

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF COTTONWOOD, ARIZONA, HELD APRIL 12, 2012, AT 6:00 P.M., AT THE CITY COUNCIL CHAMBERS BUILDING, 826 NORTH MAIN STREET, COTTONWOOD, ARIZONA.

CALL TO ORDER AND ROLL CALL

Mayor Joens called the special meeting to order at 4:00 p.m. Roll call was taken as follows:

COUNCIL MEMBERS PRESENT

Diane Joens, Mayor
Karen Pfeifer, Vice Mayor
Jesse Dowling, Council Member
Tim Elinski, Council Member
Ruben Jauregui, Council Member

COUNCIL MEMBERS ABSENT

Linda Norman, Council Member
Terence Pratt, Council Member

STAFF MEMBERS PRESENT

Doug Bartosh, City Manager
Marianne Jiménez, City Clerk
Steve Horton, City Attorney
Tom Whitmer, Natural Resource Director

Others Present:

Attorney David Brown
Herb Dishlip, Consultant for Brown & Brown Law Firm
Bob Hardy,

DISCUSSION AND UPDATE OF ONGOING LITIGATION AND SETTLEMENT NEGOTIATIONS IN THE GILA RIVER ADJUDICATION.

Upon a public majority vote of the members constituting a quorum, the Council may hold an executive session with regard to item III which is not open to the public for the following purposes: A.R.S. § 38-431.03(A)(3)–*Discussion or consultation for legal advice with the attorney or attorneys of the public body*; A.R.S. § 38-431.03(A)(4)–*Discussion or consultation with the attorney of the public body in order to consider its position and instruct its attorney regarding the public body's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation*

Mayor Joens moved to resolve into executive session. The motion was seconded by Council Member Elinski, and carried unanimously.

After discussions with Attorney David Brown under executive session, Mayor Joens moved to resolve into special session. The motion was seconded by Council Member Elinski, and carried unanimously.

There was no discussion after resolving back into special session.

ADJOURNMENT

Mayor Joens moved to adjourn. The motion was seconded by Council Member Elinski, and carried unanimously. The special meeting adjourned at 5:21 p.m.

Diane Joens, Mayor

ATTEST:

Marianne Jiménez, City Clerk

CERTIFICATION OF MINUTES

I hereby certify that the attached is a true and correct copy of the minutes of a special meeting of the City Council of the City of Cottonwood held on April 12, 2012. I further certify that the meeting was duly called, and that a quorum was present.

Marianne Jiménez, City Clerk

Date