

## COUNCIL MINUTES

January 5, 2017

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 January 5, 2017 at 7:32 a.m.

### COUNCIL PRESENT

John Giles  
Alex Finter  
Christopher Glover\*  
Dennis Kavanaugh  
David Luna  
Dave Richins  
Kevin Thompson

### COUNCIL ABSENT

None

### OFFICERS PRESENT

Christopher Brady  
Jim Smith  
Dee Ann Mickelsen

\*Councilmember Glover participated in the meeting through the use of telephonic equipment.

### 1. Review items on the agenda for the January 9, 2017 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: 4-g.

City Attorney Jim Smith discussed item 5-d (**Staff is requesting approval to continue negotiations to acquire certain property along the Gilbert Road Light Rail Extension (Mesa Drive Light Rail Station to Gilbert Road, along Main Street), and in order to avoid construction delays, authorizing and directing staff that fee title, easements or other interest in and possession of certain property be acquired by the City of Mesa through eminent domain as a matter of public necessity**) on the Regular Council Meeting agenda. He explained that the real estate administrator works with the property owners to seek a resolution for acquisition and, if an agreement cannot be reached in a timely manner, then they request an Order of Immediate Possession, which allows the project to proceed while the price of acquisition continues to be negotiated. He noted that on the last project, a reasonable price for acquisition was reached with the property owners after the Order of Immediate Possession was in place.

Mr. Smith provided a brief explanation of why some property owners find it in their best interest to go through the condemnation process, especially older properties that may not be able to otherwise close due to various issues.

Vice Mayor Kavanaugh advised that the condemnation process is a standard procedure for all of the Metro Rail projects in order to acquire a piece of land and avoid delays in construction. He added that he has seen many great outcomes with the process and commended City staff on their efforts.

In response to a question from Councilmember Luna, Real Estate Services Administrator Kim Fallbeck explained that an offer is made to a property owner after an appraisal is received and if he/she disagrees with the appraised value, then they are asked to provide a written explanation to support their reasoning. She noted that some property owners acquire their own appraisal and they can typically reach an administrative settlement; however, if the appraisals are too far apart, then the eminent domain process begins.

City Manager Chris Brady pointed out that the eminent domain process allows a third party to determine a fair and reasonable price and assume immediate possession of the property. He added that all property owners are aware of the process.

Mayor Giles thanked Ms. Fallbeck for the clarification.

Finance Director Irma Ashworth discussed item 5-f (**Accepting the City's Comprehensive Annual Financial Report (CAFR) for the Fiscal Year ended June 30, 2016**) on the Regular Council Meeting agenda. She explained the CAFR process and reported that this year, the auditors gave the City of Mesa a clean opinion, which basically indicates that they tested everything and found it to be materially correct.

Mr. Brady indicated that an unmodified/clean audit report is a great accomplishment and thanked the Finance staff for their good work.

Vice Mayor Kavanaugh commented that his participation on the Audit Committee for the National League of Cities has taught him the importance of having a good audit team and solid financial staff. He complimented Ms. Ashworth and her staff for their work in achieving a clean audit.

Mayor Giles thanked staff for the updates.

2-a. Appointments to the Economic Development and Human Relations Advisory Boards.

It was moved by Vice Mayor Kavanaugh, seconded by Councilmember Luna, that the Council concur with the Mayor's recommendations and the appointments be confirmed. (**See Attachment 1**)

Carried unanimously.

3. Information pertaining to the current Job Order Contracting projects.

Councilmember Luna requested information regarding Job Order Contracting (JOC) Project No. 3 (Eagle Crest Lift Station Rehabilitation). (**See Attachment 2**)

Water Resources Director Dan Cleavenger explained that JOC Project No. 3 is a rehabilitation project for the Las Sendas lift station. He said that it is critical infrastructure for our sanitary sewer system to work properly and indicated that this project is sensitive due to its proximity to residences in the area.

City Engineer Beth Huning confirmed that much of the equipment at the lift station has reached the end of its useful life. She reported that the City will do the following:

- Install a new odor-control system
- Replace the generator with quieter gas generator
- Address the site security issues
- Modify the fence in order to allow an access point from the west side, rather than through the neighborhood

Councilmember Luna thanked staff for working with the residents to mitigate any potential problems.

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

4-a. Human Relations Advisory Board meeting held on September 28, 2016.

4-b. Transportation Advisory Board meeting held on September 20, 2016.

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

Carried unanimously.

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

(This item was not discussed by the Council.)

6. Scheduling of meetings and general information.

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

Monday, January 9, 2017, 5:15 p.m. – Study Session

Monday, January 9, 2017, 5:45 p.m. – Regular Council Meeting

Tuesday, January 10, 2017, 4:00 p.m. – Outgoing City Council Farewell

Thursday, January 12, 2017, 6:00 p.m. – New City Councilmember Swearing-in Celebration

7. Adjournment.

Without objection, the Study Session adjourned at 7:50 a.m.

---

JOHN GILES, 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 5<sup>th</sup> day of January, 2017. I further certify that the meeting was duly called and held and that a quorum was present.

---

DEE ANN MICKELSEN, CITY CLERK

hm  
(Attachments – 2)

January 5, 2017

TO: CITY COUNCILMEMBERS

FROM: MAYOR JOHN GILES

SUBJECT: Appointments to Boards and Committees

Attached is my recommendation for appointments to City of Mesa Advisory Boards and Committees.

**Economic Development Advisory Board** – Nine-member board with one new appointment.

Scott Rudy, District 6. Mr. Rudy is a program manager with The Boeing Company where he has been employed for over nineteen years. Prior to his time with Boeing, Mr. Rudy has worked with Goodyear Aerospace, Loral and Lockheed Martin as a software engineer and project manager. He holds a bachelor of science in Computer Science from the University of Akron. In addition to his professional career, Mr. Rudy volunteers his time with his local church. Mr. Rudy's appointment will be filling a vacancy caused by the resignation of Steven Shope. His partial term will expire June 30, 2017.

**Human Relations Advisory Board** – Eleven-member board with one new appointment.

Mun L Kho Kaplan, District 3. Ms. Kaplan is an international Realtor with Homesmart, specializing in residential investment in Asia. She previously held positions and the Director of Sales with the Dobson Ranch Inn & Resort, as well as the Director of Sales with the Hilton International in Malaysia. Ms. Kaplan has been a very involved member of her community wherever she has lived. She currently serves as the Executive Director of the Arizona Asian American Association, she was the founding member of the Malaysia Business Council for the Asian Chamber Association in Los Angeles, and was the Vice President of the West LA Chamber of Commerce. Ms. Kaplan's appointment will be fulfilling the term of Talmage Pearce. Her partial term will expire June 30, 2018.

Planned Job Order Projects (01/05/2017)						
No.	Project Name/Address	Project Description	Estimated Construction Cost	Funding Source	Estimated Start Date (Mnth/Yr)	Contractor District
1	Greenfield WRP Sludge Piping Replacement Project 4400 S. Greenfield Road	Replacement of deteriorated Sludge Blending Tank piping and associated isolation valves in the Solids Handling Building.	\$791,000.00	Greenfield WRP Joint Venture	Feb-17	Felix6
2	Falcon Field Pavement Management FY16/17 / 4800 E Falcon Dr.	Apply a Fog Coat of Polymer Modified MasterSeal (PMM) and new pavement markings to the north section of the T-Hangar complex.	\$215,000.00	Falcon Field Fund	Jan-17	Banicki5
3	Eagle Crest Lift Station Rehabilitation 7260 E Eagle Crest Drive	Rehabilitation of the existing wastewater lift station near the end of its life cycle use. Rehabilitation will include new pumps, controls, generator, equipment and various other site improvements.	\$460,000.00	2014 Wastewater Bonds	Feb-16	Felix5
4	Sycamore Waterline (Phase 1 of 2) Valve Replacement / Southwest corner of Alma School Road & Broadway Road	Phase 1 of the Sycamore Waterline project will replace a malfunctioning 36" waterline valve south of the intersection of Broadway Road and Alma School.	\$410,000.00	2014 Water Bonds	Feb-16	Tails4