson said that photo radar appears to be more of a fund raising mechanism and does not really improve the way drivers operate their vehicles.

Ms. Ellingson commented that she supports camera technology and said that a relative of hers was killed by someone who ran a red light. Ms. Ellingson expressed the opinion that the technology is effective and enhances safety on our streets.

Mr. Jaurigui said that he strongly supports photo radar and would like to see it enforced more on side streets and in school zones.

Mr. Pearce said that he could argue this issue in both directions and added that good and bad aspects exist. Mr. Pearce stated that everyone who drives a vehicle that is unregistered, registered out of state, or belongs to their parents are exempt from any enforcement. Mr. Pearce commented on the fact that people who are not involved in the speeding are required to go to court and defend

their rights when they weren't even present at the time of the incident. Mr. Pearce said he does support red light cameras but has concerns regarding photo radar based on its violation of peoples' rights and the intrusion and inconvenience it creates.

Senator Peterson concurred with Representative Anderson and Mr. Pearce's remarks relative to red light issues and agreed that the technology enhances public safety. Senator Peterson added that photo radar should be utilized as much as possible. Senator Peterson commented that he introduced some legislation and will introduce it again because he does have concerns about violating peoples' rights and a number of unresolved practicality issues.

Senator Bowers expressed concerns regarding "snap shot" judgements and said that an officer who sees all traffic on a stretch of highway and him, has to make an initial judgement call that he can follow up with successive judgement calls, such as whether to issue a citation, but noted that a snap shot does not make any judgement call at all. Senator Bowers added that when he knows there is a red light ahead and he sees the camera, it reminds him to slow down when it turns yellow rather than speed up, so a human factor does exist. Senator Bowers commented that should the citizens decide they want to try a different method, they can do so through the initiative process.

Mr. Cash noted that he has always been concerned regarding photo radar and said that he has not supported the technology. Mr. Cash commented that the units that are currently in place should remain but spoke in opposition to expanding the photo radar program. Mr. Cash said that his concerns center around Constitutional rights.

Mr. Cooley stated that he supports photo radar at intersections and said that this is the location where a majority of the serious accidents occur. Mr. Cooley stressed the importance of making people aware of stopping rather than speeding through the light. Mr. Cooley commented on photo radar for speed enforcement, and said that he is still not convinced that it is the right way to proceed. Mr. Cooley added that he does support local control over these issues.

Representative Jarrett expressed the opinion that a major obstacle is the enforcement of the program and said that if the program is going to be existence, adequate enforcement must be in place. Representative Jarrett said that the lack of enforcement is the reason she does not support photo radar. Representative Jarrett added that the enforcement problem is the City of Mesa's problem and not the problem of the Legislature.

Ms. Somo indicated that she supports allowing the City of Mesa to make all of the decisions regarding this issue and stated the opinion that the technology, both red light cameras and photo radar, is an effective tool that works.

Mayor Hawker posed the following question: **Providing adequate transportation infrastructure for our rapidly growing population continues to be a challenge for the State and local governments. Two years ago, the Legislature preempted a future countywide vote to continue the ½ cent transportation sales tax after its scheduled expiration date at the end of 2005. As the tax is a major source for regional transportation projects, its elimination will create a major obstacle to funding future transportation projects. Do you support allowing the voters to decide whether or not to continue the tax after its scheduled expiration in 2005?**

Ms. Ellingson stated that the voters have a right to decide but added the opinion that no action should be taken until the recommendations of the Governor's Vision 2021 Task Force have been presented. Ms. Ellingson said that she supports waiting and listening at this point in time.

Mr. Jaurigui commented that he supports allowing the voters to decide whether or not to continue the tax and suggested that the various transportation advisory boards research the possibility of implementing a monorail system.

Mr. Pearce said that he supports the decision of the taxpayers regarding this issue and noted that a previous vote on this issue was defeated due to a lack of confidence among the public regarding the manner in which transportation dollars are spent. Mr. Pearce stated that he was part of the group that sat down with Governor Symington and worked out a plan that increased public confidence by over 30% by taking those limited dollars and putting them to a practical use, by eliminating "boondoggle" ideas and developing a practical plan that includes the development of freeways in a fast, efficient manner. Mr. Pearce said that Vision 2021 is a good planning process that takes a broad overview of all our transportation needs and he is anxious to hear their recommendations. Mr. Pearce added that he would support allowing the voters to have the final say on this matter.

Senator Peterson indicated that he leans in favor of allowing the voters to decide on this matter but also concurred with Ms. Ellingson that no action should be taken until the Task Force's recommendations are presented.

Senator Bowers commented that the tax was passed with the promise that it would build 270 miles of freeway and said that at the time many proponents said that the tax should have been a penny to fulfill all of the promises. Senator Bowers said that he supports taxation for specific infrastructure and expressed the opinion that the people should be involved in how that is formulated and how the construction system is held accountable. Senator Bowers expressed the opinion that ADOT performs an excellent job but must also be held accountable. Senator Bowers discussed the Vision 2021 report and stated the opinion that the proposed cost estimates in that report will be extremely high. Senator Bowers said that no one wants the density that is requisite to have a successful inter-modal transportation system. Senator Bowers spoke in support of completing the freeways and moving forward with responsible construction.

Mr. Cash stated that he is inclined to support allowing the voters to decide and commented on the continuing need for improvements in the transportation area.

Representative Cooley advised that the ½ cent sales tax was for Maricopa County only and the purpose was to build freeways. Representative Cooley added that unfortunately a downturn in the economy resulted in a revenue reduction and decreased the number of freeways that could be built. Representative Cooley noted that the Federal government collects over 18 cents a gallon on gasoline and said that fortunately MAG and ADOT has given the freeway system part of that money this time around and reported that as a result freeway completion has been moved up seven years and will be done by 2007. Representative Cooley said that whether additional taxes are needed to build freeways is uncertain at this time because the freeways will already be built. Representative Cooley stated the opinion that sufficient revenue should exist for maintenance of the freeways and said that he supports protecting those funds to ensure that this happens.

Representative Jarrett pointed out that when the freeways were being built in Maricopa County, Mesa was not the recipient of any of that money until the legislators, led by Senator Bowers and

Representative Groskost were elected and said "you will build our freeways." Representative Jarrett expressed the opinion that MAG is a disaster and said that she will not support an extension as long as MAG is in control. Representative Jarrett added that a one man, one vote type of representation must be established so that certain municipalities will not be favored over others. Representative Jarrett spoke in strong support of proceeding as quickly as possible with the construction of the freeway and said she also supports the elimination of MAG.

Ms. Somo said that transportation is critical and stressed the importance of having a plan in place in order to adequately fund the various projects. Ms. Somo spoke in support of continuing the ½ cent sales tax.

Representative Anderson stated that he prefers allowing the voters to decide whether or not to extend the tax. Representative Anderson added that although he is hesitant to send everything to the ballot for the voters to decide, in his opinion this particular issue should be decided by the citizens.

Mayor Hawker thanked the speakers for their remarks and said that they will now be provided an opportunity to present brief closing remarks.

Mr. Jaurigui commented that the State Constitution states that HURF funds can only be used for streets and highway construction. Mr. Jaurigui also reiterated his comments regarding the fact that the watering down of construction sites would drastically reduce the amount of dust in the air.

Mr. Pearce thanked the Council for providing him an opportunity to provide input and said that he is concerned that the citizens do not understand that HURF was not just designed for construction needs, it was designed for transportation needs, the entire infrastructure, including policemen on the street and highway patrolmen. Mr. Pearce said that this is the way it was set up until just recently and added that with demands on the general fund, the only way adequate funding for the additional officers can be generated is by utilizing HURF funds for it's originally designed purpose.

Senator Peterson commented that he has great confidence in his fellow legislators and in the City Councilmembers that they will help educate and assist him in rendering decisions on issues of importance. Senator Peterson reported that 7,000 children are out of homes and said between \$16 and \$20,000 a year is spent on the children in foster and group home situations. Senator Peterson stressed the importance of encouraging adoption and permanent placement and discussed cost savings and the enhanced quality of life that this would provide those children. Senator Peterson said that he intends to focus on the adoption process and stated that the process has been decreased from 22 months to 9 months and reported that juvenile crimes are increasing. Senator Peterson spoke in support of encouraging emotional intelligence, or character education, and quoted Martin Luther King by saying "intelligence plus character is true education."

Senator Bowers commented on the importance of continuing to try to achieve a balance and evaluating and standing on certain principles. Senator Bowers said that he has concerns regarding a taxing system that is becoming somewhat irrational and with the fact that teachers are being placed last in the order of priority. Senator Bowers spoke in support of equitably distributing the powers of government and in standing up for the principles we believe in.

Mr. Cash informed the Council that he deeply cares about education and said that each and every child deserves a quality education. Mr. Cash added that important matters such as the environment, clean air, slower growth, and developing more recreational areas must be addressed.

Representative Cooley stated that he hopes that the Council will continue to interact with him and the other legislators and said that he is always accessible. Representative Cooley indicated his intention to remain an advocate for transportation issues, an area in which he has made significant progress, and commented on the innovative funding mechanisms that have been put in place which have advanced the construction of the freeways. Representative Cooley said that he sponsored the plan to increase the lanes on the Superstition Freeway from six to twelve and discussed a number of other achievements. Representative Cooley commented on the fact that Williams Gateway Airport is an economic engine for the area and stressed the importance of creating jobs in that area and constructing freeways to enhance economic development at that location.

Representative Jarrett stated the opinion that the legislators and the different Councils need to learn how to prioritize. Representative Jarrett said that they should go back and take a look at what they are supposed to be doing and fund those issues before taking on any additional issues. Representative Jarrett added that they need to decide what they are going to fund and they need to go to the people and say we need for money for police, or we need more money for courts, or transportation. Representative Jarrett said that she is very concerned that the Vision 2021 Task Force is going to come back with a request for an extremely large tax increase. Representative Jarrett stressed the importance of taking another look at how monies are being spent and said, as an example, that over \$300 million is going toward behavioral health services in the State and reported that only 22,000 people are being served by that funding. Representative Jarrett stated that no one can explain how the funding is being used and added that those needing the services are not being provided the care they deserve.

Ms. Somo stated the opinion that she offers a new voice and fresh perspective on the issues and questioned whether citizens really want "business as usual" at the Legislature. Ms. Somo commented that it has been said that a politician makes decisions based on the effects that they will have on the next election, but a statesman makes decisions based on the effects they will have on the next generation. Ms. Somo said that she will be a statesman and asked the citizens for their support.

Representative Anderson expressed the opinion that the forum has been a valuable experience. Representative Anderson commented that ultimately, all of the important issues that have been discussed at this meeting, will require additional funding and added that the funding problems won't go away until effort is expended to solve the existing social problems. Representative Anderson stressed the importance of focusing efforts on strengthening families and said that as families become stronger and the divorce rate decreases, there will be less of a need for government and taxation to fund the government. Representative Anderson added that people will then be able to spend more time with their families instead of working multiple jobs to pay for their taxes. Representative Anderson said that social problems will decrease once parents begin to spend more time with their children.

Ms. Ellingson quoted a Russian proverb that says "The wise man has long ears, big eyes and a short tongue" and related a story that occurred during World War II. Ms. Ellingson said that the army was having a great deal of difficulty getting the tanks to function the way they should and so they went to the experts, the people who had built the tanks and the people who were operating

the tanks, but no one could find the problem. Ms. Ellingson added that they then tried a totally different arena, people who had knowledge, people who were intelligent, but people who did not necessarily have knowledge in this particular field and they put together a think tank and solutions were finally found. Ms. Ellingson said that this is what she believes she will bring to the Legislature, a mind that is inquisitive, intelligent and eager to do and to learn.

Mayor Hawker said that this concludes the questions that have been prepared for the meeting and thanked everyone for their attendance and their input regarding the important issues facing the City of Mesa. Mayor Hawker encouraged that the voters who have watched this telecast, discuss the various issues amongst the members of the family household, and vote at the September 12th Primary and the November 7th General Election. Mayor Hawker said that this meeting represents an attempt on behalf of the Council to make the citizens of Mesa aware of the different City and State issues and to enable them to make informed choices when they vote at the polls.

(Mayor Hawker declared a recess at 9:25 a.m. and the meeting reconvened at 9:30 a.m.)

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

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

3. Scheduling of meetings and general information.

Management Assistant Mindy White stated that the meeting schedule is as follows:

Thursday, August 31, 2000, 7:30 a.m. – Study Session

Thursday, August 31, 2000 – Executive Session (Immediately following the Study)

Friday, September 1, 2000 – Council briefing at the new Utility Building

Thursday, September 7, 2000, 7:30 – Study Session

Mayor Hawker stated that the Study Session scheduled for tomorrow morning at 7:30 will be shorter than today's meeting based on anticipated attendance. Mayor Hawker commented on the fact that all ten candidates participated in the forum today and commended them for their participation.

Councilmember Whalen requested that he be excused from the Council briefing on Friday and said that he will be out of town.

Councilmember Pomeroy advised that he has a medical appointment scheduled for tomorrow morning at 8:30 a.m. and said that although he believes he will be able to participate in a portion of the Study Session, he is not sure whether the appointment will conflict with his attendance at the Executive Session.

4. Prescheduled public opinion appearances.

Mayor Hawker stated that there were no prescheduled public opinion appearances.

5. Items from citizens present.

Mayor Hawker stated that there were no items from citizens present.

6. Adjournment.

Without objection, the Study Session adjourned at 9:38 a.m.

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KENO HAWKER, 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 30th day of August, 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

lgc