

COUNCIL MINUTES

September 6, 2001

The City Council of the City of Mesa met in a Special Council meeting in the lower level meeting room of the Council Chambers, 57 East 1st Street, on September 6, 2001 at 7:30 a.m.

COUNCIL PRESENT

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

COUNCIL ABSENT

None

OFFICERS PRESENT

Mike Hutchinson
Barbara Jones

(Councilmember Jaffa arrived at the meeting at 7:34 a.m.)

1. Consider a resolution adopting Addendum No. 2 to the Coordination and Public Involvement Plan for the General Plan – Resolution No. 7725.

Mayor Hawker provided an update relative to the “Mesa 2025 – A Shared Vision,” a Joint Master Plan Committee (JMPC) charged with the responsibility of guiding the process of updating the City’s General Plan, Transportation, Economic Development and Parks and Recreation master plans. On November 20, 2000, the Council adopted a Coordination and Public Involvement Plan which outlined the manner in which the Vision 2025 program would be conducted, coordination of the above-referenced plans, the solicitation and utilization of public involvement, and the manner in which the plans would ultimately be adopted. Mayor Hawker noted that on January 8, 2001, the Council adopted Addendum No. 1 to the Plan that specifically documented the manner in which the General Plan development and adoption processes would comply with the Growing Smarter legislation.

Mayor Hawker advised that in an effort to obtain voter ratification of the General Plan at the March 12, 2002 municipal election, the City must be in compliance with various deadlines relative to public hearings and notice of election. He explained that in an effort to achieve such a goal, it is the recommendation of staff that Addendum No. 2 to the Coordination and Public Involvement Plan for the General Plan be adopted. (See Attachment 1)

Mayor Hawker outlined the procedure which would be followed during the public comment process. He also stressed the fact that it is not the intent of the Council to assume the JMPC’s

responsibilities, but merely to revise the Coordination and Public Involvement Plan to ensure voter ratification of the General Plan at the March 12, 2002 election.

Mayor Hawker acknowledged the presence of Pat Gilbert, Co-Chairman of the JMPC, and invited him to come forward to respond to the Councilmembers' questions.

Mayor Hawker indicated that he would entertain a motion for approval of Addendum No. 2 to the Coordination and Public Involvement Plan for the City's General Plan. He commented that if, as a result of the public comment period, it becomes apparent that further modifications must be implemented regarding the project schedule, it would be within the Council's purview to consider the adoption of a third addendum.

Councilmember Pomeroy noted that although he supports approval of Addendum No. 2, he does have concerns that the proposed timeline may be too aggressive and that the JMPC may be incapable of completing all of the items contained on the Schedule of Activities. (See Attachment 2)

In response to questions from Councilmember Whalen, Interim City Attorney Joe Padilla stated that based on the Growing Smarter legislation, the Council is required to adopt a General Plan by December 31, 2001 and submit the final adopted plan to Mesa voters for approval at the upcoming March 12, 2002 election; the fact that if Mesa has not completed the General Plan process within the prescribed timeframes, under the Growing Smarter legislation, no penalties would be imposed and no direction would be given relative to the adoption of the General Plan and submission of the General Plan to the voters, and the fact that if the State Legislature determines that municipalities have not complied with specified target dates, pursuant to the intent of Growing Smarter, penalties could be implemented in future Legislative sessions.

In response to a question from Councilmember Whalen regarding the potential necessity of selecting an alternative date to the March 12, 2002 election, Planning Director Frank Mizner explained that in recent conversations with the Maricopa County Elections Department, the City Clerk's Office has been apprised that due to a crowded Statewide election ballot in November 2002, the ballot may not have sufficient room to address the General Plan. He added that the September 2002 partisan election will require two sets of ballots which could result in further confusion regarding this issue.

In response to a question from Councilmember Walters regarding the City's inability to place the General Plan on the ballot for the March 12, 2002 election and the possibility of incorporating major amendments into the General Plan, Mr. Padilla advised that the City Attorney's Office has authored a legal opinion which states that if the General Plan is not updated within the Growing Smarter legislation's proposed timeline, the Council could consider and pass an ordinance to extend the 1996 General Plan until adoption/voter ratification is accomplished. He added that such legislation would not impose a moratorium on issues related to construction, building and zoning.

Councilmember Walters reported on her attendance at a recent JMPC dinner meeting, at which time various committee members expressed concerns relative to their ability to adhere to the proposed project schedule.

Mr. Gilbert assured the Council that the JMPC will make every effort possible to comply with the proposed timelines relative to the Growing Smarter legislation.

Councilmember Walters stated that although she supports adoption of Addendum No. 2 to the Coordination and Public Involvement Plan, her vote should not be construed by the JMPC as an indication that the Council is attempting to circumvent the Committee's responsibilities or its ability to deliberate. She encouraged Mayor Hawker to convey such sentiments to the JMPC at tonight's meeting and also to reiterate Mr. Mizner's comments regarding potential ballot restrictions.

Councilmember Pomeroy concurred with the opinions of Councilmember Walters.

Vice Mayor Davidson commented that he also attended the same dinner meeting as Councilmember Walters and that it was his opinion that the concerns expressed by the Committee members are not insurmountable. He emphasized that the JMPC is in possession of all the necessary documentation with which to make an appropriate decision regarding the General Plan alternatives, and added that the Council will give final approval through its adoption of the General Plan.

It was moved by Vice Mayor Davidson that Resolution No. 7725 be adopted.

Councilmember Jaffa voiced opposition to the motion if it is Council's intent to submit the final adopted plan for voter ratification at the March 12, 2002 election. He also discussed a variety of concerns including the consultant's lack of assistance and guidance to the JMPC during this process and Council's ongoing unanswered requests for narratives from the JMPC, status reports from the consultants and Committee updates. He also suggested that the Council conduct public meetings to address the recommendations of the JMPC's subcommittees. Councilmember Jaffa expressed appreciation to the Committee and staff for their efforts in this regard.

In response to a question from Councilmember Jaffa, City Manager Mike Hutchinson advised that City staff has carefully coordinated the efforts of the consultants throughout the evaluation process.

Mayor Hawker acknowledged the comprehensive minutes which have been generated by the JMPC.

Councilmember Kavanaugh seconded Vice Mayor Davidson's motion.

Councilmember Kavanaugh commented that if Addendum No. 2 to the Coordination and Public Involvement Plan is approved, sufficient time will exist to garner public input, permit the Council to adopt a General Plan, and submit the final adopted plan to the voters at the March 12, 2002 election.

Discussion ensued relative to the Committee's completion of the General Plan without full implementation of the elements from the Parks and Recreation, Transportation and Economic Development master plans.

In response to a question from Councilmember Whalen, Mr. Padilla clarified that if the General Plan is significantly altered during the mandatory 60-day review period, a new 60-day public comment period would be implemented and voter ratification would be postponed beyond the March 12, 2002 election date.

Councilmember Walters said that although she has concerns regarding the land use plan, she is confident that the Committee members participating on the various subcommittees will endeavor to make the most appropriate recommendations to the Council. Councilmember Walters also stressed the importance of establishing an effective infill policy.

Mr. Mizner discussed the establishment of various land use issues within the General Plan.

Councilmember Jaffa commented that he will support the motion in an effort to move the process along, but reiterated that he does not endorse the inclusion of the General Plan on the March 12, 2002 election ballot.

Mayor Hawker declared the motion carried unanimously and Resolution No. 7725 adopted.

2. Discuss and consider proposed changes to the General Plan Adoption Schedule.

It was moved by Councilmember Walters, seconded by Vice Mayor Davidson, that the proposed changes to the General Plan Adoption Schedule be approved.

Carried unanimously.

3. Adjournment.

Without objection, the Special Council Meeting adjourned at 8:14 a.m.

KENO HAWKER, MAYOR

ATTEST:

BARBARA JONES, CITY CLERK

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I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special Council Meeting of the City Council of Mesa, Arizona, held on the 6th day of September 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 2025 - A Shared Vision

**Coordination and Public Involvement Plan
Addendum No. 2**

All provisions of the original Coordination and Public Involvement Plan (adopted by Mesa City Council on November 20, 2000) and Addendum No. 1 to that Plan (adopted by Mesa City Council January 8, 2001) will remain in effect with the following exceptions:

1. The original Plan described three (3) series of public workshops to be held throughout the community. Intended to publicize Vision 2025 and to gather public input, these workshops were to be held during three (3) district phases of the overall process.

The first two series have been held (January and July 2001). The results have been incorporated into the draft General Plan. The third series (no dates proposed) will be replaced by the below-noted public hearings.

2. Public hearings for the Mesa General Plan will be conducted as follows:

October 11, 2001 6:00 p.m.	Mesa Planning & Zoning Board	Red Mountain High School 7301 E. Brown Road
October 18, 2001 4:00 p.m.	Mesa Planning & Zoning Board	Mesa Council Chambers 57 E. 1st Street
November 19, 2001 5:45 p.m.	Mesa City Council	Mesa Council Chambers 57 E. 1st Street

MESA 2025 - A SHARED VISION
Schedule of Activities
General Plan
Revision (8-17-01) (DRAFT)

<u>Date(s)</u>	<u>Group</u>	<u>Purpose/Activity</u>
August 30, 2001	<ul style="list-style-type: none"> • Joint Master Planning Committee 	<ul style="list-style-type: none"> • Review results of public meetings. • Select preferred land use alternative. • Review and approve revised schedule.
September 6, 2001	<ul style="list-style-type: none"> • City Council 	<ul style="list-style-type: none"> • Receive update. • Approve revised schedule. • Consider revision of Public Involvement Plan.
September 6, 2001	<ul style="list-style-type: none"> • Joint Master Planning Committee 	<ul style="list-style-type: none"> • Review first six elements. • Reach consensus on first six elements.
September 6, 2001	<ul style="list-style-type: none"> • City Council 	<ul style="list-style-type: none"> • Approve revision of Public Involvement Plan.
September 13, 2001	<ul style="list-style-type: none"> • Joint Master Planning Committee 	<ul style="list-style-type: none"> • Review second six elements. • Reach consensus on second six elements. • Approve General Plan for recommendation to City Council.
September 20, 2001	<ul style="list-style-type: none"> • Agencies • General Public 	<ul style="list-style-type: none"> • Begin mandatory 60-day review period.
September 26, 2001	<ul style="list-style-type: none"> • Public Notice (15-day requirement) 	<ul style="list-style-type: none"> • Notice Planning & Zoning Board Public Hearing No. 1.
October 3, 2001	<ul style="list-style-type: none"> • Public Notice (15-day requirement) 	<ul style="list-style-type: none"> • Notice Planning & Zoning Board Public Hearing No. 2
October 11, 2001	<ul style="list-style-type: none"> • Planning & Zoning Board 	<ul style="list-style-type: none"> • Public Hearing No. 1. • Receive public comments.
October 18, 2001	<ul style="list-style-type: none"> • Planning & Zoning Board 	<ul style="list-style-type: none"> • Public Hearing No. 2. • Receive public comments. • Approve General Plan for submittal to City Council.
November 2, 2001	<ul style="list-style-type: none"> • Public Notice (15-Day Requirement) 	<ul style="list-style-type: none"> • Notice City Council Public Hearing.

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| November 12,
2001 | <ul style="list-style-type: none">• Notice to Maricopa County Elections Department (120 days prior to election.) | <ul style="list-style-type: none">• Notice of Election. |
| November 19,
2001 | <ul style="list-style-type: none">• Agencies• Other Interested Parties | <ul style="list-style-type: none">• End mandatory 60-day review period. |
| November 19,
2001 | <ul style="list-style-type: none">• City Council | <ul style="list-style-type: none">• Public Hearing on Draft General Plan.• Council Approval of General Plan. |
| November 27,
2001 | <ul style="list-style-type: none">• Ballot Language to Clerk (105 days prior to election.) | <ul style="list-style-type: none">• Ballot Language regarding General Plan. |
| March 12, 2002 | <ul style="list-style-type: none">• Election | |