



COUNCIL MINUTES

February 27, 2012

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 February 27, 2012 at 5:17 p.m.

COUNCIL PRESENT

Scott Smith
Alex Finter
Christopher Glover
Dina Higgins
Dennis Kavanaugh
Dave Richins
Scott Somers

COUNCIL ABSENT

None

OFFICERS PRESENT

Christopher Brady
Debbie Spinner
Linda Crocker

1. Review items on the agenda for the February 27, 2012 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: 5-b, 5-f, 8-a

Discussion ensued with regards to Item 5-F – approving and authorizing the City Manager to declare an agreement with the Mesa Housing Associates, LLC, to provide preliminary City site control for a City-owned parking lot, located east of Mesa City Plaza at 20 East Main Street.

Councilmember Richins proposed that the following amendments be made to the agreement:

- That the reference to a 99-year lease rate term be replaced with “long-term lease”
- That the lease agreement is in accordance with Section 2.7J of the Arizona Department of Housing 2012 Qualified Allocation Plan

In response to a question from Vice Mayor Somers, Deputy City Attorney Donna Bronski explained that if an agreement could not be reached with the applicant, the City would not be required to move forward with the plan.

Extensive discussion ensued relative to the City attempting to negotiate an agreement in good faith and avoiding any misconceptions with the applicants.

Assistant to the City Manager Natalie Lewis briefly highlighted the anticipated timeline for the development agreement as follows:

- Applicant to have an approved site plan by the middle of May
- Applicant to have a development agreement by the middle of June
- Applicant must demonstrate site ownership (through a lease or sale) by July 16

City Manager Christopher Brady commented that additional resources would be requested in order to meet the timeline.

Mayor Smith stressed the importance of being up front with the applicants with regards to the City's position on the project. He said that the City's legal department has worked to balance the City's desire to be supportive without creating any legal obligations by committing to the project.

Mayor Smith stated that item 5-f would be removed from the consent agenda.

Discussion ensued relative to Item 8-a, adopting an ordinance establishing the number of signatures required for the Mesa Mayoral Candidate nomination petitions to be 1,000 signatures or five percent of the vote for Mayor in the last preceding Mayoral Election, whichever is less.

In response to a question from Councilmember Kavanaugh, City Attorney Debbie Spinner explained that if an ordinance was enacted that established the required number of signatures for the Mayoral Candidate to be 1,000 it would apply to the nominating petitions for this year's election.

Responding to a question from Vice Mayor Somers, City Clerk Linda Crocker explained that if an ordinance was not enacted the new signature requirement would become effective with the next election. She said that if the signature requirement was based on the Mayor being elected during a General Election the required number of signatures for the Mayoral Candidate would increase to 8,000 and the signature requirement for District 6 could be over 2,000.

City Attorney Debbie Spinner reported that there had been a recent change made to A.R.S.16-322, with regards to the nominating petitions. She said that if Councilmembers were nominated at-large the City could by ordinance change the required number of nominating signatures. She explained that the state law that relates to Councilmembers in a district system remained unchanged and did not give expressed authority to adopt by ordinance a different number of required signatures.

In response to a question from Vice Mayor Somers, Assistant to the City Manager Scot Butler explained that the change that was made to A.R.S. 16-322 was initiated by the City of Scottsdale, and therefore, only addressed the issues that were pertinent to Scottsdale.

In response to a question from Mayor Smith, Ms. Crocker advised that the City of Phoenix requires the Mayor to obtain 1,500 signatures and Councilmembers to obtain 200 signatures.

Discussion ensued relative to the following; setting the signature requirement for the Office of Mayor at 1,000; the possibility of Councilmembers being required to collect more signatures than the Mayor; and that any changes to the City Charter would need to be approved by the voters.

Vice Mayor Somers requested that item 8-a be removed from the consent agenda.

Councilmember Finter suggested that the City Charter be reviewed for possible changes.

In response to a question from Mayor Smith, Ms. Crocker advised that the ballot language would need to be provided to the county by July 24th.

Vice Mayor Somers remarked that the signature requirement for Councilmembers should not be so high that it was onerous or more than what would be required of the Mayor.

Mayor Smith stated that he was concerned that if the signature requirement was set to high that there may not be any qualified candidates willing to run for office. He suggested that staff or a subcommittee research and draft new language for the City Charter with regards to elections.

In response to a question from Councilwoman Higgins, Ms. Crocker explained that voter turnout is higher during a General Election, particularly a Presidential Election, as opposed to a Primary Election.

Mayor Smith stated that item 8-a would be removed from the agenda so that Charter language similar to that of the City of Phoenix could be explored.

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

2-a. Community and Cultural Development Committee meeting held January 25, 2012.

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

Carried unanimously.

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

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

4. Scheduling of meetings and general information.

City Manager Christopher Brady stated that the meeting schedule is as follows:

Thursday, March 1, 2012, 7:30 a.m. – Study Session

5. Adjournment.

Without objection, the Study Session adjourned at 5:44 p.m.

SCOTT SMITH, MAYOR

ATTEST:

LINDA CROCKER, 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 27th day of February 2012. I further certify that the meeting was duly called and held and that a quorum was present.

LINDA CROCKER, CITY CLERK

bdw