

COUNCIL MINUTES

September 4, 1997

The City Council of the City of Mesa met in a Policy Session in the lower level meeting room of the Council Chambers, 57 East 1st Street, on September 4, 1997 at 4:03 p.m.

COUNCIL PRESENT

Mayor Wayne Brown
Vice Mayor Pat Gilbert
John Giles
Dennis Kavanaugh
Joan Payne
Wayne Pomeroy

COUNCIL ABSENT

Jim Stapley

STAFF PRESENT

C.K. Luster
Wayne Balmer
Cindy Barris
Neal Beets
Denise Bleyle
Dennis Compton
Gerry Gerber
Mike Hutchinson
Lars Jarvie
Barbara Jones
Harry Kent
Peter Knudson
Wayne Korinek
Ron Krosting
Dorinda Larsen
Jeff Martin
Tom Mattingly
Keith Nath
Eric Norenberg
Ellen Pence
Bryan Raines
Tom Remes
Becky Richardson
Jamie Warner

STAFF PRESENT (CONT.)

Jeff Welker
Mindy White
Larry Woolf
Jim Wright

OTHERS PRESENT

Scott Clement
Mike Ellegood
Mike Falkenberg
Beverly Hart
Keno Hawker
Marilyn Jarrett
Victor Linoff
Chris Moeser
Joan Newth
Dick Perreault
Ralph Pew
Greg Schuelke
Lela Steffey
Art Thomason
Fred Williams
Others

Mayor Brown excused Councilmember Stapley from the meeting.

1. Hear a report on the Southeast Mesa Area Drainage Master Plan.

Supervising Engineer Peter Knudson advised that staff has been working recently with the Maricopa County Flood Control District to develop a master drainage plan for portions of southeast Mesa. Mr. Knudson introduced Scott Clement, Mike Ellegood, and Dick Perreault, representatives from the Maricopa County Flood Control District present at the meeting.

Scott Clement, Project Manager, provided background information concerning development of the East Maricopa Area Drainage Master Plan. Mr. Clement indicated that the plan consists of two phases, the first of which has been completed: a) identification of drainage/flooding problems, cost-effective alternatives, and selection criteria and b) development and refinement of a recommended plan. Mr. Clement advised that the master plan encompasses a multi-jurisdictional area, divided into three geographic portions (Areas 1, 2, and 3). Mr. Clement referred to a map reflecting the study area/jurisdictional boundaries and identified participants in the development of the master plan.

Mr. Clement displayed additional maps illustrating known flooding areas, existing and planned developments, and the recommended proposal. Mr. Clement commented that the master plan incorporates design features involving detention, conveyance, and environmental sensitivity and that selection criteria include capital cost, effectiveness, maintenance costs, acceptability to communities, compatibility, and the potential for staged construction. Mr. Clement noted existing and proposed channels and basins within Areas 1, 2, and 3. Mr. Clement outlined steps involved in implementation of the plan and spoke concerning anticipated public/private funding.

Mr. Knudson stated that staff recommends that Council adopt the master plan.

Mr. Clement responded to questions from Council pertaining to the general flow of the watershed, potential recreation sites, funding sources (including developers and donations), and a more definitive sizing and more comprehensive siting of facilities as components of the second phase of the master plan.

Mayor Brown expressed the opinion that a plan is needed but suggested that Council initially tour the affected area. Mr. Clement indicated a willingness to accompany the Council.

Mayor Brown thanked Mr. Knudson and Mr. Clement for the presentation.

2. Hear and discuss an update on the Eastern Canal Flood Zone Study.

Mayor Brown thanked citizens present at the meeting for their attendance and interest in the discussion of this item.

City Manager Charles Luster noted recommendations presented by property owners to eliminate the flood hazard area along the Eastern Canal. Mr. Luster requested that City Attorney Neal Beets provide an overview concerning the National Flood Insurance Program (NFIP) and associated regulations.

Mr. Beets stated that the NFIP is a federal program administered by the Federal Emergency Management Agency (FEMA), who has established criteria for the mapping of floodplains. Mr. Beets reported that Arizona has chosen to participate in this national program and has developed extensive governing State laws, including the stipulation that each county within Arizona must establish a flood control district. Mr. Beets indicated that the governing board for Maricopa County is the Board of Supervisors, whose responsibilities include the delineation of floodplains within the County. Mr. Beets added that the Director of the Department of Water Resources is the primary individual within the State responsible for establishing criteria for the designation of floodplains within Arizona and ensuring compliance with the NFIP.

Mr. Beets advised that under State law, cities and towns have the option to locally administer the NFIP and that in 1980, Mesa assumed such responsibility. Mr. Beets commented that cities such as Chandler have elected not to participate and instead defer to the Maricopa County Flood Control District for administration of the program on their behalf.

Mr. Beets spoke concerning the significance of floodplain designations, noting that such areas are subject to development restrictions, specified financial lending regulations, and insurance pricing requirements per a federal rating system. Mr. Beets commented that FEMA approval is necessary to modify floodplain maps, or amendments can be generated directly by FEMA.

Mr. Beets distributed a copy of A.R.S. §48-3610(D), which indicates that cities who have assumed floodplain management and regulation may by resolution return such responsibility to their county flood control district.

Mr. Beets responded to questions from Council pertaining to the NFIP and the assumption of the floodplain management by the City. Mr. Beets related incentives provided for participation in the program, such as more readily available funding assistance for disaster relief and the availability of FHA/VA loans. Mr. Beets noted that floodplain management is primarily a maintenance issue for Mesa at this time given the extent of development within the City.

Councilmember Giles commented that returning responsibility for floodplain management to the County may be an appropriate option to explore and suggested that staff assess potential impacts associated with such action.

In response to a question from Mayor Brown, Mr. Beets stated that uniform criteria are utilized in determining floodplain designations, whether management is the responsibility of either the City or the County Flood Control District.

Supervising Engineer Peter Knudson highlighted significant dates and actions taken by the City since 1980 relative to NFIP maps and floodplain restrictions. Mr. Knudson advised that as a result of a change in FEMA regulations, the City in 1985 adopted regulations to prohibit the construction of basement homes within a floodplain and that in 1988, the western side of the Eastern Canal was removed from a designated floodplain.

Mr. Knudson displayed a map illustrating flood hazard areas within the City and a schematic of a typical canal cross-section. Mr. Knudson spoke concerning ponding, elements considered in the establishment of floodplain designations, finished floor elevation requirements, and the assistance provided by staff to citizens in developing a Letter of Map Revision, the procedure utilized to remove from a floodplain those homes elevated above the local base flood elevation.

Mr. Knudson introduced Greg Schuelke, representing A-N West Inc., a consultant hired recently to conduct a new floodplain study along the Eastern Canal.

Mr. Schuelke related preliminary results of the study, which involves the computation of 100-year flood discharges. Mr. Schuelke described processes utilized in the study, noting that data was collected at culverts (located primarily at the southern end) and 200' cross-sections to determine capacity along the Eastern Canal. Mr. Schuelke presented statistics and displayed a map illustrating subsequent Profile 1 and Profile 2 boundaries (see attachment).

Mr. Schuelke stated that following a review of the data with staff, a 100-year floodplain boundary was plotted utilizing corresponding methodology. Mr. Schuelke referred to a map (same as above) reflecting the draft floodplain boundary in comparison to the existing boundary. Mr. Schuelke outlined assumptions used in plotting the new boundary.

In response to a question from Councilmember Pomeroy, Mr. Schuelke commented that differences between the draft floodplain boundary and the existing floodplain boundary may be attributed to factors such as changes in ground level resulting from development, the raising/lowering of canal banks as a part of maintenance, and improved mapping methods.

Brief discussion ensued concerning rainfall, ponding effects, and drains intended to accommodate runoff.

Councilmember Giles expressed the opinion that the potential for a 100-year flood is unlikely and that it appears unjust to subject homeowners to flood insurance requirements. Councilmember Giles noted that preliminary results of the study indicate that some properties within the current floodplain designation will be removed but that others will now be added. Councilmember Giles suggested that consideration be given to terminating the study and assisting individuals with a Letter of Map Revision.

Mayor Brown recommended that a meeting be held with individuals from The Groves (property owners affected by the floodplain), City staff, Mr. Schuelke, representatives from the Maricopa County Flood Control District and FEMA, and three Councilmembers to answer questions and explain the study in greater detail. Mike Falkenberg, representing The Groves, concurred with the proposed meeting and requested that he be allowed to invite an engineer to assist in his understanding of the process.

Councilmember Payne questioned whether Mesa should continue to administer the NFIP and expressed concern relative to past City actions. Councilmember Payne requested information pertaining to the City's role and expenditures associated with the floodplain management. Councilmember Payne spoke regarding the importance of accountability when assuming responsibility from another agency. Councilmember Payne commended Mayor Brown relative to the proposed meeting and encouraged resolution for homeowners.

Mayor Brown suggested that he, Councilmember Giles, and Councilmember Payne attend the meeting and report back to the remaining Councilmembers.

Mayor Brown thanked staff and Mr. Schuelke for the information.

(At 5:32 p.m. Mayor Brown called for a short recess. The meeting reconvened at 5:37 p.m.)

3 Hear and discuss a proposed Intergovernmental Agreement with the Arizona Department of Transportation concerning acceleration of construction of the Red Mountain Freeway to Gilbert Road.

Mayor Brown commended State legislators and Assistant to the City Manager Jeff Martin for their assistance in negotiation, particularly relative to the Red Mountain and San Tan Freeways.

Mr. Martin reported that in 1996, the Maricopa Association of Governments (MAG) Regional Council adopted an update to the MAG freeway construction program whereby funding was included to complete all of the proposed MAG area freeways, including the San Tan, and to accelerate the funded portions of the Red Mountain Freeway. Mr. Martin indicated that the section of the Red Mountain Freeway from Country Club Drive to Gilbert Road was accelerated by three years to December 2003.

Mr. Martin advised that under a proposed intergovernmental agreement with the Arizona Department of Transportation (ADOT) for two loans, completion of the Red Mountain Freeway to Gilbert Road could be further accelerated by nearly two years to January 2002. Mr. Martin estimated the cost to the City at approximately \$1.8 million to \$2.1 million, to be paid over a six-year period. Mr. Martin stated that Phase I (right-of-way acquisition and design) would be accelerated through a \$24 million loan from ADOT's State Infrastructure Bank (SIB) and that Phase II (construction) would be accelerated through a \$36 million loan of local bond funds provided by the City to ADOT. Mr. Martin outlined interest rates, inflation savings offsets, and anticipated costs to the City by fiscal year.

Mr. Martin noted that clauses have been included in the agreement that would allow the City to cancel if necessary. Mr. Martin expressed the opinion that the proposal represents a blueprint for future acceleration of the Red Mountain Freeway to Power Road and subsequently the San Tan Freeway.

Brief discussion ensued concerning current construction and the status of the environmental impact study to be utilized in determining the Red Mountain Freeway alignment.

Council commended Mayor Brown, legislators, Mr. Martin, and staff for their efforts and innovative approach. Mayor Brown stated that is it the consensus of Council present to proceed with the intergovernmental agreement.

Mr. Martin expressed appreciation to Representative Lela Steffey, Assistance Finance Director Larry Woolf, and Fred Williams, bond counsel, for their assistance.

(Councilmember Payne was excused at 5:58 p.m. for the remainder of the meeting.)

4. Discuss a proposal to finance arts and entertainment facilities, transit improvements, parks and recreation, and public safety programs.

Mayor Brown outlined a proposal for a half-cent sales tax increase to be presented to voters to improve City services in five major areas: a) transit (\$293 million), b) arts and entertainment facilities (\$62 million), c) library, recreational, and cultural activities (\$45.3 million), d) Police personnel and training (\$30.5 million), and e) Fire Department emergency medical response and training (\$22.5 million). Mayor Brown advised that the proposed tax is not a sunset tax and that dollar amounts represent projected expenditures during the first 10 years.

Mayor Brown related advantages/disadvantages expressed by citizens relative to components within the proposal and the mix of uses. Mayor Brown noted the importance of this issue and the need for a cautionary approach. Mayor Brown encouraged further refinement of the plan.

Council present spoke in favor of the proposal and indicated a willingness to advocate support for the plan.

Vice Mayor Gilbert commented concerning property tax as a funding mechanism and recommended increases in fund balances. Vice Mayor Gilbert expressed support for a committee of citizens to refine the measure and develop a marketing strategy for passage.

Councilmember Kavanaugh questioned the timing involved in presenting the issue for ballot consideration. Assistant City Manager Mike Hutchinson and City Manager Charles Luster said that a final decision by Council will be necessary by late November/early December.

In response to a question from Councilmember Giles, City Attorney Neal Beets clarified that the proposal does not represent a Charter amendment but rather fulfills the Charter requirement to conduct an election to consider a sales tax increase.

5. Discuss the proposed sale of Highway User Revenue Bonds in the amount of \$19M to finance various street projects.

Assistant to the City Manager Bryan Raines outlined a proposal for a sale of Highway User Revenue Bonds in the amount of \$19 million. Mr. Raines advised that revenues received from the sale of the bonds would be utilized to pay for street projects and associated land acquisition costs which the City has undertaken or is proposing to undertake during Fiscal Year 1997/98. Mr. Raines stated that if Council supports the proposal, a resolution authorizing the City to proceed with the sale can be included on the agenda for the September 15, 1997 Regular Council Meeting.

In response to a question from Vice Mayor Gilbert, Assistant Finance Director Larry Woolf spoke briefly concerning the City's bond ratings, fund balances, interest rates, and potential refinancing options.

Mayor Brown stated that it is the consensus of Council present to proceed with the bond sale.

6. Scheduling of meetings and general information.

Mr. Luster stated that the meeting schedule is as follows:

Friday, September 12, 1997, 7:30 a.m. - Study Session (followed by a Utility Committee meeting)

Monday, September 15, 1997, 5:45 p.m. - Regular Council Meeting

Mr. Luster advised that the September 5, 1997 Study Session has been canceled.

6. Adjournment.

Without objection, the Policy Session adjourned at 6:28 p.m.

WAYNE BROWN, MAYOR

ATTEST:

BARBARA JONES, CITY CLERK

Attachment

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Policy Session of the City Council of Mesa, Arizona, held on the 4th day of September 1997. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 19TH day of September 1997

BARBARA JONES, CITY CLERK