



COUNCIL MINUTES

September 5, 2002

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 September 5, 2002 at 7:38 a.m.

COUNCIL PRESENT

Mayor Keno Hawker
Rex Griswold
Kyle Jones
Dennis Kavanaugh
Janie Thom
Claudia Walters
Mike Whalen

COUNCIL ABSENT

None

OFFICERS PRESENT

Mike Hutchinson
Debbie Spinner
Barbara Jones

1. Review items on the agenda for the September 9, 2002 Regular Council Meeting.

All the items on the agenda were reviewed among Council and staff with no formal action taken. There was discussion among the members of the Council relative to various agenda items.

Mayor Hawker declared a potential conflict of interest on agenda item 4j (Desert Wells Zone 24" Waterline Recker Road from McDowell to Adobe, and Adobe Road from Recker to Power) and said he would refrain from discussion/participation in this item.

Mayor Hawker stated that agenda item 6f (Disposing of a City-owned remnant property in the 1600 block of north Date Street) would be removed from the agenda; and that agenda items 7 (Write-off of utility and miscellaneous accounts in the amount of \$266,542.00) and 8 (Consider the following recommendation from the Utility Committee: Establishing two new pressure zones in the City of Mesa, and developing and appropriately funding capital improvement projects to accomplish this) would be added to the consent agenda.

Councilmember Whalen declared a potential conflict of interest on agenda item 9c (Z02-24 The 3700-3800 block of McKellips Road, 38 acres, Rezone from R1-35 to R1-35 PAD) and said he would refrain from discussion/participation in this item.

Mayor Hawker stated that pursuant to discussion and consensus of the Council, agenda item 11 (Election items) would be moved to the beginning of the agenda and presented in conjunction with other informational items.

2. Hear an update on the City of Mesa Diversity Program.

Diversity Director Mary Berumen provided background information relative to the establishment of Mesa's Diversity Program and pointed out that the creation of a Diversity Office was initiated based on the recommendation of a City interdepartmental task force. Ms. Berumen commented on the importance of the Program in addressing community issues with individuals that have diverse backgrounds. Ms. Berumen stated that demographics reflect that the number of minorities in Mesa has doubled in the past 10 years.

Ms. Berumen outlined the Diversity Office's Strategic Plan that encompasses the Department's vision, mission and focus, all components of the Department's goals and objectives. Ms. Berumen stated that one of the major accomplishments for the Department is the establishment of an employee mediation program comprising of fifty trained mediators for the purpose of meeting the communication needs of City employees. Ms. Berumen pointed out the positive aspects of the program which includes the following; an increase in employee motivation, promotes greater productivity, induces innovation, allows for recruitment and retention of personnel and encourages continuous quality improvement.

Ms. Berumen outlined other areas of responsibility which included the development of employee diversity training, participation in the Police Department's leadership development program and the City's management and supervisors academies, involvement in a cultural awareness team, assistance with management consultation, providing resources to support diversity program development in various City departments.

Ms. Berumen spoke of the hard work expended by the Diversity Office in increasing the awareness and responsiveness of City government to human relations issues within the work place and within the Community. Ms. Berumen stated that based on Mesa's Hispanic population of 20% it is essential that efforts be expended to research methods that may ensure inclusion of minorities in decision making processes, establish a protocol for Spanish media participation and continue with the practice of providing information in both English and Spanish.

Ms. Berumen referenced the completion of the survey relating to City services provided to individuals with disabilities and commented on the fact that 16% of Mesa's constituents are disabled. Ms. Berumen indicated that the focus for these individuals and various other age groups involves housing and transportation issues and that the Diversity Office is working diligently to address those issues.

Ms. Berumen discussed the necessary establishment of a Human Relations Advisory Board and stated the opinion that the Board is representative of the extreme points of view about human rights and human relations within the City of Mesa.

Ms. Berumen stated that in order to achieve a diverse representation on the City's Advisory Boards, the Diversity Office recommends candidates for those Boards. Ms. Berumen outlined events that welcome diverse cultures such as the Martin Luther King Celebration, the hosting of the National League of Cities Race Equality and participation in the Caesar Chavez Celebration, White Cane Week, Hispanic Heritage Month and the Seik Community Memorial.

In closing, Ms. Berumen emphasized that the Diversity Office's focus this year will be to continue to develop and expand education efforts within City Management and the Community.

In response to a question posed by Mayor Hawker relative to the ratio between the diverse general population and City of Mesa employees, Ms. Berumen indicated that the Diversity Office works with the Human Resources Affirmative Action Officer to encourage a similar composite.

City Manager Mike Hutchinson commented that statistics for last year indicated that the City of Mesa should place greater emphasis in minority recruitment efforts.

Mayor Hawker thanked Ms. Berumen for the presentation.

3. Discuss and consider a recommended alternative for the Spook Hill Drainage Master Plan.

Assistant City Engineer Peter Knudson introduced Civil Engineer Anna Leyva-Easton who is the Project Manager for the Spook Hill Area Drainage Master Plan. Mr. Knudson also introduced to the Council Afshin Houraiyan who is a representative of the Maricopa County Flood District and a partner in this Master Plan project. Mr. Knudson pointed out that there are several members of the Council's appointed Citizen's Committee that have expended a great deal of time and effort in analyzing drainage issues in the Northeast part of Mesa while assisting in the development of alternatives for the recommended Master Plan.

Ms. Leyva-Easton provided a brief overview of the Master Plan which included historical background relating to this project. Ms. Leyva-Easton stated that in August of 2001 the City Council appointed the Citizens' Committee and in January of this year 4 alternatives were introduced to the public for their input and comments. Ms. Leyva-Easton commented that based on the citizens' contributions and after careful consideration the Committee selected their recommended alternative for the study area.

Ms. Leyva-Easton pointed out that in March of this year the Citizens Committee's recommended alternative was presented to Council and at that meeting staff was directed to conduct an additional public meeting in order to present the recommended alternative. Ms. Leyva-Easton reported that the meeting was held in May where 70 residents attended with few written comments received. Ms. Leyva-Easton informed the Council that generally the residents were in favor of the recommended alternative.

Ms. Leyva-Easton stated that the recommended alternative proposes to use existing drainage facilities while additionally constructing a series of retention basins and that preliminary costs for the project's alternative is approximately \$32 million. Ms. Leyva-Easton assured the Council that the costs would be shared with the Flood Control District and other private entities in order to begin implementation of this plan. Ms. Leyva-Easton stated that both the Flood Control Advisory Board and the Citizen's Committee have reviewed and endorsed the plan.

In response to Mayor Hawker's question relative to the timing of the project Mr. Knudson responded that the project will be implemented upon the availability of bond funds.

Discussion ensued relative to Mesa's projected share of the costs, the County's participation, Arizona Department of Transportation's (ADOT's) involvement with preliminary engineering for the freeway segment from Power to University, and review for possible assessment fees and charges.

It was moved by Councilmember Griswold, seconded by Councilmember Whalen to approve staff's recommendation for approval of the recommended alternative for the Spook Hill Drainage Master Plan.

Mayor Hawker indicated that the motion was carried unanimously.

City Engineer Keith Nath stated that during the development of this project staff will return to the Council with intergovernmental agreements that will provide greater detail relative to the aspects involved in the implementation of the plan. Mr. Nath emphasized that Council's approval of this agenda item was merely an approval of a concept plan designed to handle the issues related to drainage in this area.

City Manager Hutchinson stated appreciation for staff efforts regarding this issue. Mayor Hawker thanked the citizens that were active in the process and complimented their efforts in communicating with their neighbors.

4. Discuss and consider the results of the recent Design Review Board discussions regarding the application of Mesa's Zoning Ordinance to churches.

Planning Director Frank Mizner informed the Council that in the spring of 2000 the Council adopted a zoning ordinance which requires a council-use permit for all new schools in both commercial and industrial areas. Mr. Mizner stated that at that time, the Council chose not to proceed with a zoning ordinance relating to churches or subject synagogues to any requirements through the City's design guidelines. Mr. Mizner commented that this issue is on the agenda through the impetus of the Design Review Board and pointed out the Board has submitted a letter in Council's packet that articulate their concerns along with a request to Council to revisit this issue. In addition, Mr. Mizner stated that the packet also includes a survey from Mesa's neighboring communities that reflects that Mesa is the only City in which churches are not required to proceed through any type of design review process.

In response to a question relative to the appropriate procedure if Council chooses to change its current policy City Attorney Spinner stated that Council would not be required to modify the Code but provide Staff with a policy direction.

Councilmember Walters indicated that she is not in support of changing the current policy based on the fact that other communities require some type of review process for churches. Ms. Walters pointed out that currently churches are required to meet other requirements such as parking, landscaping and height limitations.

Councilmember Kavanaugh stated that the law does not exempt churches from the process and stated the opinion that Council should consider the concerns expressed by the Board.

Councilmember Whalen concurred with Councilmember Kavanaugh's comments and stated his support to strictly adhere to the existing design review ordinance.

Discussion ensued relative to existing Code requirements based on the size of a structure and issues associated with the location of churches in residential zones.

Mayor Hawker stated that based on Council's discussion there appears to be a consensus of the Council to continue further research regarding this issue for possible reconsideration at a later date.

5. Acknowledge receipt of minutes of boards and committees.

- a. Downtown Development Committee meeting held August 15, 2002
- b. Land Development Ad Hoc Committee meeting held August 5, 2002
- c. Transportation Advisory Board meeting held August 20, 2002

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

Carried unanimously.

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

Mayor Hawker reported on MAG's last policy committee meeting regarding Regional Air Space.

7. Scheduling of meetings and general information.

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

Thursday, September 5, 2002, following Study Session - City Attorney's Office and Municipal Court Orientation

Monday, September 9, 2002, 3:00 p.m. – Police Committee Meeting

Monday, September 9, 2002, 4:00 p.m. – Executive Session

Monday, September 9, 2002, TBA – Study Session

Monday, September 9, 2002, 5:45 p.m. - Regular Council Meeting

Thursday, September 12, 2002, 7:30 a.m. – Study Session

Thursday, September 12, 2002, 9:30 a.m. – Fire Committee Meeting

Friday, September 13, 2002, 8:30 – Fire Department Orientation/Tour

8. Prescheduled public opinion appearances.

There were no prescheduled public opinion appearances.

9. Items from citizens present.

There were no items from citizens present.

10. Adjournment.

Without objection, the Study Session adjourned at 9:48 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 5th day of September 2002. I further certify that the meeting was duly called and held and that a quorum was present.

BARBARA JONES, CITY CLERK

pjt