



## CITY COUNCIL MEETING

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### SPECIAL MEETING-EXECUTIVE SESSION MEETING AGENDA

**TUESDAY, SEPTEMBER 24, 2019, 10:00 AM**

Lower Level Conference Room, 201 South Cortez Street  
Prescott AZ 86303  
(928) 777-1272

Greg Mengarelli, Mayor

Billie Orr, Mayor Pro Tem  
Steve Blair, Councilman  
Phil Goode, Councilman

Jim Lamerson, Councilman  
Alexa Scholl, Councilwoman  
Steve Sischka, Councilman

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The following Agenda will be considered by the Prescott **City Council** at its **Special Meeting-Executive Session Meeting** pursuant to the Prescott City Charter, Article II, Section 13. Notice of the meeting is given pursuant to Arizona Revised Statutes, Section 38-431.02. One or more members of the Council may be attending the meeting through the use of a technological device.

#### **Amended Agenda 09/23/2019 at 9:30 a.m. (Item 4-Airport Trunk Main Phase 2B**

##### **Project Added)**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. CALL TO ENTER EXECUTIVE SESSION**

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 purposes set forth below. When the executive session ends, Council may adjourn or return to open session.

***Recommended Action: MOVE to convene into executive session.***

#### **4. EXECUTIVE SESSION**

##### **A. LEGAL MATTERS**

The City Council will meet with the City Attorney for legal advice, discussion and consultation regarding its position on pending or contemplated litigation, including settlement discussions conducted in order to avoid or resolve litigation; and consider its position on contracts that are subject to negotiations. (A.R.S. 38-431.03(A)(3) and (4))

- 1. Hidden Heights vs. City of Prescott**

2. City Water Policy
3. Arizona Eco Development
4. Airport Trunk Main Phase 2B Project

## 5. ADJOURNMENT

### EXECUTIVE SESSION

Upon a public majority vote of a quorum of the City Council, the Council may hold an executive session, which will not be open to the public, regarding any item listed on the agenda but only for the following purposes:

- (1) Discussion or consideration of personnel matters (A.R.S. §38-431.03(A)(1));
- (2) Discussion or consideration of records exempt by law (A.R.S. §38-431.03(A)(2));
- (3) Discussion or consultation for legal advice with the city's attorneys (A.R.S. §38-431.03(A)(3));
- (4) Discussion or consultation with the city's attorneys regarding the city's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation, or in settlement discussions conducted in order to avoid litigation (A.R.S. §38-431.03(A)(4));
- (5) Discussion or consultation with designated representatives of the city to consider its position and instruct its representatives regarding negotiations with employee organizations (A.R.S. §38-431.03(A)(5));
- (6) Discussion, consultation or consideration for negotiations by the city or its designated representatives with members of a tribal council, or its designated representatives, of an Indian reservation located within or adjacent to the city (A.R.S. §38-431.03(A)(6));
- (7) Discussion or consultation with designated representatives of the city to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property (A.R.S. §38-431.03(A)(7)).

THE CITY OF PRESCOTT ENDEAVORS TO MAKE ALL PUBLIC MEETINGS ACCESSIBLE TO PERSONS WITH DISABILITIES. With 72 hours advanced notice, special assistance can be provided for sight and/or hearing-impaired persons at this meeting. Reasonable accommodations will be made upon request for persons with disabilities or non-English speaking residents. Please call the City Clerk (928) 777-1272 to request an accommodation to participate in this public meeting. Prescott TDD number is (928) 445-6811. Additionally, free public relay service is available from Arizona Relay Service at 1-800-367-8939 and more information at [www.azrelay.org](http://www.azrelay.org)

### Confidentiality

Arizona statute precludes any person receiving executive session information from disclosing that information except as allowed by law. A.R.S. §38-431.03(F). Each violation of this statute is subject to a civil penalty not to exceed \$500, plus court costs and attorneys' fees. This penalty is assessed against the person who violates this statute or who knowingly aids, agrees to aid or attempts to aid another person in violating this article. The city is precluded from expending any public monies to employ or retain legal counsel to provide legal services or representation to the public body or any of its officers in any legal action commenced for violation of the statute unless City Council takes a legal action at a properly noticed open meeting to approve of such expenditures prior to incurring any such obligation or indebtedness. A.R.S. §38-431.07(A)(B).

#### CERTIFICATION OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at Prescott City Hall on \_\_\_\_\_ at \_\_\_\_\_ m. in accordance with the statement filed by the Prescott City Council with the City Clerk