



COUNCIL MINUTES

January 8, 2001

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 8, 2001, at 4:15 p.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 excused Councilmember Kavanaugh from the beginning of the meeting.)

1. Review items on the agenda for the January 8, 2001 Regular Council Meeting.

All of the items on the agenda were reviewed by Council and staff with no formal action taken. There was specific discussion relative to the following agenda items:

Mayor Hawker declared potential conflicts of interest on agenda item 5g (Bus Bays at Various Locations), 5i, (Mesa Town Center Streetscape Improvements) and said he would refrain from discussion/participation in these items.

(Councilmember Kavanaugh arrived at the meeting at 4:17 p.m.)

Vice Mayor Davidson declared potential conflicts of interest on agenda items 7a (Granting an easement for underground power to Salt River Project at Falcon Field Airport) and 7b (Granting an easement for underground power to Salt River Project at Falcon Field Airport) and said he would refrain from discussion/participation in these items.

Mayor Hawker stated that agenda items 7e and 15c will be added to the consent agenda.

Mayor Hawker stated that agenda items 8b, 9, 11a and 12a, 14 and 15a will remain off the consent agenda.

Councilmember Jaffa declared a potential conflict of interest on agenda item 15d (Z00-83 Northeast corner of Brown Road and Greenfield Road) and said he would refrain from discussion/participation in this item.

2. Hear a presentation on the November 2000 telephone survey conducted for the City by O'Neil Associates.

Mike O'Neil, president of O'Neil Associates, addressed the Council relative to this agenda item and acknowledged staff for their hard work and professionalism regarding this matter. Mr. O'Neil advised that the November 2000 telephone survey was conducted with a random sample of 700 Mesa residents and stated that the selected households were balanced geographically and by the age of the respondent. Mr. O'Neil noted that the survey responses closely paralleled the City's demographic makeup and that the survey results are reliable at a 98% confidence rating Citywide. (A complete survey is on file in the City Clerk's Office.)

Mr. O'Neil referred to graphics displayed in the Council Chambers and provided a brief overview of survey highlights including:

- 86% of those surveyed rated the overall quality of life in Mesa as either good or excellent.
- 95% of those surveyed stated that they were either satisfied or very satisfied with the quality of life in their own neighborhood.
- 71% of respondents stated that the quality of life in their neighborhood is staying about the same – about the same percentage as the survey responses in 1996 and 1998.
- The Fire Department received the highest residents' satisfaction ratings, closely followed by the Mesa Public Libraries.
- The lowest satisfaction ratings regarding City services were in the areas of widths of streets for bicycle traffic, City Council land use decisions and traffic flow.
- In terms of customer satisfaction ratings, the following services or service factors were rated highest by respondents: timeliness of fire department response, convenience of City offices and overall services provided.
- The following service factors received the lowest ratings: taste and odor of City water and construction during the winter.
- In terms of future needs, the following issues were rated very important or important to residents: redevelopment of older areas, having new developments pay for facilities and limited development near the airport.
- In terms of improvement to Mesa's quality of life, addressing traffic and traffic congestion was the highest rated factor.

In response to a question from Councilmember Jaffa, Mr. O'Neil clarified that the questions in the telephone survey were derived from the City Council, staff and also the 1996 and 1998 surveys.

In response to questions from Mayor Hawker relative to Mesa's ranking in comparison to other cities in the Phoenix metropolitan area, Mr. O'Neil advised that transportation issues dominate Valleywide, but without the utilization of identical surveys, accurate comparisons would be difficult to achieve. Mr. O'Neil added that there was not a breakdown of the survey results according to Mesa's council districts.

Vice Mayor Davidson acknowledged Development Services Manager Jack Friedline and his staff for their efforts in street maintenance and traffic flow.

Councilmember Walters voiced concerns that the survey revealed that the residents of Mesa do not acquire much information about the City via radio and television news.

Mayor Hawker thanked Mr. O'Neil for his thorough presentation.

3. Hear a presentation on the City's property acquisition process and the use of eminent domain.

Real Estate Services Director Doug Tessoroff addressed the Council relative to this agenda item and provided a brief overview of the process and use of eminent domain. (See Attachment) Mr. Tessoroff stated that the City conducts approximately 1,000 real estate transactions annually, of which 600 to 700 involve the purchase of rights-of-way or entire parcels. Mr. Tessoroff added that several times a year, the Real Estate Department appears before the Council to request condemnation (also known as eminent domain). Mr. Tessoroff noted that the condemnation process utilized by the City is different from other municipalities.

In response to a question from Mayor Hawker regarding the procedure through which the City can commence condemnation proceedings on a residential property next to a roadway, City Attorney Neal Beets clarified that there are State statutes which govern the City's eminent domain/condemnation authority (Title 12) as well as provisions contained in the Arizona Constitution. Mr. Beets advised that the statutes list the types of public projects that the City Council can pursue through eminent domain authority, such as public utility projects, and added that there is additional case law which addresses projects such as police substations and fire stations. Mr. Beets said that there must be a public facility or a public purpose, and that a governing body (the City) must adopt a resolution which authorizes the City Attorney to implement eminent domain authority, to delineate by verbal description or by map the areas over which the City is authorized to implement eminent domain. Mr. Beets noted that State law allows the City to use eminent domain to acquire private property for fair value if its proposed purpose is to widen or improve a public street.

Discussion ensued regarding the necessary steps to complete the process of eminent domain including: property appraisals, written offers to property owners, City Council authorization of eminent domain, filing by the Mesa City Attorney for immediate possession hearing, the City of Mesa deposits money to take possession of the property, and a trial to determine the final settlement amount.

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

Mayor Hawker reported on his attendance at the Tourism and Sports Authority Board meeting in which he and City staff made a presentation regarding the Joint Mesa/Tempe Multipurpose Stadium proposal.

5. Scheduling of meetings and general information.

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

Tuesday, January 9, 2001, 3:30 p.m. – Utility Committee

Wednesday, January 10, 2001, 6:30 p.m. – Transportation Committee at Shepherd Jr. High

Thursday, January 11, 2001, 7:30 a.m. – Study Session

Monday, January 15, 2001, 8:00 a.m. – Martin Luther King Breakfast, Centennial Hall

Tuesday, January 16, 2001, 6:00 p.m. – Joint Master Planning Comm. Public Workshop–District No. 2

Wednesday, January 17, 2001, 6:00 p.m. – Joint Master Planning Comm. Public Workshop-District No. 3

Thursday, January 18, 2001, 7:30 a.m. – Study Session

Thursday, January 18, 2001, 9:00 a.m. – Police Committee

Monday, January 22, 2001, TBA – Study Session

Monday, January 22, 2001, 5:45 p.m. – Regular Council Meeting

Tuesday, January 30, 2001, 6:00 p.m. – Joint Meeting with Salt River Pima Maricopa Indian Community

6. Prescheduled public opinion appearances.

There were no prescheduled public opinion appearances.

7. Adjournment.

Without objection, the Study Session adjourned at 5:35 p.m.

KENO HAWKER, MAYOR

ATTEST:

BARBARA JONES, CITY CLERK

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Study Session of the City Council of Mesa, Arizona, held on the 8th day of January, 2001. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this ____ day of _____ 2001

BARBARA JONES, CITY CLERK