

# COUNCIL MINUTES

February 28, 2002

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 February 28, 2002 at 7:30 a.m.

## COUNCIL PRESENT

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

## COUNCIL ABSENT

Dennis Kavanaugh

## OFFICERS PRESENT

Mike Hutchinson  
Debbie Spinner

(Mayor Hawker excused Councilmember Kavanaugh from the meeting.)

### 1. Review items on the agenda for the March 4, 2002 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:

Mayor Hawker declared a potential conflict of interest regarding agenda item 4e (Queen Creek Ranchos Gas Line Replacement) and said he would refrain from discussion/participation in this item.

Vice Mayor Davidson declared a potential conflict of interest regarding agenda item 6a (Authorizing the City Manager to enter into Intergovernmental Agreements between the Apache Manor, Sagewood, and Sagewood Unit Two street lighting improvement districts) and said he would refrain from discussion/participation in this item.

### 2. Hear an update on the Emergency Management System.

Assistant Fire Chief Cliff Puckett addressed the Council regarding this agenda item and commented on the City's first Emergency Management Committee and the activities of the Committee. Chief Puckett noted that the focus of the newly formed Committee is to guide emergency management in the City and to oversee related activities.

Chief Puckett commented on the Committee's efforts to expand the training of City employees. He reported that the City's Emergency Operations Center exercises have been expanded to include lower level managers who have not traditionally participated in these exercises. He

reported that a "Public Works Responding to Terrorism" seminar offered to City employees and conducted by the Department of Justice was held in February. He noted that the seminar filled quickly and that a second seminar is scheduled for August.

Chief Puckett discussed the Emergency Management Committee's efforts pertaining to security issues. He reported that a team has been assigned to evaluate key facilities in the City and recommendations concerning the security of these facilities will be forthcoming in the near future. He added that the Committee evaluated emergency notification procedures and recommended that department managers develop internal systems to notify employees whose expertise might be utilized in various emergency situations.

Chief Puckett reported that the Department of Justice allocated \$2.58 million to the State specifically for the purchase of "weapons of mass destruction" equipment. He further reported that a statewide strategic plan was developed for the allotment of funds and that through this process Mesa was allotted \$350,000 to purchase equipment. He added that the funds have been equally divided between the Police and Fire Departments and that a list of equipment to be purchased has been submitted to Maricopa County and State officials.

Chief Puckett commented on the City's participation in the Metropolitan Medical Response System, which is a Federal program designed to enhance the ability of communities to respond to terrorist activities. He reported that one of the focuses of this program is to promote partnerships between municipalities and private entities in the community, particularly hospitals. He noted that there are additional Federal funds available to hospitals for this purpose and that staff is working with local hospitals in this regard.

Chief Puckett also commented on the City's purchase of pharmaceuticals for the purpose of responding to a chemical biological incident, and staff's efforts to develop a mass immunization program in partnership with the Maricopa County Health Department.

Chief Puckett stated that staff will continue participating in the Arizona Terrorism Task Force and other efforts relative to regional coordination of terrorism issues. He commented on the importance of continuing an all-hazards approach to emergency management and also on the importance of ensuring that Federal funds allocated for terrorism and emergency management reach local government levels.

Councilmember Pomeroy commended Chief Puckett and staff for their efforts concerning disaster preparedness.

Mayor Hawker concurred with Councilmember Pomeroy's comments and thanked Chief Puckett for the update.

3. Hear a report on the activities of the Human Relations Advisory Board.

David Luna, Chairman of the Human Relations Advisory Board (HRAB) and Diversity Officer Mary Berumen addressed the Committee concerning this agenda item.

Mr. Luna stated that the HRAB developed a videotaped presentation to update the Council regarding the activities of the Board since its inception. The presentation was aired in the

Council Chambers and featured various members of the Board, including Randella Bluehouse, Fernando Cordova, Randy Robinson, Dawn Schween, and Margie Frost.

Board members outlined the Board's Mission Statement and purpose, which is to work toward promoting racial, ethnic, gender, religious and lifestyle harmony among Mesa residents and also commented on the importance of diverse representation on the Board. The members outlined the numerous activities of the Board, including hosting the first regional Human Relations Board exchange; participation in Race Equality Day, the City's first Cesar Chavez Day, Martin Luther King, Jr. Day, the City's Day Labor Task Force and a joint sponsored television teleconference on Afghanistan in partnership with Mesa Community College and Mesa Public Schools; and assistance to the City concerning accessibility problems of the disabled involving City facilities, institutional sensitivity of minorities and diversity training. Board members commented on the Board's three sub-committees, including the Annual Event Committee, the Functions Committee and the Outreach Committee. Board members reported that the Functions Committee recently forwarded a recommendation that a plaque be given to the family of Mr. Balbir Singh Sodhi and that a future site commemorating peace and non-violence be considered as a City sponsored project. Board members also reported that the Outreach Committee has recommended that future HRAB meetings be conducted in various locations throughout the community to encourage citizen attendance and input.

Ms. Berumen also participated in the videotaped presentation and commented on the role of the Diversity Office in conjunction with the HRAB.

Mr. Luna voiced appreciation to staff for their assistance with the video presentation. Mr. Luna also acknowledged HRAB members who were present in the audience, including Dawn Schween, Mark Tompert and Alex Finter.

Vice Mayor Davidson thanked Mr. Luna and the Board for the presentation and spoke in support of the Board's participation in connection with a future student exchange program with Mexico.

Councilmember Walters commended the Board members for their work particularly their efforts concerning youth outreach.

Councilmember Jaffa concurred with Councilmember Walters' comments concerning youth outreach and also commented on the Board's input concerning the Day Labor issue.

Mayor Hawker voiced appreciation for the update.

4. Hear a status report on the ongoing update of the Mesa General Plan.

Planning Director Frank Mizner addressed the Council and provided an overview regarding the recent General Plan update process and reported that staff is seeking input from the Council concerning the February 14, 2002 draft of the General Plan. He noted that this draft incorporated input from the Councilmembers, recent input from the Joint Master Planning Committee (JMPC) and comments from the November 14, 2001 public open house. Mr. Mizner reported that input received from JMPC members during the January 10 and January 31, 2002 meetings, which pertained to visioning and connectivity, was incorporated into this recent draft of the Plan and reviewed by the JMPC at the February 20, 2002 meeting. He noted that JMPC

members indicated that this current draft is much better written, that the graphics and format are significantly improved and that the majority of comments articulated during previous meetings is incorporated into the Plan. Mr. Mizner also reported that staff utilized an internal quality control committee to look at the editing, format and language of the plan to ensure uniformity and the visionary qualities prescribed by the JMPC and the Council.

Mr. Mizner commented on the land use map endorsed by the Council on October 18, 2001 and reported that a number of technical errors on the map require correction. He said that staff anticipates receiving numerous comments concerning the land use map during the public open houses scheduled in March. He said that staff intends to review the public comments with the JMPC on April 4, 2002 and with the Council on April 8, 2002.

Mr. Mizner reported that in response to input from Councilmembers concerning service stations and convenience stores, staff added two policies to the General Plan, which limit auto oriented uses to two corners of an arterial intersection and discourage mid-block convenience stores.

Mr. Mizner discussed the issue of infill development and stated that although a number of policies and strategies in the General Plan relate to infill development, the City does not have a formal infill policy. He stated that staff intends to proceed with development of an infill policy in the future. He noted that this is a complex issue and that the process will encompass several City departments.

Mr. Mizner commented on the issue of inclusionary zoning and said that in response to input from Vice Mayor Davidson and local housing advocates, the General Plan calls for consideration of inclusionary zoning in conjunction with the future housing plan. He added that it is anticipated that a future housing plan will be developed as an additional sub-plan of the General Plan, after the General Plan is fully developed.

Mr. Mizner stated that staff recommends proceeding with the General Plan process and upcoming public open houses. He explained that minor changes will be incorporated into the current version of the Plan to reflect input received from JMPC members during their February 20, 2002 meeting, and that this version of the Plan will be dated March 5, 2002 and utilized in connection with the upcoming public open houses.

Vice Mayor Davidson stated support for the inclusionary zoning language included in the Plan and commented on the growing awareness of housing issues at the Federal and State level. Vice Mayor Davidson urged staff to proceed with development of an infill policy on a priority basis and also voiced concerns regarding the process of updating the land use map.

In response to concerns and questions voiced by Vice Mayor Davidson concerning the process of updating the land use map, Mr. Mizner explained that staff has been reluctant to make corrections to the land use map without specific approval from the Council and added that there is insufficient time to update the land use map prior to the March public open houses. He stated that staff will provide the Councilmembers with an itemization of the errors/corrections staff is currently aware of.

In response to a question from Councilmember Walters concerning the possibility of incorporating Town Center zoning in the General Motors area, Mr. Mizner explained that

although there has been interest expressed by JMPC member Gary Smith that Town Center zoning be included in the General Motors area for the purpose of encouraging vertical development and pedestrian orientation, it is the opinion of staff that the land use map for this area is appropriate at this time. He explained that it is anticipated that General Motors will partner with a developer in the future and that a development proposal will be subsequently submitted to the City, which may contain significant land use and zoning modifications. He added that although staff supports the concept of encouraging vertical development in a future business district in this area, Town Center may not be the appropriate zoning classification.

Councilmember Walters urged staff to address this issue by including visionary language in the Plan narrative that outlines future vertical development/zoning in this area. She also commented on inclusionary zoning and said that the only communities that she is aware of that have adopted inclusionary zoning are those where the base home price is in excess of \$250,000. Councilmember Walters also voiced concerns regarding the fact that a number of the public open houses will be held during the week of spring break.

In response to concerns and questions voiced by Councilmember Walters concerning the lack of progress regarding a City infill policy and staff's intentions concerning this issue, Mr. Mizner stated that because of the concerns expressed by the Councilmembers, the Planning Division will take the lead role regarding this issue, coordinate efforts with other City departments and update the Council within the next few weeks concerning the various departments involved and a target time frame.

Councilmember Jaffa stated that because this agenda item is an "update," he is not prepared to make specific comments and requested that a subsequent Study Session agenda item be scheduled during which the Council could discuss and consider the updated General Plan and sub-plans in more detail. Councilmember Jaffa spoke in support of a future infill policy that encourages creative infill projects. He also commented on inclusionary zoning and stated the opinion that this is a regional issue and that the City should not have to shoulder an excessive burden of affordable housing. He noted that housing reports indicate that the median home price in Mesa is significantly lower than the overall region.

Councilmember Jaffa spoke in support of evaluating the possibility of allowing office uses in homes. He voiced concerns regarding unresolved flight path issues at Williams Gateway Airport, proceeding with the General Plan and land use map in light of the unresolved issues and the fact that the 60-day review period must be repeated if there is a material change to the Plan. He also stated concerns regarding residential development encroachment issues in the Williams Gateway area. He stated the opinion that it is important that this Council and future Councils adhere to the updated General Plan after adoption.

Councilmember Pomeroy indicated approval for the efforts made to incorporate vision into the Plan and stated the opinion that it is not the role of the Council to offer detailed input at this time. He commented on the General Plan timeline adopted by the Council and on the fact that he and Vice Mayor Davidson will no longer be Councilmembers when the Council takes action on the Plan in June 2002. He urged staff to provide detailed information to the Council-elect candidates concerning this process.

Councilmember Whalen commented on the importance of addressing redevelopment/reuse issues at the Motorola and Rosarita facilities as well as the rail corridor. He spoke in support of evaluating the possibility of incorporating a north/south parkway along Mesa Drive or Gilbert Road. He also urged staff to depict future rail corridors in the Transportation Plan.

Mayor Hawker concurred with Councilmember Walters' comments concerning the importance of developing an infill policy on a priority basis. He also concurred with Councilmember Jaffa's comments that inclusionary zoning/affordable housing is a regional issue and should be evaluated in that context.

Lynn Kusy, Executive Director of Williams Gateway Airport, and Williams Gateway AREA Director Wayne Balmer addressed the Council concerning flight patterns at Williams Gateway Airport (WGA).

Mr. Kusy referred to a handout provided to the Councilmembers and said that the information contained in the handout is the most current information available concerning what types and sizes of aircraft are anticipated to use the airport in the future, the anticipated flight paths and frequencies. Mr. Kusy referred to a map on display in the Council Chambers that illustrated actual radar flight tracks from Williams Gateway Airport and also maps contained in the handout that illustrated consolidated departure tracks, consolidated arrival tracks and consolidated touch-and-go tracks.

Mr. Kusy reported that although future commercial flights will be limited to specific flight tracks mandated by the Federal Aviation Administration (FAA), it is anticipated that commercial flights will account for a minority of total operations at the airport (approximately 50,000 commercial operations out of approximately 300,000 total operations forecasted for 2020). He further reported that because the FAA has refused to establish flight tracks for WGA at this time due to the fact there is currently no commercial service at the airport, WGA staff is in the process of developing flight tracks to submit to the FAA for approval. He noted that it is anticipated that this entire process will take a significant amount of time.

Mr. Kusy stated that the noise contours illustration provided with the General Plan land use map represents the best information currently available concerning the projections of where the major noise impacts will be from flights at WGA.

In response to a question from Mayor Hawker concerning the anticipated time frame associated with the second half of Northwest 2000 (FAA's process of redrawing commercial flight paths), Mr. Kusy reported that the FAA has indicated that it will be as long as a year before the planning process commences.

Councilmember Jaffa voiced concerns regarding the volume of residential land uses designated in the General Motors area and stressed the importance of proceeding slowly with residential development and ensuring that land uses surrounding the airport do not inhibit the airport's ability to grow and become a passenger and cargo reliever airport to Sky Harbor Airport.

Discussion ensued regarding current departure paths at WGA and the fact that there are three primary departure paths.

Mayor Hawker voiced the opinion that protection of the three primary departure paths will ensure survivability of the airport. Mayor Hawker also requested that Mr. Kusy provide supplemental information concerning altitudes of departing aircraft.

In response to a question from Councilmember Whalen concerning the process of implementing a General Plan revision when a General Motors development proposal is submitted, Mr. Mizner explained that a material change in the land use map generated by a General Motors development proposal can be accomplished as a General Plan Amendment after the General Plan is approved by voters. He further explained that although a General Plan Amendment requires a higher threshold of Council approval than a simple majority, it does not require voter approval.

Mayor Hawker voiced appreciation for the update.

5. Hear an update and consider issues associated with the proposed site(s) for the Multipurpose Facility.

City Manager Mike Hutchinson outlined the upcoming meetings and events concerning this issue, including a Tourism and Sports Authority (TSA) meeting that evening, which will include presentations from the five remaining host communities followed by an open house; a meeting on February 29 with the various potential East Valley partners; an announcement by the TSA naming the two remaining finalists on March 5; and an announcement by the TSA naming the finalist on March 21, 2002.

Mr. Hutchinson commented on issues raised by the TSA in a recent letter to the City, including: 1) the \$30 million revenue gap (costs exceeding revenues); 2) transferring the land underneath the stadium (the City will propose a long-term lease); 3) taxes imposed by the City concerning the stadium; 4) clearance by the FAA concerning the site (a "no hazard" determination was recently received from the FAA); 5) costs associated with the stadium foundation systems; and 6) construction safety issues.

Mr. Hutchinson discussed staff's efforts to secure partnership commitments from the Arizona Cardinals, the TSA, the Salt River Pima Maricopa Indian Community, the City of Tempe and the City of Scottsdale for the purpose of narrowing the \$30 million gap. He reported that staff proposes to move the stadium site closer to the Northwest Water Reclamation Plant, immediately adjacent to the freeway. He explained that because the plaza would only partially surround the stadium at this location, that staff is negotiating the required \$8 million plaza costs with the TSA. He added that staff is also negotiating the parking costs/revenues issue with the TSA.

Mr. Hutchinson reported that Tempe has proposed a partnership that would entail deannexation of the Riverview Golf Course by Mesa, and Tempe's annexation and purchase of the property and development of the property into a parking facility. He added that Tempe also offered assistance regarding the relocation of the baseball/softball fields. Mr. Hutchinson further reported that in response to Tempe's proposal, City staff proposed that Tempe acquire the Arizona State University property located south of 8<sup>th</sup> Street for the purpose of a joint development, grass-surface parking/recreation facility and he noted that this type of facility could be used year-round by both cities for youth sports activities. Mr. Hutchinson noted that

the possibility of utilizing parking areas north of Sun Devil Stadium and Tempe's concerns related to the Fiesta Bowl were also discussed.

Mr. Hutchinson reported that Scottsdale has indicated a willingness to contribute a portion of bed tax revenue and he commented on the possibility of expanding this source of revenue. He added that staff intends to propose this type of contribution to Tempe. Mr. Hutchinson also commented on staff's efforts to simplify financial arrangements concerning the project as much as possible.

Discussion ensued concerning proposed parking areas and the TSA's requirements for parking; the possibility of utilizing a portion of the Riverview Golf Course for future office space; and the possibility of developing a parking facility on the Salt River Pima Maricopa Reservation in the future.

In response to a question from Councilmember Whalen concerning the expansion of the City's redevelopment area to include the facility site, Mr. Hutchinson discussed the possibility of extending the City's redevelopment area west along Main Street and north to the site and he noted that this would be a complicated process. He advised that the Cardinals have indicated that if they indeed partner with the City and purchase site property, redevelopment incentives would be an important element of the partnership. Mr. Hutchinson also spoke about Tempe's interest in extending its nearby redevelopment area.

Discussion ensued regarding the TSA's representation that they would prefer to entertain a partnership proposal with respect to the Mesa site.

Councilmember Jaffa voiced opposition to Tempe's proposal to annex property at the site and added that he would support further discussion of land trades if the City could be kept whole. He also voiced concerns regarding the ongoing Hurley property negotiations and spoke in support of exploring the possibility of developing convention space at the site.

Councilmember Walters commented on public misconceptions regarding the proposed stadium location and the project funding mechanisms. She spoke in support of staff's efforts to partner with other entities and for partnering with the Salt River Pima Maricopa Indian Community in the event they are selected as a site finalist.

In response to questions from Mayor Hawker concerning the City's exposure to excess costs not accounted for in the final proposal submitted to the TSA, Mr. Hutchinson advised that staff intends to address this concern by identifying maximum cost limits ("caps") in the proposal that the City would be contractually responsible for.

In response to a question from Mayor Hawker concerning the City's financing of project infrastructure costs, Assistant Financial Services Director Larry Given provided an overview regarding the basis of staff's conservative revenue projections concerning the project and said that although the actual bond debt for infrastructure improvements would be based on City excise taxes, the debt service would be structured to coincide with the stream of revenues from the facility. He added that structuring the bond debt in this manner would provide the lowest possible interest rate.

In response to a concern voiced by Mayor Hawker relative to the fact that staff's revenue projections are based on attendance numbers, Mr. Given advised that attendance guarantees would have to be negotiated with the parties to ensure staff's revenue projections.

Mayor Hawker thanked staff for the update.

6. Acknowledge receipt of minutes of boards and committees.

- a. Design Review Board meeting held February 6, 2002.
- b. Parks and Recreation Board meeting held February 14, 2002.

It was moved by Councilmember Jaffa, seconded by Councilmember Pomeroy, that receipt of the above-listed minutes be acknowledged.

Mayor Hawker declared the motion carried unanimously by those present.

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

Mayor Hawker reported that several Councilmembers attended the awards banquet held the previous night honoring Jerry Boyd and Bev Tittle-Baker as Mesa's Man and Woman of the Year. He voiced appreciation to Ms. Tittle-Baker and Mr. Boyd for their outstanding service to the City.

Councilmember Jaffa reported on his participation at a recent meeting concerning the mitigation of Red Mountain Freeway impacts on the Recker Road/Thomas Road area.

8. Scheduling of meetings and general information.

Thursday, February 28, 2002 – General Development Committee Meeting immediately following Study Session

Monday, March 4, 2002, 3:00 p.m. – Utility Committee Meeting

Monday, March 4, 2002, TBA - Study Session

Monday, March 4, 2002, 5:45 p.m. – Regular Council Meeting

Thursday, March 7, 2002, 7:30 a.m. - Study Session

Wednesday, March 13, 2002, 4:00 p.m. – Transportation Committee Meeting

Thursday, March 14, 2002, 7:30 a.m. – Study Session

Monday, March 18, 2002, TBA – Study Session

Monday, March 18, 2002, 5:45 p.m. – Regular Council Meeting

Mayor Hawker reported on a meeting scheduled that evening involving the Chairmen of the City's various Boards and Committees. He said that the purpose of the meeting is to assist the various Chairmen with their roles and responsibilities and to promote the sharing of information between the Boards and Committees.

Mayor Hawker also commented on the Tourism and Sports Authority meeting scheduled that evening. He noted that presentations would be conducted by the various communities submitting sites for consideration.

9. Prescheduled public opinion appearances.

There were no prescheduled public opinion appearances.

10. Adjournment.

It was moved by Councilmember Jaffa, seconded by Vice Mayor Davidson, that the Study Session adjourn at 10:17 a.m.

Mayor Hawker declared the motion carried unanimously by those present.

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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 28<sup>th</sup> day of February 2002. I further certify that the meeting was duly called and held and that a quorum was present.

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BARBARA JONES, CITY CLERK

pjt