

COUNCIL MINUTES

August 31, 2000

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 August 31, 2000 at 7:30 a.m.

COUNCIL PRESENT

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

COUNCIL ABSENT

None

OFFICERS PRESENT

Mike Hutchinson
Neal Beets
Barbara Jones

Mayor Hawker welcomed the participants to the election forum and explained that the purpose of this agenda item is to hear from the candidates for office in Legislative District 30 and the Maricopa County Board of Supervisors District 2 relative to their positions regarding City issues. Mayor Hawker explained the proposed format for the meeting and said that each of the Councilmembers will pose questions to the candidates relating to specific Mesa issues. Mayor Hawker encouraged the candidates to voice their opinions.

1. Discuss various issues with candidates for election in Legislative District 30 and for Maricopa County Supervisory District 2.

Mayor Hawker requested that the Council introduce themselves and also asked the candidates to provide a brief overview of their background and experience.

Candidates in attendance included:

DISTRICT 30 CANDIDATES – SENATE HOUSE

Ron Bellus & Jay Blanchard
Eddie Farnsworth, Eileen Fellner,
Karen Johnson, Myrna Sheppard

BOARD OF SUPERVISORS DISTRICT 2

Larry Chesley & Don Stapley

Ron Bellus, District 30 Senate Candidate, stated that he has served on the Gilbert Action Interfaith Network (GAIN) and has been a participant in Mesa CAN and the East Valley Training and Learning Center. Mr. Bellus expressed the opinion that the State Legislature has a constitutional mandate to provide proper funding for the State's public school systems. Mr. Bellus added that he opposes the Sierra

Club's initiative to stop growth, the utilization of State funds for the construction of an Arizona Cardinals' Stadium, but he supports the principles in the Growing Smarter proposal. Mr. Bellus advised that his primary focus is in the areas of education, growth management and taxes.

Jay Blanchard, District 30 Senate Candidate and a faculty member at Arizona State University, said that his legislative priorities include supporting legislation, the continued development of jobs and sales tax reform. Mr. Blanchard added that local and regional government is preferable to State government. Mr. Blanchard stressed that he has over 30 years of public service as a Marine Corps officer, Naval aviator, teacher and professor and has worked as a consultant to many businesses in Arizona and throughout the United States. Mr. Blanchard commented that the compilation of his business and educational experience has prepared him to successfully meet the challenges of improving education and creating new job opportunities.

Eddie Farnsworth, District 30 House Candidate, informed the audience that he is a third generation Arizonan and was born and raised in the East Valley. Mr. Farnsworth, a lawyer, with an MBA specializing in finance and investments, advised that the fundamental premise of government is to protect the rights of the citizens and stated that he would serve District 30 with broad-based representation. Mr. Farnsworth added that he has an extensive background in business and also has spent the last five years advocating education reform issues.

Eileen Fellner, District 30 House Candidate, expressed appreciation to the Council for allowing the electorate to become more familiar with the candidates. Ms. Fellner, a retired advertising writer, noted that she has been actively involved in community affairs and served on the Mesa United Way Resource Allocations Committee, the East Valley Crisis Nursery First Step Program and the Mesa MLK Holiday Committee. Ms. Fellner commented that the State Legislators have not been responsive to the wishes of the people and have lacked a clear vision with regard to education, transportation and growth management.

Representative Karen Johnson, District 30 House Candidate, indicated that she has been in the Legislature for four years. Representative Johnson explained that she was the Chairman of the Federal Mandates and States Rights Committee and has also been a member of the Appropriations Committee, the Education Committee, the Health Committee, Human Services Committee and served as Vice Chairman of the Rules Committee. Representative Johnson commented that her primary emphasis with regard to legislation is its effect on the family and also its diminishment or enhancement of individual freedom.

Myrna Sheppard, District 30 House Candidate, advised that she has served 16 years on the Gilbert School Board and is currently President of the Arizona School Board Association. Ms. Sheppard also stressed that she has been involved as a community activist, has served on General Plan Committees for the Town of Gilbert and was also the founding member of the Education Committee for the Gilbert Chamber of Commerce. Ms. Sheppard said that if elected, her main focus would include the areas of education, small business and transportation.

Mayor Hawker thanked the candidates for their remarks and stated that the question portion of the meeting will now begin.

Councilmember Pomeroy posed the following question: **Over the years, the Legislature has considered bills that would preempt local planning and zoning authority. Legislation has been considered in the past that would have preempted local planning and zoning authority over billboards and gun shops. Cities exercise their planning and zoning authority to protect public**

health and safety and to look after the property rights and quality of life of adjacent property owners. What is your position on local planning and zoning authority?

Mr. Blanchard stated the opinion that decisions relative to local planning and zoning authority should reside with the City, and in only the most dire situations should there be State involvement.

Mr. Farnsworth concurred with the opinion of Mr. Blanchard, but added that in certain instances which impact more than the local community, such as gun shops, the constitutional authority given to the citizens transcends the local community, in which case there should be State involvement.

Ms. Fellner expressed the opinion that planning and zoning issues should be addressed on a local level, and emphasized that the State Legislature should not preempt local authority. Ms. Fellner indicated that the Legislature's involvement should be limited to assisting constituents who may be experiencing difficulties with local planning and zoning authorities.

Representative Johnson concurred with the opinions expressed by Ms. Fellner. Representative Johnson added that although planning and zoning matters should primarily be managed on a local level, the only exception would be relative to gun legislation.

Ms. Sheppard commented that she supports local control of planning and zoning issues.

Mr. Bellus concurred with the opinions of Candidate Fellner and Representative Johnson.

Councilmember Kavanaugh posed the following question: **Many years ago, the public passed a series of ballot initiatives that provided cities and towns with a portion of state generated taxes known as state shared revenue. These revenue sources were provided to local governments in exchange for the loss of certain tax authorities. Cities cannot impose their own income, gas or luxury taxes. State shared revenues is used by cities to provide valuable services such as police and fire protection. Do you support state shared revenue going to cities to provide local services?**

Mr. Farnsworth expressed the opinion that he does support state shared revenues, but emphasized that the tax-paying public should be made aware of how the funds are being utilized.

Ms. Fellner and Representative Johnson concurred with the opinions of Mr. Farnsworth.

Ms. Sheppard commented that she supports state shared revenues and also the necessity of maintaining current levels. Ms. Sheppard also stated that this initiative was established by public law and should be maintained.

Mr. Bellus indicated that although he supports state shared revenues, he has concerns that the State Legislature establishes mandates and subsequently proper funding is not allowed.

Mr. Blanchard indicated that he supports state shared revenues, but the amount of urban revenue sharing should be increased from 15 to 20%, the Legislature's ability to reduce these funds should be restricted, and if cities agree to eliminate local sales taxes, they should receive 33% of the distributed base from the Statewide sales cut.

Vice Mayor Davidson posed the following question: **A tremendous amount of concern has been espoused concerning the “brown cloud” problem facing our region. The citizens of Mesa have expressed their support for the City’s dust control program, that goes beyond the oversight currently provided by the County, to curb dust pollution within the City’s jurisdiction. Legislative proposals have been considered over the last two years to preempt or diminish local dust control authority. What is your position on increasing both county and city dust control authority?**

Ms. Fellner expressed the opinion that the City and the County should have dust control authority and added that that cities should also have the authority to enforce environmental laws beyond what is permitted by the State of Arizona. Ms. Fellner explained that the “brown cloud” is a serious regional public health issue, which is the result of vehicle emissions, dust control and alternative fuel, and while dust control constitutes only 6% of the problem, it requires strict enforcement. Ms. Fellner added that at a recent “Brown Cloud Summit” hosted by Governor Jane Hull, a noted researcher testified that living and breathing in the East Valley can reduce a person’s life expectancy by 1%.

Representative Johnson stated that although she does not disagree with providing dust control authority to the City of Mesa, it is imperative that other State agencies participate, including the County and the Indian Reservations in the surrounding areas. Representative Johnson added that she does not support the participation of Maricopa Association of Governments (MAG) with regard to such a process.

Ms. Sheppard spoke in support of local dust control authority and expressed the opinion that the City of Mesa has every right to seek enforcement. Ms. Sheppard commented that the County should also have dust control authority and does not believe that the State Legislature should be allowed to set restrictions.

Mr. Bellus said that he supports City dust control authority and expressed the opinion that the State Legislature should not impose restrictions on cities and the County.

Mr. Blanchard noted that Mesa has attempted to institute dust abatement procedures and said that these procedures were “watered down” by the State Legislature. Mr. Blanchard added that in all cases, cities should have the ability to monitor air quality.

Mr. Farnsworth concurred with the opinions of the other candidates, but added that a regional body should be established, consisting of representatives from local cities, in an effort to provide input and solutions to this dilemma. Mr. Farnsworth emphasized that the State should not have the ability to preempt Mesa’s authority with regard to the creation of tighter dust control restrictions.

Councilmember Jaffa posed the following question: **Recently, state leadership has suggested that it will consider funding an additional 100 DPS officers next year. Some discussion has also occurred concerning how to fund these added officers, including funding them from the Highway User Revenue Fund (HURF). However, a recent state study found that the State Highway Program is under funded by \$8 billion over the next twenty years. Given this shortfall, shouldn’t the State fund these DPS officers from its General Fund much like local government funds its public safety programs?**

Representative Johnson stated the opinion that the additional DPS officers should be funded out of the HURF funds. Representative Johnson noted that the HURF funds originally were intended for the construction of new highways as well as other transportation-related needs.

Ms. Sheppard expressed the opinion that in light of the current \$8 billion shortfall for the State Highway Program, the appropriation of HURF funds for additional DPS officers would not be appropriate. Ms. Sheppard explained that Governor Hull's Vision 2021 Task Force is currently focusing on transportation needs throughout the State and said that their recommendations are being anxiously awaited.

Mr. Bellus advised that he supports an increase in law enforcement personnel and noted that he is amenable to funding additional DPS officers by utilizing HURF funds or utilizing funds from the General Fund.

Mr. Blanchard agreed with Ms. Sheppard's remarks and also expressed the opinion that an increase in HURF funding may be a viable alternative.

Mr. Farnsworth commented that HURF funds were originally intended not only to support the highway infrastructure, but also to fund additional DPS officers. Mr. Farnsworth commented that he would support the utilization of HURF funds, but emphasized that if there is a potential shortfall, a prioritization of funds should be accomplished, with public safety delineated as the highest priority. Mr. Farnsworth added if it is determined that HURF funds are inadequate to fund additional police protection, he would support funding the positions out of the General Fund.

Ms. Fellner emphasized that HURF funds should be utilized for the funding of additional DPS officers due to the fact that such funding was earmarked not only for highway construction, but improvements and other related expenses.

Councilmember Walters posed the following question: **The explosive population growth of the region has made growth a target for numerous reform proposals for land use planning. Recent legislation requires revisions to City General Plans and greater public participation in their development and approval. A ballot initiative on the upcoming November election also calls for greater public participation in local land planning decisions to include the creation of voter approved growth boundaries. What is your position on how to properly manage the population growth that we are experiencing in the region?**

Ms. Sheppard expressed the opinion that in addition to education, population growth is the most critical issue faced by the citizens of Arizona. Ms. Sheppard also spoke in support of the implementation of impact fees for schools. Ms. Sheppard added that she is not in support of the Sierra Club's initiative.

Mr. Bellus spoke in support of local control in the management of population growth and also stated he is opposed to the Sierra Club's initiative.

Mr. Blanchard emphasized that Arizona must support growth to ensure the development of good jobs, but to accomplish that task, proper growth management must be achieved. Mr. Blanchard emphasized that the Phoenix metropolitan area must be able to offer a superior quality of life in an effort to attract major corporations.

Mr. Farnsworth commented that he does not support the Sierra Club's initiative due to the fact it takes away local control for planning and zoning, it "stomps" on private property rights by making anything outside the growth boundary valueless, and it reduces the quality of life. Mr. Farnsworth explained that he is in support of local control over population growth.

Ms. Fellner spoke in support of the Sierra Club's initiative and noted that it is a citizen initiative which has been endorsed by over 40 State organizations. Ms. Fellner noted that the initiative will remove the power from the developers and place it into the hands of the citizens.

Representative Johnson expressed strong opposition to the Sierra Club's initiative and commented that it will be fraught with litigation. Representative Johnson added that the needs of one county may not necessarily be the same as another county and that it would be inappropriate to establish growth boundaries in a community seeking economic development.

Councilmember Whalen posed the following question: **The cities of Phoenix and Mesa are ranked first and third in the nation in red light running fatalities. In the past couple of years, cities have attempted to increase their authority to use photo radar and intersection cameras to assist in the enforcement of traffic laws. What is your position on the use of camera technology and efforts of local law enforcement agencies to improve public safety?**

Mr. Bellus stated that the implementation of photo radar removes the police officer from the equation; however, he does not believe that the State should have the authority to interfere with a city's ability to enforce photo radar.

Mr. Blanchard commented that he strongly supports photo radar and stated that if citizens do not want to be bothered with a summons in the mail, they should not speed or run red lights.

Mr. Farnsworth expressed concerns relative to the constitutionality of photo radar, but on the assumption it is deemed to be legal, he would support its implementation by local municipalities.

Ms. Fellner said she supports photo radar and noted that it is an effective tool in preventing the running of red lights by motorists.

Representative Johnson noted that she is in favor of red light cameras, but does not support the use of photo radar in issuing speeding violations.

Ms. Sheppard said that she agrees with the comments of the other candidates and emphasized that the implementation of photo radar has resulted in the curtailment of many dangerous situations.

Mayor Hawker posed the following question: **Providing adequate transportation infrastructure for our rapidly growing population continues to be a challenge for the State and local governments. Two years ago, the Legislature preempted a future countywide vote to continue the ½ cent transportation sales tax after its scheduled expiration date at the end of 2005. As the tax is a major funding source for regional transportation projects, its elimination will create a major obstacle to funding future transportation projects. Do you support allowing the voters to decide whether or not to continue the tax after its scheduled expiration in 2005?**

Mr. Blanchard stated that the voters have a right to decide, but added that the areas of regional planning and off-road transportation should also be addressed.

Mr. Farnsworth spoke in support of the continuation of the ½ cent transportation sales tax, but also indicated that he would be in favor of reviewing the recommendations of the Governor's Vision 2021 Task Force relative to future transportation needs.

Ms. Fellner stated she supports the decision of the taxpayers regarding this issue and emphasized the necessity of implementing a comprehensive plan by the Legislature in an effort to resolve transportation issues within the State.

Representative Johnson concurred with the comments of the other candidates, but also expressed concerns relative to the anticipated recommendations of the Vision 2021 Task Force. Representative Johnson indicated that currently, the State does have the necessary funds to complete freeway construction.

Ms. Sheppard commented that the Vision 2021 Task Force is exploring this issue, but said she would reserve judgment until the issuance of such recommendations. Ms. Sheppard also spoke in support of submitting the ½ cent sales tax proposal to the voters for their decision, but said that she does not support an increase in the amount of the sales tax.

Mr. Bellus indicated that he would prefer that the Vision 2021 Task Force study be completed prior to his voicing an opinion relative to this matter.

Mayor Hawker thanked the speakers for their remarks and said that they will now be provided an opportunity to present brief closing remarks.

Mr. Farnsworth thanked the Council for providing him an opportunity to provide input and said that he possesses the necessary education, experience and background to successfully represent District 30. Mr. Farnsworth expressed the opinion that a great need exists to return to limited government and to provide the people with the ability to carry out their responsibilities. Mr. Farnsworth added that he is not a single-issue candidate, but is well prepared to lead on many issues including education and reasonable growth management, while balancing property rights. Mr. Farnsworth noted that as a native Arizonan, he has the support and endorsements of Congressmen Matt Salmon and J. D. Hayworth.

Ms. Fellner stated that she brings a diverse background and a variety of life experiences, which would enable her to effectively relate to District 30's diverse population. Ms. Fellner emphasized that as a fiscal conservative, she would prioritize spending, focus on cutting waste in government and also pursue additional revenue sources without additional taxes. Ms. Fellner added that education is the single most important factor in lowering prison costs, welfare costs and the costs of social programs.

Representative Johnson thanked the Council for the opportunity to address the voters of District 30 and added that she chairs a committee on domestic relations and has worked closely with Representative Mark Anderson and Senator David Peterson on such issues. Representative Johnson indicated that she has also focused on such issues as behavioral health and mental health and currently serves on the EVAC Board. Representative Johnson said that she has received an endorsement from the National Federation of Independent Businesses due to her voting record and support for small businesses.

Ms. Sheppard commented that with regard to her service on the Gilbert School Board, every decision has been governed by her core conservative values and said that she has espoused family values to enable families to be involved in their children's education, to solicit alternative curriculum materials and to fend off "R" rated movies in the Gilbert schools. Ms. Sheppard indicated that she has a record of voting against increased taxes for the public and the Gilbert School District.

Mr. Bellus thanked the Council for providing the candidates with an opportunity to present their views to the voting public and stated that he would work hard to stop government intrusion into the personal and professional lives of all Arizonans. Mr. Bellus stated that he is in favor of city and county control rather than State control, supports the proper funding of education, and believes in parental choice.

Mr. Blanchard spoke in appreciation of the Council for allowing the candidates to share their opinions and stated he is offering the voters of District 30 a choice: a Senator who will listen to them regardless of party affiliation, conservative or liberal, rich or poor, or powerful or weak. Mr. Blanchard emphasized that all of Mesa's citizens deserve an elected official who will put people before politics, dedication before the deal and gallantry before gamesmanship. Mr. Blanchard added the opinion that the Arizona Legislature has lost its ability to lead and that the Courts and ballot initiatives now determine the future of the voters.

Mayor Hawker said that this concludes the questions that have been prepared for the meeting and thanked everyone for their attendance and input regarding the important issues facing the City of Mesa. Mayor Hawker indicated that Senator Jeff Grosco and District 30 Candidate Linda Tonge were also extended an invitation to attend the candidate forum, but were unavailable due to scheduling conflicts. Mayor Hawker stated that this meeting represents an attempt on behalf of the Council to make the citizens of Mesa aware of the different City and State issues to enable them to make informed decisions when they vote at the polls.

(Mayor Hawker declared a recess at 8:30 a.m. and the meeting reconvened at 8:40 a.m.)

Mayor Hawker noted that the purpose of this agenda item is to hear from the candidates for the Maricopa County Board of Supervisors District 2 relative to their positions regarding City issues. Mayor Hawker explained that each candidate would be given an opportunity to discuss their background, qualifications for office and their top priorities. Mayor Hawker added that the candidates would then be asked a series of questions by each of the Councilmembers.

District 2 Supervisor Don Stapley, a native Arizonan and graduate of Brigham Young University, stated that he is currently serving his second term on the Board of Supervisors. Supervisor Stapley explained that he has served in Mesa on a number of committees and boards including the Mesa Citizens Bond Election Committee, Mesa Public Schools Foundation, Board of Directors of the Mesa United Way, Board of Directors of the Mesa Lutheran Hospital and East Valley Addiction Council. Supervisor Stapley noted that he is qualified to continue his service on the Board of Supervisors by virtue of his record, and added that when he became a member of the Board of Supervisors, Maricopa County was nearly bankrupt, but through the adoption of a strict business plan, the County has emerged into a more prosperous entity. Supervisor Stapley added that his top priorities include the continued trend in property tax reduction, protecting the environment, growth management and the Growing Smarter initiative.

Larry Chesley, Board of Supervisors District 2 Candidate, informed the audience that he is a retired Air Force officer, a former Vietnam prisoner of war, an educator and a past State Legislator. Mr. Chesley commented that with the increased growth in Maricopa County, its proud heritage has been held captive by those who have placed political ambition and self-interest above the needs of the public. Mr. Chesley emphasized that the County currently has a budget of over \$2 billion which is controlled by the Board of Supervisors, and that it is imperative that the District 2 Supervisor be of the highest integrity and exercise appropriate fiscal spending. Mr. Chesley stated that although he is pleased with the reduction in the property tax rate, it still remains the highest the County has ever levied. Mr. Chesley added that the

citizens of District 2 need a candidate who will be a full-time servant and put aside self-interest, political ambition and special interest groups.

(Mayor Hawker excused Councilmember Pomeroy from the remainder of the meeting.)

Mayor Hawker posed the following question: **Issues facing the East Valley often do not respect boundaries between cities and the County. City elected officials often approach their County Supervisors for assistance on projects and issues of importance to the community such as flood control and criminal justice needs. What do you believe should be the role of the County Supervisor in considering projects and issues of interest to the cities of their district?**

Mr. Chesley stated that the State, the City and the County should work in harmony on major City projects. Mr. Chesley also commented that unlike Supervisor Stapley, he hopes the voters never see his name in the newspaper for not attending an important meeting. Mr. Chesley added that he would attend Council meetings and expressed the opinion that it is imperative that elected officials endeavor to work together in an effort to accomplish goals.

Supervisor Stapley assured the Council and the audience that he attends all meetings to which he is invited, and that with regard to the meeting which was referenced by Mr. Chesley, he was not given notice, nor was he extended an invitation. Supervisor Stapley stated that the Board of Supervisors requests the cities on a regular basis to submit programs which are then evaluated in a fair and even-handed manner.

Councilmember Walters posed the following question: **There are concerns that Williams Gateway Airport and the surrounding industrial area are being threatened by encroachment from residential development. Such development would generate noise complaints and potential lawsuits for the airport. Industrial development would be a more compatible land use and would also boost the local economy and employment opportunities. The City General Plan restricts residential development in this area so that the land will be used for the airport and related economic development opportunities. In considering zoning cases that come before the Board of Supervisors impacting this area, would you follow the land use designations of the City General Plan?**

Supervisor Stapley spoke in support of the Board of Supervisors adhering to the land use designations of the City's General Plan, and also noted that in 1997, he led the Board to adopt the first comprehensive land use plan in the history of Maricopa County. Supervisor Stapley explained that the purpose of the plan involved County recognition of various cities' General Plans and the adoption of such plans as a part of the County's comprehensive land use plan. Supervisor Stapley emphasized that he is in favor of local control and assured the Council that the Board of Supervisors will work with the City on Williams Gateway Airport issues.

Mr. Chesley expressed the opinion that the Board of Supervisors has been ineffective relative to planning and zoning issues with regard to Williams Gateway Airport and the General Motors Proving Ground.

Councilmember Jaffa posed the following question: **For the last three years, the City of Mesa has been requesting that the County fund a bridge crossing over the Salt River at Gilbert Road in anticipation of the completion of the Red Mountain Freeway to Gilbert Road next year. Since the crossing of the Salt River at Gilbert Road is in the unincorporated area, it is the County's responsibility to develop this project. As you recall, it was the City's responsibility to provide over \$30 million for widening the section of Gilbert Road in the City. Since efforts to acquire federal**

dollars for the project have not been successful, what are your plans to make this a County funding priority?

Mr. Chesley stated the opinion that if Senator Tom Freestone was serving on the Board of Supervisors, the East Valley would receive the necessary funding, and added that the East Valley has not received its rightful share of County funding.

Supervisor Stapley stated that the subject bridge is located on the Salt River Indian Reservation and that the right-of-way to expand the bridge is a matter of Indian sovereignty and the City of Mesa has no condemnation rights. Supervisor Stapley indicated that over the last three years, he has met with former Mayor Wayne Brown, City Manager Mike Hutchinson and President Ivan Makil of the Salt River Indian Community in an effort to resolve this matter. Supervisor Stapley further noted that the Board of Supervisors has made application to the Federal government and the County has incurred costs in the amount of \$4.36 million for right-of-way acquisition. Supervisor Stapley assured the Council that the bridge will be open when the Red Mountain Freeway is completed, with the County Island responsibility at the intersection of McDowell Road and Gilbert Road per the City's specifications. Supervisor Stapley added that the County is currently involved in the bridge design process and said \$20 million in funding will be acquired in the near future.

Councilmember Kavanaugh posed the following question: **The explosive growth of the region has made growth a target for numerous reform proposals for land use planning impacting both the City and County. Recent legislation enables the County to take various measures to address growth such as the authorized designation of service area limits for publicly financed infrastructure and greater authority for counties to regulate lot splits. What is your position on how to properly manage growth on the periphery of the City and how do you envision the County utilizing its newly authorized powers to oversee growth?**

Supervisor Stapley explained that he has great interest in growth management and has served on Governor Hull's Growing Smarter Commission Subcommittee on Regional Planning and also authored the language which empowered the County to regulate wildcat subdivisions and control boundaries for publicly financed infrastructure. Supervisor Stapley stated that he will continue to work with the Governor's Office, the State Legislature and with the County Supervisors' Association on these issues. Supervisor Stapley noted that each county in Arizona is unique and different and said he will continue to support the State's efforts to empower the various counties relative to growth management issues.

Mr. Chesley expressed the opinion that the County has more liberal building requirements than the City, and when the County land is annexed by Mesa, the City is put at a disadvantage due to the fact the homeowners are not in compliance with the City Code.

Vice Mayor Davidson posed the following question: **A tremendous amount of concern has been expressed concerning the air quality problems facing our region. The citizens of Mesa have expressed their support for stepping up oversight and enforcement activities related to dust control. What measures do you think the County should take to improve enforcement and do you support City efforts to augment County enforcement with City resources?**

Mr. Chesley explained that at the insistence of the Environmental Protection Agency (EPA), Maricopa County has been compelled to enforce air quality control measures, but stated that the County does not have the necessary staff to adequately enforce such laws.

Supervisor Stapley noted that at the request of MAG and the EPA, Maricopa County has increased spending relative to dust control issues and added ten inspectors in an effort to more efficiently enforce particulate matter problems. Supervisor Stapley stated that although he does not disagree with the City of Mesa increasing spending relative to dust control, it is a regional issue. Supervisor Stapley commented that the dilemma with the State Implementation Plan (SIP) is that EPA does not recognize funds that are spent by cities relative to such plan, and only recognizes regional efforts. Supervisor Stapley added that the Board of Supervisors has upgraded their enforcement efforts and the prosecution of violators.

Councilmember Whalen posed the following question: **We're in deep trouble in the East Valley, all the cities, in reference to detention of prisoners and the overcrowding of the County Jail, and you've got lots of new jail buildings, but we don't see anything being built in the East Valley other than juvenile buildings. What can you do for us out here?**

Supervisor Stapley commented that the Board of Supervisors has attempted to utilize the County's limited resources more effectively by constructing a central Justice Court system, adding more beds to the juvenile facility at the Southeast Complex, adding more courtrooms and acquiring additional property. Supervisor Stapley noted that the Board of Supervisors has been planning such improvements since the County implemented its efforts for passage of the jail tax. Supervisor Stapley added that additional funds are being allocated for the removal of individuals from the jail system due to mental health, drug and alcohol problems.

Mr. Chesley expressed the opinion that the East Valley is in need of detention facilities and stressed the fact that individuals in the East Valley should not be required to travel any farther than necessary to conduct government business. Ms. Chesley also spoke in appreciation of the construction of the Southeast Judicial Complex.

Mayor Hawker thanked the speakers for their remarks and said that they will now be provided an opportunity to present brief closing remarks.

Mr. Chesley thanked the Council for providing him an opportunity to provide input and said that the challenges that the County faces will involve hard work and citizen involvement and added that he is confident he can rise to the challenge. Mr. Chesley noted that he is endorsed by the Arizona African Republican Committee, District 21 Republican Committee, District 30 Republican Committee and Valley Business Owners and Concerned Citizens (VBO).

Supervisor Stapley commented that it has been an awesome responsibility to serve as District 2 County Supervisor and that if he is re-elected, he will continue to devote his efforts to the public policy arena. Supervisor Stapley explained that one of the Board's most important missions involves a \$650 million integrated health care system, which is one of the largest public systems operated by a county in the United States. Supervisor Stapley noted that the Board of Supervisors has increased the County's bond rating, enhanced changes in the culture of the County, and lifted the morale of County employees to an all time high. Supervisor Stapley also assured the Council that the East Valley has received its fair share of funding for flood control, highway construction and parks.

Mayor Hawker explained to the audience that one seat is available on the Board of Supervisors for District 2 and that Mr. Chesley and Supervisor Stapley are the two candidates for the position.

Mayor Hawker said that this concludes the questions that have been prepared for the meeting and thanked everyone for their attendance and their input regarding the important issues facing the City of Mesa.

Mayor Hawker encouraged everyone to vote at the September 12th Primary and the November 7th General Election.

2. Discuss and consider a staff recommendation to reconfigure the city's three solid waste collection zones effective October 16, 2000.

Solid Waste Management Director Kari Kent and Residential Collections Supervisor Tim Mahon referred to graphics displayed in the Council Chambers and provided a brief overview of this agenda item. Ms. Kent explained that it is the recommendation of the Solid Waste Management Division that the boundaries for the solid waste collection zones be reconfigured in an effort to balance the collection of garbage, recycling and the green waste barrel recycling services. Ms. Kent added that the reconfiguration plan will be phased in over a two-year period, Phase 1, which occurred in October of 1999, and Phase 2 of the plan, which will occur on October 16, 2000. Ms. Kent commented that the zone boundary changes have occurred due to the tremendous growth in the eastern portion of Mesa (Zone 3) and also the popularity of the green waste recycling program.

Ms. Kent stated that the revised Zone 1 will cover the area from the Western City limits to Stapley Drive, Zone 2 will encompass Stapley Drive to Greenfield Road and Greenfield Road to Higley north of University, and Zone 3 will include Greenfield Road south of University Drive to the Eastern City limits.

Ms. Kent clarified that the changes will affect approximately 9,300 customers within the City of Mesa and will continue for approximately two years, at which time further expansion will occur. Ms. Kent said that a public information campaign will include newsletters, postcards, the Open Line Newsletter in utility bills, Public Service announcements on Mesa Channel 11 and the Internet.

Councilmember Kavanaugh spoke in appreciation of Ms. Kent's presentation.

It was moved by Councilmember Kavanaugh, seconded by Vice Mayor Davidson, that staff's recommendation be approved.

Councilmember Whalen thanked Ms. Kent for her efforts and encouraged staff to publish the schedule for solid waste collection on the Internet.

Vice Mayor Davidson announced that the Solid Waste Division is the recipient of a Valley Forward Environmental Excellence Award of Merit for its green waste recycling program.

Councilmember Jaffa concurred with the comments of Councilmember Whalen.

Ms. Kent indicated that the Solid Waste Division recently received a \$60,000 multi-jurisdictional award from the Arizona Department of Environmental Quality (ADEQ) which will be utilized for Valley-wide recycling education efforts.

Mayor Hawker declared the motion carried unanimously by those present.

3. Hear an update on CNG fueling issues.

Due to time constraints, this item was continued to a future Study Session.

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

- a. Crime Prevention Advisory Board meeting held August 16.
- b. Historic Preservation Committee meeting held August 10.
- c. Police Committee meeting held July 10.

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

Mayor Hawker declared the motion carried unanimously by those present.

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

There were no reports on meetings and/or conferences attended at this time.

6. Scheduling of meetings and general information.

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

Friday, September 1, 2000, 8:00 a.m. - Council Briefing

Thursday, September 7, 2000, 7:30 a.m. - Study Session

Monday, September 11, 2000, 3:00 p.m. - Utility Committee Meeting

Monday, September 11, 2000, TBA - Study Session

Monday, September 11, 2000, 5:45 p.m. - Regular Council Meeting

Tuesday, September 12, 2000, 4:00 p.m. - Finance Committee Meeting

Monday, September 25, 2000, 3:30 p.m. - Fire Committee Meeting

Mayor Hawker announced that he received an invitation from City of Tempe Mayor Neil Giuliano requesting a joint meeting of the Tempe City Council and the Mesa City Council to discuss a potential Mesa-Tempe site for an Arizona Cardinals' football stadium. Mayor Hawker added that the feasibility study will be complete in approximately two weeks and that he would like the results of the study to be made available to the joint Councils.

Councilmember Jaffa stated that the City of Tempe has two or three alternative stadium sites and requested that staff provide the Council with additional study material prior to the joint Council meeting.

Mayor Hawker commented that the Maricopa County Tourism and Sports Authority is anxious to receive the results of the feasibility study to determine the amenities offered by the various municipalities.

Councilmember Whalen spoke in support of scheduling public hearings relative to this issue subsequent to the Mesa/Tempe joint Council meeting.

Mayor Hawker requested that staff arrange for the joint Mesa/Tempe Council meeting and also requested that a presentation be made at such time by the consultant who is performing the feasibility study.

7. Prescheduled public opinion appearances.

There were no public opinion appearances.

8. Items from citizens present.

There were no items from citizens present.

9. Adjournment.

It was moved by Councilmember Jaffa, seconded by Vice Mayor Davidson, that the meeting adjourn at 9:20 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 31st day of August, 2000. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this ____ day of _____ 2000

BARBARA JONES, CITY CLERK