



COUNCIL MINUTES

August 26, 2013

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 26, 2013 at 4:32 p.m.

COUNCIL PRESENT	COUNCIL ABSENT	OFFICERS PRESENT
Scott Smith Alex Finter Christopher Glover Dennis Kavanaugh Dave Richins Scott Somers	None	Christopher Brady Debbie Spinner Dee Ann Mickelsen

1. Review items on the agenda for the August 26, 2013 Regular Council meeting.

All of the items on the agenda were reviewed among Council and staff and the following was noted:

Conflict of interest: None

Items removed from the consent agenda: None

Items deleted from the agenda: None

2. Discussion and selection of District 5 Council position applicants to be interviewed.

Mayor Smith stated that the Council received applications from 21 citizens who were interested in serving as the District 5 Councilmember. He explained that there were questions with respect to several applications related to residency, voter registration and other matters.

In response to a question from Councilmember Richins, City Attorney Debbie Spinner clarified that during the last Council redistricting process in Mesa, the lines for the various Council districts were modified. She explained that per the City Charter, a person must be a resident of the Council District in which they are applying to represent for the two years immediately preceding submitting an application. She stated that if an applicant, for instance, initially resided in a different district, but due to redistricting was now a resident of District 5, in her opinion, that individual would be eligible.

Mayor Smith commented that the Council, per the City Charter, is “the arbiter” of the qualified electorate and can make the ultimate determination. He pointed out that one of the citizens who submitted an application lived in District 5, the boundary lines were redrawn, which made the person a resident of another district, and the individual moved back into District 5.

Mayor Smith cited, by way of example, if someone lived in District 2, the boundaries were redrawn and the person now lived in District 3, he would find it absurd that the person would be ineligible to run in District 3 since the lines were redrawn and the individual had not lived in District 3 for two years. He noted, on the other hand, if someone lived in District 2, that individual could not run for office in District 5.

Mayor Smith said that the Council will revisit this item subsequent to convening an Executive Session, at which time they will narrow the list of applicants and determine how many interviews they wish to conduct at the September 5, 2013 Study Session.

(See Agenda Item 6)

(The Executive Session adjourned at 5:30 p.m. and the Council reconvened the Study Session at 5:32 p.m.)

Mayor Smith advised that during the Executive Session, the Council reviewed the 21 applications and determined that they would interview four applicants.

It was moved by Councilmember Kavanaugh, seconded by Councilmember Somers, that the four candidates the Council will interview include the following: Ms. Kevin Ruegg, Ms. Kathleen Rahn, Ms. Debra Duvall and Mr. David Luna.

Carried unanimously.

Mayor Smith reiterated that at the September 5, 2013 Study Session, the four candidates will be interviewed. He also noted that at a September 12, 2013 Special Council meeting, the Councilmembers will make their final determination with respect to the appointment of a District 5 Councilmember.

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

3-a. Transportation Advisory Board meeting held June 18, 2013.

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

Carried unanimously.

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

Councilmember Kavanaugh: Fire Recruits Graduation Ceremony

5. Scheduling of meetings and general information.

This item was continued to a future Study Session.

6. Convene an Executive Session.

It was moved by Councilmember Somers, seconded by Councilmember Glover, that the Study Session adjourn at 4:40 p.m. and the Council enter into an Executive Session.

Carried unanimously.

Discussion or consultation for legal advice with the City Attorney. (A.R.S. §38-431.03A (3)) Discussion or consideration of employment, assignment, appointment, promotion, demotion, salaries, discipline, dismissal or resignation of a public officer, appointee or employee of the City. (A.R.S. §38-431.03A(1))

1. District 5 Councilmember interview candidates consideration and selection.

Discussion or consultation for legal advice with the City Attorney. (A.R.S. §38-431.03A (3)) Discussion or consultation with designated representatives of the City in order to consider the City's position and instruct the City's representatives regarding negotiations for the purchase, sale or lease of real property. (A.R.S. §38-431.03A(7)) Discussion or consultation with the City Attorney in order to consider the City's position and instruct the City Attorney regarding the City's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation. (A.R.S. §38-431.03A(4)).

2. Development of hotels on the Riverview site.

7. Adjournment.

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

SCOTT SMITH, MAYOR

ATTEST:

DEE ANN MICKELSEN, 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 26th day of August, 2013. I further certify that the meeting was duly called and held and that a quorum was present.

DEE ANN MICKELSEN, CITY CLERK