



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 October 24, 2023 at 2:30 p.m.

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

EXECUTIVE SESSION: Entered into Executive Session at 2:32 p.m. (Williamson/Fultz) 6-0

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 and consideration of the judicial annual evaluation and other terms of employment of City Magistrate Paul Schlegel including expectations and goal setting and discussion with the City Attorney for legal advice. This matter is brought in executive session pursuant to A.R.S. § 38-431.03(A)(1&3).
- b. Discussion and consultation with the City Attorney for legal advice and to consider the City's position regarding pending litigation and settlement discussions in the Forest Road Eminent Domain cases. This matter is brought in executive session pursuant to A.R.S. § 38-431.03(A)(3) & (4).
- c. Discussion and consultation for legal advice with the City Attorney, to consider the City's position, and instruct its attorneys regarding pending or contemplated litigation or settlement discussions in order to avoid or resolve litigation in the matter of Gateway West, LLC's A.R.S. 12-1134 notice of claim regarding 15 Cultural Park Place. This matter is brought in executive session pursuant to A.R.S. § 38-431.03(A)(3&7).

Adjourned the Executive Session and returned to Open Session at 4:01 p.m.

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

Motion: Vice Mayor Ploog moved to approve Resolution 2023-28, waiving partial enforcement of Ordinance 2023-03 on, and approving the Binding Waiver of Enforcement for, 15 Cultural Park. Seconded by Councilor Dunn. Motion carried unanimously with six (6) in favor (Jablow, Ploog, Dunn, Fultz, Furman, and Williamson) and zero (0) opposed.

ADJOURNMENT: The meeting was adjourned at 4:03 p.m.