



# CITY COUNCIL EXECUTIVE SESSION MEETING

## EXECUTIVE SESSION MINUTES

**TUESDAY, DECEMBER 13, 2022, 10:00 AM**

201 S Cortez Street  
Prescott, AZ 86303  
Lower Level Conference Room

Phil Goode, Mayor

Brandon Montoya, Mayor Pro Tem

Cathey Rusing, Councilmember

Eric Moore, Councilman

Connie Cantelme, Councilwoman

Steve Sischka, Councilman

Clark Tenney, Councilman

MINUTES OF THE EXECUTIVE SESSION OF THE PRESCOTT CITY COUNCIL EXECUTIVE SESSION  
HELD ON DECEMBER 13, 2022, IN THE 201 S CORTEZ STREET PRESCOTT, AZ 86303 LOWER LEVEL  
CONFERENCE ROOM.

### 1. Call to Order

Mayor Goode called the meeting to order at 10:01 a.m.

### 2. Roll Call

|                 |                      |
|-----------------|----------------------|
| Phil Goode      | Mayor                |
| Brandon Montoya | Mayor Pro Tem        |
| Connie Cantelme | Councilwoman         |
| Eric Moore      | Councilman           |
| Cathey Rusing   | Councilmember        |
| Steve Sischka   | Councilman – Excused |
| Clark Tenney    | Councilman           |

### 3. Call to Enter Executive Session

**MOTION BY MAYOR PRO TEM MONTOYA TO CONVENE EXECUTIVE SESSION;  
SECONDED BY COUNCILMAN MOORE: PASSED [6 – 0].**

### 4. LEGAL MATTERS

*Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Prescott City Council and to the general public that the Prescott City Council will hold a Meeting at 10:00 a.m. on Tuesday, December 13, 2022, in the Lower Level Conference Room for the purpose of deciding whether to go into executive session. If authorized by a majority vote of the Prescott City Council, the executive session will be held immediately after the vote and will not be open to the public. The agenda for the meeting is as follows:*

**A. Discuss and Consult with the City's Attorneys for Legal Advice and to Consider the City's Position and Instruct its Attorneys Regarding Contemplated Litigation Against City and City Official and Related Request to Resolve Threatened Litigation by**

**Retraction of Statements Made Outside of Official City Course of Business, Pursuant to A.R.S. § 38-431.03(A)(3) and A(4).**

**B. Discuss and Consult with the City's Attorneys for Legal Advice and to Consider the City's Position and to Instruct its Attorneys Regarding a Request for Annexation from Dry Gulch Steakhouse, Pursuant to A.R.S. § 38-431.03(A) (3 & 4).**

**C. Discuss and Consult with the City's Attorneys for Legal Advice and to Consider the City's Position and to Instruct its Attorneys and Necessary City Employees Regarding Pending Updates to the Airport Vicinity Overlay District (AVO) and Related Matters, Including Possible Property Acquisition and Dispute Resolution, Pursuant to A.R.S. § 38-431.03(A)(3, 4 & 7); and Following a Possible Executive Session to Discuss and Consult with the City's Attorneys for Legal Advice and to Consider the City's Position and to Instruct its Attorneys and Necessary City Employees Regarding Pending Updates to the Airport Vicinity Overlay District and Related matters, including Possible Property Acquisition and Dispute Resolution, Pursuant to A.R.S. § 38-431.03(A)(3), A(4), and A(7), Possible Action Regarding Same.**

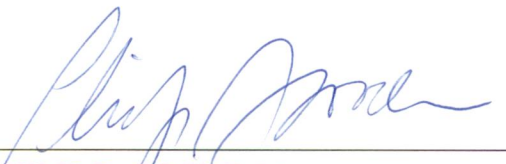
**5. ADJOURNMENT OF EXECUTIVE SESSION & RECONVENING OF A REGULAR PRESCOTT CITY COUNCIL MEETING FOR DISCUSSION AND POSSIBLE ACTION REGARDING MATTERS DISCUSSED IN EXECUTIVE SESSION**

The Executive Session was adjourned, and Regular meeting reconvened at 11:51 a.m.

**MAYOR PRO TEM MONTOYA MOVED TO APPROVE A LETTER OF AGREEMENT PRESENTED BY STAFF " RULE 408-PROTECTED SETTLEMENT COMMUNICATION: DEEP WELL RANCH DEVELOPMENT AGREEMENT/MASTER PLAN"; SECONDED BY COUNCILWOMAN CANTELME. PASSED [6 - 0].**

**6. Adjournment**

There being no further business to discuss, Mayor Goode adjourned the meeting at 11:53 a.m.

  
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PHILIP R. GOODE, Mayor

ATTEST:

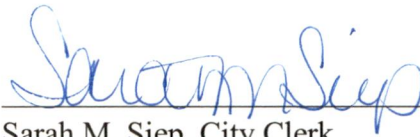
  
\_\_\_\_\_  
SARAH M. SIEP, City Clerk

**CERTIFICATION**

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Executive Session of the City Council Executive Session of the City of Prescott, Arizona held on December 13, 2022. I further certify the meeting was duly called and held and that a quorum was present.

Dated this 11 day of January, 2023.



  
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Sarah M. Siep, City Clerk