



City of Prescott

City Council - Special Meeting

October 20, 2025 | 8:00 AM
201 N Montezuma Street
City Council Chambers, 1st Floor
Prescott, AZ 86301

AGENDA

The following Agenda will be considered by the **Prescott City Council** at its **Special 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.

Viewing & Participation

This meeting may be viewed on Channel 64, Facebook Live or on the City's website: [City of Prescott Live Meeting Feed](#)

Public comments for Council may be submitted through the City website: [Public Comment Form](#)

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **DISCUSSION & ACTION ITEMS**
 - A. Discussion & Possible Action Regarding Authorizing Action to Defend the City and its Employees in Litigation Relating to the Appointment of a Councilmember including Open Meeting Law Allegations and Retaining Pierce Coleman for that Purpose.
Recommended Action: MOVE to approve Purchase Order No. 2260280
4. **ADJOURNMENT**

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)).

CERTIFICATION OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at Prescott City Hall on 10/17/25 at 2:00 p.m. in accordance with the statement filed by the Prescott City Council with the City Clerk.

Sarah M. Thornhill

Sarah M. Thornhill, City Clerk



TO: MAYOR AND CITY COUNCIL
AGENDA: October 20 Special City Council Meeting
DATE: October 20, 2025
DEPT: City Clerk
ITEM #: 3.A
SUBJECT: Discussion & Possible Action Regarding Authorizing Action to Defend the City and its Employees in Litigation Relating to the Appointment of a Councilmember including Open Meeting Law Allegations and Retaining Pierce Coleman for that Purpose.

ITEM SUMMARY

This item is for approval of Purchase Order No. 2260280 which will allow the Council to enter into a Representation Agreement with Pierce Coleman related to the appointment of a new Councilmember including an alleged open meeting law violation.

BACKGROUND

The City already has Pierce Coleman on retainer for elections related issues. However, some litigation related actions require a vote of Council. The complaint filed by Sherrie Hanna against the City requires a vote of Council at a noticed meeting before expenditures to defend the case may be made.

FINANCIAL IMPACT

There is no initial retainer, and services will be billed at a discounted fee of \$330 per hour. The City's Insurance Pool has offered to pay a portion of the costs.

RECOMMENDED ACTION

MOVE to approve Purchase Order No. 2260280

ATTACHMENTS

1. Prescott Engagement Letter



PIERCE | COLEMAN

Justin S. Pierce
Stephen B. Coleman
Trish Stuhan
Christina Estes-Werther
Jon M. Paladini
Joseph D. Estes

17851 North 85th Street, Suite 175
Scottsdale, Arizona 85255

2812 North Norwalk, Suite 107
Mesa, Arizona 85215

Dominic L. Verstegen
Allen H. Quist
Robert W. Wingo
Rodney F. W. States
Amy Bell Chan
Justin B. Petersen
Michelle N. Stinson
Alexandra N. Cayton
Matthew W. Schiumo
Reilly K. Cunningham

October 1, 2025

VIA ELECTRONIC MAIL

Joseph Young, City Attorney
City of Prescott
201 N. Montezuma Street
Prescott, AZ 86301
joseph.young@prescott-az.gov

**RE: *City of Prescott – Council Vacancy and Appointment;
Conflict of Interest Matters***

Dear Joseph:

We are pleased that the City of Prescott (the “City”) has decided to retain Pierce Coleman PLLC for assistance with a council vacancy and appointment process, which may result in litigation. I am writing to address the terms of our representation.

Scope of Services

We understand the scope of our engagement will be to assist in matters relating to the recent council vacancy and appointment process that involves conflict of interest issues and potential litigation.

Fees

Christina Estes-Werther and I will be the primary attorneys handling this matter but may utilize other attorneys and paralegals in the firm. The hourly rates are as follows: Partners/Of Counsel are \$330.00; Associates are \$250.00; Paralegals and Law Clerks are \$150.00.

These rates are the discounted rates we offer to all members of the Arizona Municipal Risk Retention Pool. If you have any questions or concerns about fees at any time, please feel free to contact me.

Disbursements

We bill disbursements back to you on a dollar-for-dollar basis. We request reimbursement for travel-related expenses, including lodging, air travel, cab fares, parking fees, and mileage. We do not request reimbursement for meals. We also request reimbursement for photocopying costs at \$.01 per page, postage, messenger service, and delivery charges where material must be sent via certified, registered, or express mail or package carrier.

Billing

We send invoices to our clients monthly via e-mail. The billing will contain a brief summary of the nature of the work, the fees, and the costs advanced. For timeliness sake, we will do our best to send invoices for services rendered and expenses incurred on your behalf no later than two or three weeks after the completion of the month in which the work is performed.

Applicable Law

This agreement shall be interpreted according to the laws of the State of Arizona.

We appreciate the opportunity to serve the City and hope you will be pleased with the quality and efficiency of our work. We welcome your questions about this letter, our policies, our bills, and our work, so please call me directly if you ever have any questions.

In order to confirm your agreement to our representation on these terms, we ask that you sign below and return this letter to us. Please keep a copy of the agreement for your files. Please let me know if you require any further information.

Sincerely,

/s/ Justin S. Pierce

Justin S. Pierce
For the Firm

JSP/maw

AGREED:

CITY OF PRESCOTT

By: _____

Title: _____

Date: _____