

AGENDA

AGENDA OF THE SPECIAL SESSION OF THE MAYOR AND COUNCIL OF THE CITY OF BISBEE, COUNTY OF COCHISE, STATE OF ARIZONA TO BE HELD ON WEDNESDAY, DECEMBER 15, 2010 AT 7:00 PM IN THE BISBEE MUNICIPAL BUILDING, 118 ARIZONA STREET, BISBEE, ARIZONA.

THE MEETING CALLED TO ORDER BY _____ AT _____ PM.

ROLL CALL

COUNCIL

Councilmember Boyd Nicholl, Ward I
Councilmember Bennie Scott, Ward III
Councilmember Luche Giacomino, Ward II Excused
Mayor W.J. "Jack" Porter
Councilmember Anna Cline, Ward III
Councilmember Ransom Burke, Ward II, Mayor Pro Tempore
Councilmember Kenneth "Ken" Budge, Ward I Excused

STAFF

Stephen J. Pauken, City Manager
Gloria P. Gonzalez, City Clerk

CITY ATTORNEY

Mark J. Langlitz

THE FOLLOWING ITEMS WILL BE DISCUSSED, CONSIDERED AND/OR DECIDED UPON AT THIS MEETING:

1. Discussion and Possible Approval of Going into Executive Session for the Purpose of Consulting with the City Attorney Regarding Border Cities Land Corporation v. City of Bisbee Per A.R.S § 38-431.03(A)(3) and (4).
Mark J. Langlitz, City Attorney
2. Discussion and Possible Action for the City Attorney regarding Border Cities Land Corporation v. City of Bisbee.
Mark J. Langlitz, City Attorney

ADJOURNMENT

Anyone needing special accommodation to attend this meeting should contact Gloria Gonzalez at (520) 432-6012 at least twenty-four hours before the meeting.



AGENDA ITEM NUMBER 1

REQUEST FOR COUNCIL ACTION

DATE SUBMITTED: December 10, 2010	TYPE OF ACTION: <input type="checkbox"/> RESOLUTION	SUBJECT: DISCUSSION AND POSSIBLE APPROVAL OF GOING INTO EXECUTIVE SESSION FOR THE PURPOSE OF CONSULTING WITH THE CITY ATTORNEY REGARDING BORDER CITIES LAND CORPORATION V. CITY OF BISBEE PER A.R.S § 38-431.03(A)(3) AND (4).
DATE ACTION REQUESTED: December 15, 2010	<input type="checkbox"/> ORDINANCE	
<input checked="" type="checkbox"/> REGULAR <input type="checkbox"/> CONSENT	<input type="checkbox"/> FORMAL ACTION <input checked="" type="checkbox"/> OTHER:	

TO: Mayor and Council
FROM: Mark J. Langlitz, City Attorney
RECOMMENDATION: Approve going into Executive Session
PROPOSED MOTION: I move that Mayor and Council go into Executive Session at this time.

DISCUSSION: A public body may go into Executive Session as per Arizona Revised Statutes § 38- 431.03 A (3) and (4) for the purpose of discussion or consultation with the attorney or attorneys of the public body. The City Attorney will be consulted regarding the City’s position in the pending case of Border Cities Land Corporation v. City of Bisbee.

FISCAL IMPACT: None
DEPARTMENT LINE ITEM ACCOUNT:
BALANCE IN LINE ITEM IF APPROVED:

Prepared by:
Mark J. Langlitz, City Attorney

Reviewed by:
Stephen J. Pauken, City Manager



AGENDA ITEM NUMBER 2

REQUEST FOR COUNCIL ACTION

DATE SUBMITTED: December 10, 2010	TYPE OF ACTION: <input type="checkbox"/> RESOLUTION <input type="checkbox"/> ORDINANCE <input checked="" type="checkbox"/> FORMAL ACTION <input type="checkbox"/> OTHER:	SUBJECT: DISCUSSION AND POSSIBLE ACTION FOR THE CITY ATTORNEY REGARDING BORDER CITIES LAND CORPORATION V. CITY OF BISBEE.
DATE ACTION REQUESTED: December 15, 2010		
<input checked="" type="checkbox"/> REGULAR <input type="checkbox"/> CONSENT		

TO: Mayor and Council

FROM: Mark J. Langlitz, City Attorney

RECOMMENDATION: None

PROPOSED MOTION: I move to direct the City Attorney as follows:

DISCUSSION: None.

FISCAL IMPACT: None

DEPARTMENT LINE ITEM ACCOUNT:

BALANCE IN LINE ITEM IF APPROVED:

Prepared by:
Mark J. Langlitz, City Attorney

Reviewed by:
Stephen J. Pauken, City Manager