CITY OF PRESCOTT
Everybody's Hometown

AGENDA

PRESCOTT CITY COUNCIL SPECIAL JOINT MEETING WITH PLANNING & ZONING COMMISSION
TUESDAY, JULY 16, 2013
2:30 PM

Executive Session
Lower Level Conference Room
201 South Cortez - Prescott, Arizona

(928) 777-1100

The following Agenda will be considered by the Prescott City Council and Planning and Zoning Commission at its **Special Joint Executive Session** pursuant to the Prescott City Charter, Article II, Section 14. Notice of this meeting is given pursuant to Arizona Revised Statutes, Section 38-431.02.

♦ **CALL TO ORDER**

♦ **ROLL CALL**

MAYOR AND CITY COUNCIL AND PLANNING AND ZONING COMMISSION

City Council	Planning & Zoning Commission
Mayor Kuykendall	Chairman Menser
Councilman Arnold	Vice Chairman Mabarak
Councilman Blair	Member Gardner
Councilman Carlow	Member Greseth
Councilman Kuknyo	Member Marshall
Councilman Lamerson	Member Michelman
Councilman Scamardo	Member Sheats

CALL TO ENTER INTO EXECUTIVE SESSION

Upon a public majority vote of the members constituting a quorum, the Council and Planning Commission 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 recess into executive session.**

EXECUTIVE SESSION

I. LEGAL MATTERS

A. The City Council and the Planning and Zoning Commission will meet with the City Attorney for legal advice and consultation regarding Group Home legislation in order to consider its position and instruct its attorneys regarding the public body's position pursuant to A.R.S. Section 38-431.03.(3)(4).

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:

- **(i) Discussion or consideration of personnel matters (A.R.S. §38-431.03(A)(1));**
- **(ii) Discussion or consideration of records exempt by law (A.R.S. §38-431.03(A)(2));**
- **(iii) Discussion or consultation for legal advice with the city's attorneys (A.R.S. §38-431.03(A)(3));**
- **(iv) 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));**
- **(v) 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));**
- **(vi) 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);**
- **(vii) 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)).**

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.

_____
Lynn Mulhall, City Clerk