



COUNCIL MINUTES

April 4, 2005

The City Council of the City of Mesa met in a Study Session in the lower level meeting room of the Council Chambers, 57 East 1st Street, on April 4, 2005 at 4:31 p.m.

COUNCIL PRESENT

Mayor Keno Hawker
Rex Griswold
Kyle Jones
Tom Rawles
Janie Thom
Claudia Walters
Mike Whalen

COUNCIL ABSENT

None

OFFICERS PRESENT

Mike Hutchinson
Debbie Spinner
Barbara Jones

1. Review items on the agenda for the April 4, 2005 Regular Council meeting.

All of the items on the agenda were reviewed among Council and staff and the following was noted:

Conflicts of interest declared: 7f, g, i, j, k (Hawker)

Items removed from the consent agenda: 9

Items added to the consent agenda: 11b

Items removed from the agenda: None

2. Discuss and consider the "Downtown Core" Parking Use Plan within the Mesa Town Center Parking Management Program.

City Attorney Debbie Spinner advised that discussion of this item does not pose a potential conflict of interest for Vice Mayor Walters due to the fact the City's parking garage lease with Mesa Public Schools is already in place.

Financial Services Manager Bryan Raines advised that several months ago staff presented to the Council a proposal for a downtown parking use plan. He added that as requested by the Council, staff has prepared a ten-year financial projection (see Attachment 1) that details anticipated revenues and expenditures. Mr. Raines noted that the Council Report includes

Exhibit 2, the “Revised Downtown Mesa Core Shared Parking Implementation Action Plan” (a copy is available for review in the City Clerk’s Office). He stated that a recommendation to increase parking fees by five percent would be brought forward to the Council during the budget process, and that future parking fee increases would be proposed every two years in order to maintain the program balance. Mr. Raines added that the projected capital improvements are outlined in the plan.

Tom Verploegen, Executive Director of the Mesa Town Center Corporation, reported that the plan includes approximately \$1.3 million in capital expenditures and \$200,000 for operations.

In response to a question from Mayor Hawker regarding the reference to “City of Mesa Contribution – Employee Parking Value” listed on Attachment 1, Mr. Verploegen explained that the cash offset for employees balances the program in terms of the City’s reinvestment for resurfacing, lighting, and operations and maintenance.

Councilmember Thom questioned a reference in the plan regarding a request to change State Law in order to enable the City of Mesa to contract with a private enterprise for parking enforcement in the downtown area.

Mr. Verploegen explained that parking monitors, who are Police Department employees, presently provide parking enforcement in the Town Center. He added that the change in State Law would enable the parking monitors to report to the Town Center Corporation, and he noted that the financial cost would be the same whether the monitors operate under the direction of the Police Department or the Town Center Corporation. Mr. Verploegen reported that one position is presently filled, that the Police Department is attempting to fill a second position, and that a third position is outlined in the plan. He added that the monitors generate sufficient parking fine revenues to pay for the cost of the positions.

City Manager Mike Hutchinson stated that parking monitors are difficult to retain due to the fact that they often move into other Police Department positions as openings occur. He noted that the proposed change to State Law would provide municipalities the option to contract for parking enforcement with a private entity.

Councilmember Thom expressed concern relative to delegating police powers to a private entity. She advised that Los Angeles County has experienced many problems with this type of arrangement.

In response to a question from Councilmember Thom, Mr. Verploegen stated that approximately 1,900 shared parking spaces exist in the vicinity of the Arts Center, and that most of the activity for the Arts Center will be occurring at night or on weekends. He explained that temporary parking lots are planned for the next couple of years in order to evaluate parking patterns and requirements relative to the use of the Arts Center.

Senior Town Center Development Specialist Patrick Murphy stated that the request before Council is to approve the parking plan and to direct staff to move forward. He noted that Exhibit 2 of the Council Report outlines the projects, contracts and ordinances that would be brought forward for future Council approval.

Mayor Hawker stated that the concept of addressing City employee parking by assessing an offset fee to maintain the lots is appropriate. He expressed appreciation for the efforts of the Town Center Corporation in regard to parking management. Mayor Hawker also stated the opinion that privatization of parking enforcement was desirable so that trained police officers are free to concentrate on more critical issues.

It was moved by Mayor Hawker, seconded by Vice Mayor Walters, to direct staff to move forward with the parking plan as presented by staff.

Councilmember Jones noted that attendees at events throughout the Valley expect to pay for parking, and he questioned whether consideration has been given to contracting with a private enterprise to construct and operate a parking garage.

Discussion ensued relative to the fact that staff has considered charging for parking at major Arts Center events; that the Methodist Church is planning to upgrade their lot and charge for Arts Center event parking; that the key factors in determining parking requirements will be the number of monthly parking permits and attendance at the various events; and that staff has spoken to a number of parking management consultants, but presently the information available is insufficient to determine the viability of constructing a new parking garage..

Mr. Verploegen responded to a comment from Councilmember Thom by noting that he and the principal of Heritage Academy discussed the drop off and pick up locations for students. He advised that a recommendation is moving forward to change the direction of alley traffic by the Academy in order to facilitate an improved traffic flow on Center Street.

Mayor Hawker called for the vote.

Carried unanimously.

Mayor Hawker thanked staff for the presentation.

3. Discuss, consider and make recommendations concerning speakers making comments pertaining to the upcoming May 17th Special Election at the Prescheduled Public Opinion Appearances and Items from Citizens Present items on the City Council's regular and study session meeting agendas.

Mayor Hawker extended an apology to Sheila Mitton, a citizen who wished to address the Council at the last Study Session. He noted that questions arose regarding the legality of a citizen endorsing an issue by speaking at a public City meeting.

Ms. Spinner advised that the Mayor has the authority to conduct the meeting in a manner that is not disruptive to City business. She noted that case law determined that a citizen speaking at a public meeting while wearing a T-shirt with messages is not considered to be acting in a disruptive manner.

Councilmember Rawles expressed the opinion that individuals have the right to free speech regarding any subject that is relevant to the City, including pending ballot issues. He added that the Ethics Code regarding the use of City resources does not apply to private citizens.

Vice Mayor Walters expressed concurrence with the comments of Councilmember Rawles.

Ms. Spinner added that although Council candidates and sitting Councilmembers are prohibited from utilizing City resources for campaign activities, private citizens are free to speak at public City meetings.

Mayor Hawker noted that a consensus of the Council supports the position that private citizens are free to address any issue at a Council meeting when making a prescheduled public opinion appearance or speaking under "Items from citizens present."

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

- a. Transportation Committee meeting held March 24, 2005.

It was moved by Vice Mayor Walters, seconded by Councilmember Jones, that receipt of the above-listed minutes be acknowledged.

Carried unanimously.

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

Vice Mayor Walters: Attended the grand opening of the C. M. Berge building.

6. Scheduling of meetings and general information.

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

Thursday, April 7, 2005, 7:30 a.m. – Study Session

Monday, April 11, 2005, 3:30 p.m. – Police Committee

Thursday, April 14, 2005, 7:30 a.m. – Study Session

Thursday, April 14, 2005, 9:30 a.m. – Finance Committee

Monday, April 18, 2005, 3:30 p.m. – Fire Committee

Monday, April 18, 2005, TBA – Study Session

Monday, April 18, 2005, 5:45 p.m. – Regular Council Meeting

4. Prescheduled public opinion appearances.

There were no prescheduled public opinion appearances.

5. Adjournment.

Without objection, the Study Session adjourned at 5:35 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 4th day of April 2005. 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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Attachment 1