

MINUTES OF THE SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF COTTONWOOD, ARIZONA, HELD JULY 17, 2012, AT 4:00 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
Linda Norman, Council Member

COUNCIL MEMBERS ABSENT

Terence Pratt, Council Member

STAFF MEMBERS PRESENT

Doug Bartosh, City Manager
Marianne Jiménez, City Clerk
Tom Whitmer, Natural Resources Director

OTHERS PRESENT

David Brown, Esq.
Robert Hardy
Herb Dishlip

Upon a public majority vote of the members constituting a quorum, the Council may hold an executive session with regard to items III and IV 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.*

DISCUSSION OF ISSUES RELATED TO A POTENTIAL EXPANSION OF THE CITY’S WATER SERVICE AREA AND A POSSIBLE CONTRACT OR POTENTIAL LITIGATION REGARDING ACQUISITION OF PROPERTY RELATED TO THE WATER SERVICE AREA

Mayor Joens read the executive session citation listed above.

Council Member Dowling moved to convene into executive session. The motion was seconded by Council Member Norman, and carried unanimously.

Mr. Brown requested Mr. Dishlip recuse himself during the discussion of this item under executive session.

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

Mr. Brown called Mr. Dishlip back into the building.

After discussion of this item under executive session with Mr. Brown, Mayor Joens moved to reconvene into special session. The motion was seconded by Council Member Dowling, and carried unanimously.

The Council held no discussion nor took any action when it reconvened into special session.

ADJOURNMENT

The special meeting adjourned at 5:25 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 July 17, 2012. I further certify that the meeting was duly called, and that a quorum was present.

Marianne Jiménez, City Clerk

Date