

COUNCIL MINUTES

November 30, 2006

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 November 30, 2006 at 7:30 a.m.

COUNCIL PRESENT

Mayor Keno Hawker
Rex Griswold
Kyle Jones
Tom Rawles
Scott Somers
Claudia Walters
Mike Whalen

COUNCIL ABSENT

None

OFFICERS PRESENT

Christopher Brady
Debbie Spinner
Barbara Jones

Mayor Hawker excused Councilmember Jones from the beginning of the meeting. He arrived at 7:33 a.m.

1. Review items on the agenda for the December 4, 2006 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: 9d (Jones); 9g and 10f (Whalen)

Items removed from the consent agenda: None

Items added to the consent agenda: 3a and 3b (Continued to December 18, 2006)

2. Hear an update on the effect of traffic control changes on Baseline Road near Rhodes Junior High School.

Acting Transportation Director Dan Cleavenger introduced Senior Transportation Engineer Renate Ehm and advised that staff was present to provide the Council with a six-month update on the traffic control changes implemented on Baseline Road in the area of Rhodes Junior High School.

Ms. Ehm displayed a PowerPoint presentation (a copy is available for review in the City Clerk's Office) and provided information on the following traffic control changes:

- Extended hours for the 35 mph speed limit.
- Yellow flashing lights.

- Driver speed feedback signs.
- More and larger school advance warning signs.
- Reflective strips added to the signs.
- “End School Zone” signs.

Ms. Ehm reported that vehicle speed data was collected during the following conditions: normal police enforcement, intense police enforcement and at a time when school was not in session. She noted that data collected in September after the traffic control changes were implemented indicated a reduction in speed between the hours of 7:00 a.m. and 8:00 p.m.

Mr. Cleavenger stated that staff would update the Council again in six months regarding speed data collected in the area of Rhodes Junior High School. He added that staff would also review and provide a report on dual speed limit guidelines and Citywide treatment options for arterial streets adjacent to schools.

In response to a suggestion from Councilmember Griswold that staff address the speed conditions in the area of Power Road and Brown Road, Mr. Cleavenger advised that legal counsel for Mesa Public Schools contacted staff regarding traffic conditions in the area of several schools, including the location at Power and Brown Roads, and that staff is addressing these issues.

Councilmember Jones thanked staff for providing an update on a timely basis.

In response to a question from Vice Mayor Walters, Ms. Ehm advised that the driver speed feedback feature does not register speeds in excess of 50 mph in order to discourage drivers who intentionally speed to register a high number. She explained that most jurisdictions implement a similar feature and that the practice is recommended by the contractor.

Discussion ensued relative to the fact that photo radar technology could be an effective tool at these locations; that staff could collect data regarding the number of vehicles traveling at speeds in excess of 50 mph; and that staff is directed to check with the photo radar vendor and the Police Department regarding the feasibility of installing this feature in school zones.

Mayor Hawker thanked staff for the presentation.

3. Discuss, consider and provide direction on City Council Committees, including the following:

- a. Appointment process.
- b. Adding to or combining current Committees.
- c. Process for developing agenda.
- d. Areas of responsibility.

Mayor Hawker advised that his practice regarding the appointment process is to rotate the Committee Chairman every two years while retaining one existing member of the Committee. He stated that this approach enabled each Councilmember to obtain a broad range of experience regarding City operations. Mayor Hawker noted that there has been some discussion regarding the possibility of combining Police and Fire into a Public Safety Committee. He noted that there are currently six standing Council Committees and that the ordinance states that, “Each committee shall be responsible for such matters as may be

referred to it and shall meet at such times as may be necessary to take care of matters referred to it by the Mayor.” Mayor Hawker added that the areas of responsibility for most of the Committees are self-explanatory and that the General Development Committee is somewhat of a “catch all” for other issues.

Vice Mayor Walters expressed support for the Mayor’s approach to the appointment process. She noted that in practice, Committee Chairmen have requested the placement of certain issues on the Committee’s agenda, and she suggested that the language be revised to reflect the fact that a Chairman or a Committeemember may place relevant items on a Committee meeting agenda.

Mayor Hawker stated that in weekly meetings with the City Manager, they discuss and prioritize the pressing issues based on the availability of staff resources and funding. He stated the opinion that the Mayor should not be the only position that determines agenda items for Committee consideration, and he noted that a person serving as Mayor could easily obstruct the process.

In response to a comment by Vice Mayor Walters, City Attorney Debbie Spinner advised that a Committee’s discussion regarding the placement of certain items on a future agenda would not violate the Open Meeting Law, but she cautioned that the discussion should not address the Committee’s concerns or intent with regard to the issue.

Councilmember Whalen expressed concern that a new Committee Chairman, without the concurrence of the Mayor or other Committeemembers, could decide to revisit an issue that was previously addressed by prior Committee action.

Vice Mayor Walters suggested that the placement of an item on a Committee meeting agenda require the approval of two Committeemembers or one Committeemember and the Mayor. She added that staff requires clarification regarding items that are to be brought forward for Committee consideration.

Councilmember Whalen requested clarification of the policy regarding public comment at a Committee meeting. He also suggested that the Police and Fire Committees remain as separate committees, but that a joint meeting of the two committees be held once or twice a year in order to address Public Safety issues.

Councilmember Somers proposed combining the Police and Fire Committees into a Public Safety Committee. He stated that these two departments work very closely together relative to communications equipment and Homeland Security issues. Councilmember Somers suggested that a separate Airport Committee might also be valuable or the Transportation Committee could address the airport issues. He noted that several cities create committees that address unrelated areas, such as combining Parks & Recreation with airports. Councilmember Somers also suggested that a Committee on Aging could address issues associated with the needs of Mesa’s aging population. He recommended that the purpose and responsibilities of each Council Committee be made available on the City of Mesa’s website.

Discussion ensued relative to the fact that newly-elected Councilmembers should receive training regarding a number of issues pertinent to serving on the Council and serving as a Council Committee Chairman; that Committee Chairmen should have access to publications and associations appropriate to that Committee; and that participation in regional organizations, such as the Maricopa Association of Governments (MAG), provides valuable information.

Councilmember Griswold noted that gray areas exist regarding fees in that proposed development fees could be addressed by the General Development Committee and then reviewed by the Audit and Finance Committee, or the proposed fees could be presented only to the Audit and Finance Committee. He concurred that an Airport or Economic Development Committee could be valuable and that the general structure and operation of Committees should be clarified regarding the issues of public comment, placement of items on an agenda, and the votes required to move an item forward to the full Council.

Mayor Hawker advised that MAG meetings often set aside 15 or 20 minutes for a call to the audience. He added that citizens also have the option to address the Council at Regular Council meetings and Study Sessions. Mayor Hawker noted that Councilmembers receive copies of all Committee meeting minutes and they have the opportunity to request a full Council discussion of any item not moved forward by the Committee. He also stated that the Committees often move an item forward for full Council discussion even though the majority of the Committeemembers may oppose the item.

Councilmember Rawles suggested the formation of an Ad Hoc Committee to focus on the issues brought forward regarding Council Committees. He noted that his interpretation of the role of a Committee Chair was to address items referred to the Committee and that he did not have the authority to initiate a discussion of specific issues. Councilmember Rawles stated the opinion that the key issues to be addressed are:

- How does staff know what to bring to the Committee and when?
- What is the role of the Committee?

Councilmember Rawles suggested that Vice Mayor Walters serve as Chair of the Ad Hoc Committee.

Mayor Hawker concurred with the suggestion of Councilmember Rawles, and he recommended that Councilmembers Scott and Rawles serve on the Ad Hoc Committee with Vice Mayor Walters.

In response to a comment from Councilmember Jones, Ms. Spinner advised that Councilmembers could indicate in writing to other Councilmembers the issues proposed for placement on a future agenda. She also suggested that the Councilmembers could communicate with the City Manager regarding specific items proposed for committee consideration.

Councilmember Jones noted that briefings by department staff prior to a Committee meeting would be beneficial to the Chairman. He also concurred that clarification is required regarding an issue such as utility rates, which could be directed to both the Utility and the Audit and Finance Committees.

Further discussion ensued relative to the fact that committee guidelines should be established; that the scope of work for each committee should be defined; that the voting process and the policy regarding public comment should be reviewed; and that controversial issues may be considered by the full Council in order to provide each Councilmember the opportunity to comment on the issue.

Vice Mayor Walters recommended that the Ad Hoc Committee review the "best practices" of other cities and that staff assistance to the Committee be limited to one individual and not require that a large number of City staff be present at the meetings.

City Manager Christopher Brady explained that in certain instances, items are placed on a Council agenda without Committee consideration due to time constraints. He advised that staff plans to inform the Council thirty days in advance of issues that are proposed for future Council Committee and Study Session agendas.

4. Discuss, consider and provide direction on the appointment of a Council Ad Hoc Committee to further revise and streamline Council Committees.

It was moved by Councilmember Griswold, seconded by Councilmember Jones, that an Ad Hoc Committee (comprised of Vice Mayor Walters, serving as Chairman, Councilmember Somers and Councilmember Rawles) be appointed to revise and streamline the Committee process.

Carried unanimously.

5. Discuss, consider and provide direction on the process for scheduling Quarterly Council Dialogues.

Mayor Hawker stated the opinion that an open dialogue among the Councilmembers on a quarterly basis would be very beneficial.

Ms. Spinner advised that the staff has discussed the manner in which a Quarterly Council Dialogue could be posted and conducted within the parameters of the Open Meeting Law. She suggested that the Councilmembers be polled a week in advance of the Council Dialogue to determine the subjects of interest to each Councilmember and that the agenda be posted accordingly.

Councilmember Rawles expressed the opinion that the Council Dialogue agenda could state that the Council would discuss items of general interest to the City of Mesa. He further stated the opinion that the Open Meeting Law was not intended to restrict open discussion.

Mayor Hawker summarized that the Council is directing staff to schedule Quarterly Council Dialogues with a broad agenda format. He stated that each Councilmember could request the placement of certain issues on the agenda, but the agenda need not be limited to those specific items. He added that the Council would not take any official action during a Quarterly Dialogue.

6. Discuss and consider including on the December 4, 2006 City Council agenda a resolution to refund City of Mesa Utility Revenue bonds.

Deputy City Manager Bryan Raines introduced the City's financial advisor, Larry Given of Peacock, Hislop, Staley & Given, Inc., and Controller Kathy Pace. He advised that Mr. Given has identified Utility bond refunding opportunities for the City. Mr. Raines stated that staff is requesting that a "parameters" resolution be placed on the December 4, 2006, City Council agenda that enables staff to move forward with the refunding process within established parameters.

Mr. Given advised that many cities provide preemptive approvals in order to provide staff the flexibility to access the market without calling a Special Council Meeting to approve the refunding. He referred to a handout provided to the Council titled "Utility Systems Revenue Refunding Bonds – Second Series of 2006 – Parameters Resolution" (see Attachment 1), which lists the parameters and the current targets for the proposed refunding.

Mr. Raines advised that the one-time resource would target the replacement of Utility Department vehicles and/or contribute towards a vehicle replacement fund for Utility vehicles and equipment.

In response to a question from Mayor Hawker, Mr. Given stated that the savings realized by the refunding process are required to remain in the Utility system.

Mr. Raines noted that replacement Utility vehicle funding is identified in the budget forecast and that the proceeds of the refunding process would relieve the pressure on the General Fund budget for these items.

Mr. Given explained that it would be advantageous for the City to complete the refunding process before the end of December in order to realize the savings in the current fiscal year.

Vice Mayor Walters thanked Mr. Given for his efforts to save money for the City of Mesa.

Councilmember Rawles noted that the amount of the savings is a net figure after the related expenses have been deducted.

Mayor Hawker stated that the consensus of the Council is that staff be directed to place the resolution on the December 4, 2006 Council agenda, and he thanked staff and Mr. Given for the presentation.

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

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| Mayor Hawker: | Joint Council Meeting with the Town of Queen Creek |
| Councilmember Somers: | Tour of Salt River Project (SRP) and meeting with SRP personnel. |
| Councilmember Griswold: | Meeting with the British Consulate regarding investment in Mesa.
Save the Family event at the Mesa Arts Center. |

Vice Mayor Walters: Holiday lighting ceremony at the LDS Temple.
Banner Baywood Heart Hospital volunteer recognition event.
Mesa Grande Community Alliance meeting.

Councilmember Jones: United Way Board of Directors meeting.

8 Scheduling of meetings and general information.

City Manager Christopher Brady stated that the meeting schedule is as follows:

Monday, December 4, 2006, 5:15 p.m. – Study Session

Monday, December 4, 2006, 5:45 p.m. – Regular Council Meeting

Thursday, December 7, 2006, 7:30 a.m. – Study Session – Cancelled

Thursday, December 7, 2006, 8:00 a.m. – General Development Committee

Thursday, December 14, 2006, 7:30 a.m. – Study Session

Thursday, December 14, 2006, 8:30 a.m. – Audit and Finance Committee

Monday, December 18, 2006, TBA – Study Session

Monday, December 18, 2006, 5:45 p.m. – Regular Council Meeting

Thursday, December 21, 2006, 7:30 a.m. – Study Session

Thursday, December 28, 2006, 7:30 a.m. – Study Session – Cancelled

9. Prescheduled public opinion appearances.

There were no prescheduled public opinion appearances.

10. Items from citizens present.

There were no items from citizens present.

11. Adjournment.

Without objection, the Study Session adjourned at 9:12 a.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 30th day of November 2006. 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)