



OFFICE OF CITY CLERK

## COUNCIL MINUTES

January 31, 2008

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 January 31, 2008 at 7:30 a.m.

### COUNCIL PRESENT

Mayor Keno Hawker  
Tom Rawles  
Scott Somers  
Darrell Truitt  
Claudia Walters  
Mike Whalen

### COUNCIL ABSENT

Kyle Jones

### OFFICERS PRESENT

Christopher Brady  
Debbie Spinner  
Linda Crocker

Mayor Hawker excused Councilmember Jones from the entire meeting.

#### 1. Review items on the agenda for the February 4, 2008 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: 5c (Hawker); 8a (Hawker & Whalen); 9a (Whalen)

Items removed from the consent agenda: 5j

Items removed from the agenda: 5d

#### 2. Hear a presentation, discuss and provide direction on the Gateway Freeway Acceleration Plan.

Government Relations Director Scott Butler said that he and Transportation Director Jeff Martin were present to provide an update on the proposed plan to accelerate the Gateway Freeway.

Mr. Martin displayed a PowerPoint presentation (a copy if available for review in the City Clerk's Office) and he advised that the proposal is to advance Phase 1 by three years. He noted that the environmental assessment being conducted by the Arizona Department of Transportation (ADOT) is expected to be complete in late 2009, which would enable the design activity to begin in early 2010 rather than 2013. Mr. Martin said that the acceleration plan addresses the first mile of the freeway, which is the most expensive and includes the interchange with the Santan Freeway. He noted that accelerating this section of the Gateway Freeway would provide improved access to the Mesa-Gateway economic activity area and present an opportunity to accelerate Phase 2, which is presently scheduled for construction in 2020. Mr. Martin advised

that Phase 1 would cost approximately \$175 million in the year of expenditure. He said that advancing the project by three years would generate approximately \$33.4 million in interest expense. He explained that \$20.3 million from the Statewide Transportation Acceleration Needs (STAN) fund could be applied to the interest costs, and the remaining interest of approximately \$13 million would be divided between the City and the Maricopa Association of Governments (MAG) and paid over three years. Mr. Martin said that staff is requesting Council direction regarding the acceleration plan, and he added that a number of steps would be required, including approvals from the Legislature, MAG and ADOT.

In response to a question from Mayor Hawker regarding the funding source for the \$6.5 million, Mr. Martin stated that some contingency funding was available and that additional funds could be made available by deferring certain projects and/or maintenance.

Mr. Butler said that staff would also seek additional Federal government funding.

City Manager Christopher Brady added that the City could not move forward with this project unless the voters approve the November bond package.

Discussion ensued relative to the fact that the funds to address the freeway acceleration are not included in the November Bond Election; that staff will provide the Council with the cost benefits of accelerating the project based on the latest data received from ADOT; and that the cost of acceleration would outweigh the benefits if STAN funds were not available.

Vice Mayor Walters noted that Mr. Martin was one of the architects of the highway advancement plan that has saved the region millions of dollars and is now being utilized Statewide, and she thanked him for his efforts.

Responding to a question from Mayor Hawker regarding STAN funds being utilized for a pending industrial development, Mr. Butler advised that staff has been working with ADOT and the property owner.

Mayor Hawker noted that the consensus of the Council is to move forward with the acceleration project. He congratulated Mr. Martin on his retirement and thanked him for his service.

3. Hear a presentation and discuss the South Canal Multi-Use Path project.

Assistant Transportation Director Dan Cleavenger introduced Deputy Transportation Director Mike James, Assistant City Engineer Kelly Jensen and Engineering Marketing/Communications Coordinator Glenn Gorke. Mr. Cleavenger stated that the subject project is a two-mile path along the canal in the Lehi area between McKellips Road and McDowell Road. He stated that the path would be part of a regional network with a surface designed to serve equestrian users, cyclists, joggers, etc. Mr. Cleavenger noted that in 2007, the Council initially approved the project without lighting, but the project was reconsidered and placed on hold in response to concerns expressed by residents. He reported that staff met with residents in the interim in order to achieve a compromise.

Mr. James displayed a PowerPoint presentation (a copy is available for review in the City Clerk's Office) to provide an overview of the project. He said that the goal is to construct a Citywide and a regional pedestrian freeway in incremental segments, and he noted that

advanced planning with the Arizona Department of Transportation (ADOT) enabled the construction of grade-separated underpasses along the South Canal to accommodate the path. Mr. James stated that the South Canal shared-use path would set the standard for the entire area.

Mr. James said that in 2000, the City received a \$1.5 million grant for design and construction of the pathway. He advised that a 2002 citizen committee, which included Lehi residents, equestrian users and other interested parties, proposed three changes to plans: lower the lighting to pedestrian levels, pave the surface with asphalt rather than concrete and move the equestrian path away from the canal bank. He reported that in the period between 2002 and 2006, the City expended approximately \$200,000 in design costs for the path. Mr. James noted that some residents expressed support for the project but were opposed to the pedestrian lighting and some residents were in support of the project as proposed. He stated that staff presented proposed revisions to the Lehi group to address many of their concerns, but the group remained philosophically opposed to the project.

Mr. Cleavenger outlined the compromises proposed by staff, including adjustments that were made to increase the area available for equestrian use.

Mr. James outlined three alternatives: 1) construct the pathway with asphalt paving and without the pedestrian lighting, which is staff's recommendation and consistent with the Transportation & Infrastructure Committee's recommendation; 2) construct the pathway with asphalt paving and include the lighting; and 3) do not construct the project. He explained that alternative number 3 would require the City to refund \$249,200 to MAG for the design expense, and he added that \$155,000 of that amount is not currently funded.

Vice Mayor Walters noted that the Council should always consider the implications of the City's commitment when accepting grant funding.

Mr. James reviewed the construction costs and the annual costs for each alternative. He added that a decision not to construct the project could affect future funding for Phase II of the pathway (McDowell to Val Vista), which would require the City to refund an additional \$106,800 to MAG.

In response to a series of questions from Vice Mayor Walters, Mr. James confirmed that certain sections of the pathway in Phoenix would remain unpaved and that Scottsdale has sections that are paved on one side of the canal and unpaved on the other side.

Discussion ensued relative to the fact that the property along the canal, which is owned by the United States government, is operated and maintained by SRP (Salt River Project); that SRP has a paving program to address dust control issues; and that SRP has signed an agreement with the City of Mesa in support of the paved canal pathway.

Vice Mayor Walters stated that the Lehi residents have concerns regarding safety and equestrian use. She advised that the Lehi residents have invited Jan Hancock, an equestrian expert, to provide information at the Regular Council meeting.

Mr. Cleavenger stated that staff also contacted Ms. Hancock regarding equestrian use of the pathway. He said that Ms. Hancock was in support of a natural surface for equestrian use and that she agreed that the proposed compromise represented an improvement to the original plan.

Further discussion ensued relative to the fact that Phoenix is prioritizing the paving efforts in the urban areas; that the equestrian areas in the northern part of Phoenix are likely to remain unpaved; that the County has a circulation plan to provide pathway access to all of the regional parks; that the vision is to improve connected segments of the pathway; that Congestion Mitigation and Air Quality (CMAQ) funding is directed for bike and pedestrian improvements, such as on-street bike lanes, shared use paths, etc.; and that landscaping could be included to buffer the area and provide screening for the neighbors.

Mr. Cleavenger responded to questions from Councilmember Whalen by advising that the connection at McKellips would be addressed in the standard manner that includes a pedestrian refuge area and that a flashing light system or traffic signal could be added if the activity warrants.

Mayor Hawker stated the opinion that canal pathways improve the quality of life for the citizens of Mesa. He noted that the pathways are cost-effective alternatives to constructing parks, which require considerable maintenance. Mayor Hawker expressed concern that a failure to construct the path would eliminate the connection to the Granite Reef Diversion Dam. He said that because the equestrian users currently travel on approximately 1,000 feet of concrete in the underpasses, 300 feet of choke points should not pose a major obstacle. Mayor Hawker expressed the opinion that Mesa should receive a fair share of the CMAQ funds appropriated to the region, and he thanked staff for their efforts to reach a compromise.

Additional discussion ensued relative to the fact that SRP would be responsible for addressing erosion issues; and that the visibility of several homes from the canal bank would not change if the canal pathway were constructed.

Councilmember Whalen advised that based on public safety issues, he could not support the project without some type of lighting.

Mr. James explained that staff's proposal to construct the project without lighting represented a compromise with the residents.

Mayor Hawker thanked staff for the presentation.

4. Hear a presentation, discuss and provide direction on the Pioneer Park Locomotive.

Parks, Recreation and Commercial Facilities Director Rhett Evans advised that as recommended by the Parks and Recreation Board, an outside consultant was hired to evaluate the restoration requirements of the locomotive because no one on staff was qualified in that area. He noted that staff does have the ability to address the asbestos issues. He displayed a PowerPoint presentation (a copy is available for review in the City Clerk's Office) and introduced Environmental Programs Administrator Scott Bouchie. Mr. Evans reported that the locomotive was donated to the City in 1957 as an art exhibit and that because of vandalism, graffiti, asbestos and the presence of rust, the locomotive was placed behind a fence in 1992 for safety reasons.

Discussion ensued relative to the fact that the consultant provided the monetary details and the fiscal analysis for the options available to the City regarding the locomotive; and that the cost for the consultant was \$4,000.

Mr. Evans continued the PowerPoint presentation by providing details of the three options addressed by the consultant: 1) sell the locomotive through a Request for Proposals (RFP) process; 2) lease the locomotive to the Arizona Railway Museum; and 3) restore and rehabilitate the locomotive. He noted that costs have increased since the original report was completed and that the costs would continue to increase by ten to fifteen percent per year. Mr. Evans said that the Parks and Recreation Board recommends the formation of a citizen committee to raise funds for the restoration efforts and, in the event the fundraising was not successful, \$30,000 would be the target amount to be raised to address the cost to relocate the locomotive to the Arizona Railway Museum. He added that if all fundraising efforts were unsuccessful, the locomotive would be sold.

Mr. Evans advised that another option was recently identified, which is to seek arts grant funding to restore and relocate the locomotive to a future Light Rail Transit station in Mesa as a public art project. He stated that a presentation of this option to the Community and Neighborhood Services Committee resulted in a split decision and that the proposal was forward for Council consideration today. He reported that Environmental Programs determined that the asbestos problems could be stabilized for a two-year period at a cost of \$11,000.

In response to questions from Councilmember Truitt, Mr. Evans said that he did not know the monetary value of the locomotive, but he noted that one party has expressed an interest in purchasing the locomotive as is for \$5,000. He stated that he did not know how much it would cost to purchase a similar locomotive as an alternative to restoring the current one.

Deputy Transportation Director Mike James advised that a typical Light Rail Transit station receives between \$110,000 and \$160,000 for public art. He added that the Federal government could provide a fifty percent match of the funds raised for the art project.

Further discussion ensued relative to the fact that Environmental Programs could stabilize the asbestos for the intervening period until 2011 at a cost of \$11,000; that if option 2 were considered, it could be in the City's best interest to give the locomotive to the Railway Museum rather than leasing it to them; that citizens should have the opportunity to initiate a fundraising effort; and that the City would incur annual maintenance costs if the fundraising effort and restoration were successful.

City Manager Christopher Brady explained that staff believes that stabilization of the locomotive should be implemented as soon as possible, which would require a City expenditure of \$11,000. He noted that delaying the stabilization would result in additional costs to the City.

Councilmember Rawles stated the opinion that the first \$11,000 raised by a citizen fundraising committee should reimburse the City for these costs.

Mr. Bouchie advised that the locomotive should not be moved until the stabilization process is accomplished. He added that the locomotive also poses a danger in its present location because a storm or strong wind could dislodge the asbestos.

Mr. Brady clarified that staff is recommending that the City expend the \$11,000 for the stabilization regardless of which option is chosen.

Councilmember Somers expressed support for allocating \$11,000 for the stabilization project and for the creation of a fundraising committee that has a specific deadline for raising a specific amount of money.

Vice Mayor Walters suggested that the issue be returned to the Parks and Recreation Board in order to determine if any public interest exists relative to forming a fundraising committee.

Councilmember Whalen stated that he was in support of selling the locomotive because it has no historical reference to the City of Mesa and because children would not be able to play on it.

It was moved by Vice Mayor Walters, seconded by Mayor Hawker, that the City spend \$11,000 to stabilize the Pioneer Park Locomotive; that the Parks and Recreation Board invite the community to form a fundraising committee to raise \$10,000 within sixty days; that the Parks and Recreation Board establish timeframes and goals for the remainder of the fundraising effort; and if the required funding is not raised by the committee, the locomotive would be sold.

Upon tabulation of votes, it showed:

AYES – Hawker-Walters  
NAYS – Somers-Truitt-Walters-Whalen  
ABSENT – Jones

Mayor Hawker declared the motion failed by a majority vote of those present.

It was moved by Councilmember Rawles, seconded by Councilmember Whalen, that the City sell the Pioneer Park Locomotive.

Upon tabulation of votes, it showed:

AYES – Rawles-Truitt-Whalen  
NAYS – Hawker-Somers-Walters  
ABSENT – Jones

Mayor Hawker declared the motion failed for lack of a majority.

It was moved by Councilmember Truitt that the City allocate \$11,000 for the stabilization of the Pioneer Park Locomotive, that a call be made to the public for volunteers to form a fundraising committee, that the initial goal of the committee is to raise \$10,000 within sixty days and, if the goal is not met, the City would move forward to sell the locomotive.

Discussion ensued relative to the fact that the Committee would report to the Council within sixty days; and that the Parks and Recreation Board cannot make a decision regarding a City asset.

Councilmember Truitt offered an amendment to his motion that established the April 3, 2008, Study Session as the date for the committee to report to the Council regarding their efforts to raise the initial \$10,000.

Further discussion ensued regarding the fact that interested individuals could contact the Parks Department to participate on the committee; and that the Parks and Recreation Board could provide organizational assistance to the committee.

Councilmember Somers seconded the amended motion.

Upon tabulation of votes, it showed:

AYES – Hawker-Somers-Truitt-Walters  
NAYS – Rawles-Whalen  
ABSENT – Jones

Mayor Hawker declared the motion carried by a majority vote of those present.

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

Mayor Hawker: MAG Regional Council meeting.

6. Scheduling of meetings and general information.

Monday, February 4, 2008, TBA – Study Session

Monday, February 4, 2008, 5:45 p.m. – Regular Council meeting

Thursday, February 7, 2008, 7:30 a.m. – Study Session (cancelled)

Thursday, February 7, 2008, 8:00 a.m. – General & Economic Development Committee meeting

7. Items from citizens present.

There were no items from citizens present.

8. Adjournment.

Without objection, the Study Session adjourned at 10:08 a.m.

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KENO HAWKER, MAYOR

ATTEST:

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LINDA CROCKER, 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 31<sup>st</sup> day of January 2008. I further certify that the meeting was duly called and held and that a quorum was present.

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LINDA CROCKER, CITY CLERK

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