

COUNCIL MINUTES

October 31, 1997

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 October 31, 1997, at 7:42 a.m.

COUNCIL PRESENT

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

COUNCIL ABSENT

Jim Stapley

STAFF PRESENT

C.K. Luster
Vince Anderson
Don Ayers
Pauline Backer
Wayne Balmer
Neal Beets
Denise Bleyle
Dennis Compton
Linda Crocker
John Gendron
Geri Gerber
Joe Holmwood
Jim Hull
Mike Hutchinson
Lars Jarvie
Barbara Jones
Harry Kent
Karen Kille
Wayne Korinek
Dorinda Larsen
Chris Medrea

STAFF PRESENT (CONT.)

Frank Mizner
Ellen Pence
Darryl Pichoff
Bryan Raines
Andrea Rasizer
Tom Remes
Becky Richardson
Regan Robbins
Dave Spaur
Mike Whalen
Mindy White
Paul Wilson
Others

OTHERS PRESENT

Bob Bloom
Bill Brando
Bev Hart
Chris Moeser
Others

(City Manager Charles Luster and staff provided the Council with a brief update on recent utility outages.)

1. Review items on the agenda for the November 3, 1997, Regular Council Meeting.

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

4. Consider the following contracts:

- f. Thirty-four ergonomic staff chairs and two conference tables as requested by the Library. These furnishings are part of the main library remodeling project.

Councilmember Giles stated that all of the questions he had relative to this agenda item have been addressed and the item may be placed on the Consent Agenda.

Mayor Brown advised that this item will be placed on the Consent Agenda.

- *g. Fire Station No. 3, Addition and Remodel.

Fire Division Chief Paul Wilson responded to questions from the Council relative to the proposed addition and remodel.

2. Discuss and consider recommendations from the Mayor's Ad Hoc Committee to Review Election Procedures.

Leo Mahoney, Chairman of the Mayor's Ad Hoc Committee to Review Election Procedures, introduced members of the Committee present at the meeting and requested that the Council vote on the various recommendations proposed in a report distributed to the Council.

Mayor Brown requested that Mr. Mahoney provide the Council with a brief synopsis of each of the recommendations.

1. Mayor's Term of Office.

Mr. Mahoney reported that this recommendation involves the addition of a footnote in the City Charter to clarify that the Mayor's term of office was changed from two to four years. The Charter currently states that "a Mayor and three Councilmembers shall be elected at the regular election and at each succeeding regular election except as otherwise provided in Section 206(C)."

2. Election Consolidation.

Mr. Mahoney reported that State law has been adopted requiring that elections be held on four specific dates. In the future, staff will perform research on a case-by-case basis, to determine whether election consolidation would be cost effective and/or benefit the City of Mesa.

3. Mail Ballot Elections.

Mr. Mahoney stated the opinion that additional research is required relative to this issue and suggested that the Council consider the appointment of a separate committee to determine the feasibility and benefits of all mail ballot elections.

4. Election-related Advertising/Marketing -program.

Mr. Mahoney stressed the importance of continuing efforts to increase awareness relative to the entire election process in the City of Mesa. Mr. Mahoney referred to a recent election brochure distributed by the City Clerk's Office and complimented staff on their efforts.

5. Political Action Committees (PACs).

Mr. Mahoney expressed the opinion that the registration of Political Action Committees requires improved coordination between the City Clerk's Office and the Office of the Secretary of State in order to assist candidates in campaign contribution efforts. Mr. Mahoney discussed the Committee's recommendations that the City Clerk's Office be directed to forward a letter, on an annual basis, to all PAC's contained on the Secretary of State's listing, emphasizing the importance of registering with the Mesa City Clerk's Office in order to donate to City of Mesa candidates. Mr. Mahoney added that candidates be provided copies of both the Secretary of State and the local PAC listings at Candidate Orientation Sessions.

In response to a question from Mr. Mahoney, City Clerk Barbara Jones commented on the recommendations and expressed the opinion that the role of the City Clerk should be limited to providing copies of the PAC listings to the candidates upon request.

Mayor Brown recommended that the City Clerk's responsibility in this area be limited to distributing copies of the Secretary of State and City of Mesa Political Action Committee lists to the candidates. Mayor Brown added that candidates should be notified that contributions may only be accepted from PACs which have registered with the City of Mesa.

6. District Representation.

Mr. Mahoney noted that a majority of the Committee supported the recommendation that a Committee be appointed to determine the feasibility of proposing a Charter amendment to implement a district system of representation in Mesa.. Mr. Mahoney stated the opinion that the Council should consider this matter.

7. Campaign Signs.

Mr. Mahoney expressed the opinion that candidates be charged a fee for City staff removal of campaign signs which have not been taken down during the allowable time periods following elections. Mr. Mahoney noted that the recommendation calls for the Council to direct staff to provide information regarding the actual costs associated with staff's removal of candidate signs and that based on the actual costs, the Council initiate fines to be assessed candidates who fail to remove election signage within required time frames.

8. Use of City facilities equipment and staffing for election-related activities.

Mr. Mahoney stated the opinion that sponsors of election related activities, including media organizations which profit from such activities, should be responsible for all

costs associated with the various events. Mr. Mahoney advised that the Committee recommendation is that staff be directed to initiate a report relative to the City's practice of not requiring payment for use of City facilities, equipment and staffing for election-related activities and that staff prepare recommendations for Council consideration relative to proposed charges for such events.

9. Elimination of Spanish translation on all election materials.

Mr. Mahoney informed the Council that this is an additional recommendation that was submitted after the final meeting of the Committee and not voted upon by the members.

Mr. Mahoney stated the opinion that the elimination of Spanish translation on all election materials would result in a considerable cost savings for the City of Mesa. Mr. Mahoney added that City Attorney Neal Beets, who has reviewed this recommendation, will provide the Council with additional information.

Mr. Beets noted that the City of Mesa is required by Federal law to provide the Spanish translation of election-related materials. Mr. Beets said that Mr. Mahoney's recommendation is that the Council adopt a resolution calling upon the Federal Congress to amend Federal law and allow local jurisdictions to print 'English only' election materials.

Mayor Brown suggested that, in the interest of time, all recommendations which are unanimously supported by the Council, will be voted on as one action item. Mayor Brown noted that a majority of those recommendations require further staff action.

In response to a question from Councilmember Giles relative to the negative impacts of revised, extended time frames between Primary and General elections, Mr. Beets advised that a court case is currently pending between the City of Tucson and the State of Arizona. Mr. Beets added that the City of Tucson is arguing that Charter cities should be allowed to choose the dates upon which local elections will be held.

It was moved by Vice Mayor Gilbert, seconded by Councilmember Kavanaugh, that Consent Agenda recommendations **1, 2, 3, 4, 7, and 8** be approved.

Mayor Brown declared the motion carried unanimously by those present.

(Vice Mayor Gilbert was excused from the meeting at 8:16 a.m.)

It was moved by Councilmember Pomeroy, seconded by Councilmember Giles that the Council not accept recommendation **No. 5. (Political Action Committees.)**

Upon tabulation of votes, it showed:

AYES - Brown-Giles-Kavanaugh-Pomeroy
NAYS - Payne
ABSENT - Gilbert-Stapley

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

It was moved by Councilmember Kavanaugh, seconded by Councilmember Payne, that the Council approve recommendation No. 6 relative to appointing a committee to review the feasibility of implementing a charter amendment relative to the establishment of a District System in Mesa.

Councilmembers Payne and Kavanaugh spoke in support of establishing a Committee to review this issue.

Councilmember Pomeroy spoke in opposition to the establishment of a District System in Mesa and stated the opinion that the proposal would be an expensive, ineffective proposition.

Councilmember Giles concurred with Councilmember Pomeroy's remarks and stressed the importance of each Councilmember representing the City as a whole.

Mayor Brown stated that he is undecided on the districting issue but added that he favors the appointment of a Committee to discuss, analyze and present recommendations to the Council.

In response to a question from Councilmember Kavanaugh, City Attorney Neal Beets commented that four votes are required for approval.

Upon tabulation of votes, it showed:

AYES - Brown-Kavanaugh-Payne
NAYS - Giles-Pomeroy
ABSENT - Gilbert-Stapley

Mayor Brown declared the motion failed.

It was moved by Councilmember Giles, seconded by Councilmember Payne, that Committee recommendation **No. 9** relative to the elimination of Spanish translations in election-related materials, be denied.

Mayor Brown declared the motion carried unanimously by those present.

Mayor Brown thanked the members of the Committee for their efforts.

Mr. Mahoney expressed appreciation to the Council for their support and encouraged the members to review the items that have been discussed.

3. Consider acceptance of the Comprehensive Annual Financial Report for FY 1996-97 as recommended by the Finance Committee.

It was moved by Councilmember Giles, seconded by Councilmember Pomeroy, that the Council accept the Comprehensive Annual Financial Report for FY 1996-97 as recommended by the Finance Committee.

Mayor Brown declared the motion carried unanimously by those present.

4. Recognition of awards for Community Development Department.

Planning Director Frank Mizner and Economic Development Director David Spaur addressed the Council relative to this agenda item.

Mr. Mizner informed the Council that each year the Arizona Planning Association recognizes planning projects throughout the State in a variety of award categories. Mr. Mizner announced that the City of Mesa has received an award for their General Plan and commended Council, staff and the members of the General Plan Steering Committee on their efforts and support.

Mr. Spaur advised the Council that a quarterly newsletter, created by Economic Development Marketing Specialist Amalia Lopez, has won an award from the Arizona Association of Economic Development. Mr. Spaur noted that the newsletter has generated significant activity among existing businesses. Mr. Spaur added that the department is also the recipient of an award for their Community Profile and noted that staff effectively combined two brochures into one resulting in significant savings.

Mayor Brown congratulated Mr. Mizner, Mr. Spaur and members of staff on their efforts and accomplishments.

5. Appointments to boards and committees.

Mayor Brown recommended the following appointment to boards and committees:

MERIT SYSTEM BOARD

Janice L. Ramirez - Term to expire 5/30/2000

It was moved by Councilmember Kavanaugh, seconded by Councilmember Giles, that the Council concur with the Mayor's recommendation and the appointment be confirmed.

Mayor Brown declared the motion carried unanimously by those present.

6. Acknowledge receipt of minutes of meetings of various boards and committees.

- a. Economic Development Advisory Board meeting held October 23, 1997.
- b. Finance Committee meeting held October 20, 1997.
- c. Housing and Human Services Advisory Board meeting held October 23, 1997.
- d. Museum and Cultural Advisory Board meeting held October 23, 1997.
- e. Traffic Safety Committee meeting held October 22, 1997.

It was moved by Councilmember Giles, seconded by Councilmember Pomeroy, that receipt of the above-listed minutes be acknowledged.

Mayor Brown declared the motion carried unanimously by those present.

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

Mayor Brown advised that there were no reports on meetings and/or conferences attended.

8. Scheduling of meetings and general information.

City Manager Charles Luster advised that the meeting schedule is as follows:

Monday, November 3, 1997, 5:45 p.m. - Regular Council Meeting

Thursday, November 6, 1997, 4:00 p.m. - Policy Session

Friday, November 7, 1997, 7:30 a.m. - Council Study Session

Assistant to the City Manager Ellen Pence advised that two important events will occur tomorrow, November 1, 1998: Falcon Field Aviation Day and an open house at the City's Electric Utility Department, to celebrate their 80th year of service. Ms. Pence encouraged Council attendance at these events.

9. Prescheduled public opinion appearances (maximum of three speakers for five minutes per speaker).

Mayor Brown advised that there were no prescheduled public opinion appearances.

10. Items from citizens present (maximum of three speakers for five minutes per speaker).

Mayor Brown advised that there were no items from citizens present.

11. Adjournment.

Without objection, the Study Session adjourned at 8:36 a.m.

WAYNE BROWN, 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 October 1997. I further certify that the meeting was duly called and held and that as a quorum was present.

Dated this 20th day of November 1997

BARBARA JONES, CITY CLERK