



ACTION ITEM LIST

The AIL is intended to comply with the requirements of A.R.S. § 38-431.01.E regarding the posting on the City website within 3 days of a statement of legal actions taken at the Special City Council meeting held on December 13, 2022 at 2:00 p.m.

COUNCIL ATTENDANCE: Mayor Scott Jablow, Vice Mayor Holli Ploog, Councilor Melissa Dunn, Councilor Brian Fultz, Councilor Pete Furman, Councilor Kathy Kinsella, and Councilor Jessica Williamson.

EXECUTIVE SESSION: Entered into Executive Session at 2:03 p.m. (Williamson/Kinsella) 7-0

Upon a public majority vote of the members constituting a quorum, the Council may hold an Executive Session that is not open to the public for the following purposes:

Kurt Christianson gave the admonition.

- a. Discussion/consultation with the City Attorney for legal advice to consider the City's position regarding pending litigation and settlement discussions in the Forest Road Connection Project eminent domain cases. This matter is brought in executive session pursuant to A.R.S. § 38-431.03(A)(3) & (4).
- b. Discussion/consultation for legal advice and to consider Council position and instruct its attorneys and designated representatives regarding contract negotiation and negotiations for the purchase, sale or lease of real property located at Tlaquepaque and SR179 for the Pedestrian Undercrossing on Oak Creek Improvements Project. This matter is brought in executive session pursuant to A.R.S. § 38-431.03(A)(3), (4), & (7).

Adjourned the Executive Session and returned to Open Session at 2:52 p.m.

- c. Return to open session. Discussion/possible action regarding executive session items.

Motion: Councilor Kinsella moved to authorize the City Attorney and Assistant City Manager to proceed with negotiations for the settlement of the Penman and McDonald properties regarding the Forest Rd. connection as directed in executive session with the understanding that the final settlement will come back to Council. Seconded by Vice Mayor Ploog. Motion carried unanimously with seven (7) in favor (Jablow, Ploog, Dunn, Fultz, Furman, Kinsella, and Williamson) and zero (0) opposed.

Motion: Councilor Kinsella moved to authorize the City Attorney, City Manager or City Manager's designee to proceed with negotiations for the acquisition of real property located at Tlaquepaque for the pedestrian underpass as directed in executive session with the understanding that the final settlement will come back to Council. Seconded by Vice Mayor Ploog. Motion carried unanimously with seven (7) in favor (Jablow, Ploog, Dunn, Fultz, Furman, Kinsella, and Williamson) and zero (0) opposed.

ADJOURNMENT: The meeting was adjourned at 2:55 p.m.

