

## 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 TUESDAY, SEPTEMBER 7, 2010 AT 6:00 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  
Mayor W.J. "Jack" Porter  
Councilmember Anna Cline, Ward III, Mayor Pro Tempore  
Councilmember Raymond Rodgers, Ward II  
Councilmember Kenneth "Ken" Budge, Ward I

#### STAFF

Stephen J. Pauken, City Manager  
Gloria P. Gonzalez, City Clerk  
Dee L. Flanagan, Finance Director  
John Charley, Community Development Director  
Jim Elkins, Chief of Police  
Jack Earnest, Fire Chief  
Jennifer L. Graeme, Personnel Director  
Tom Klimek, Public Works Director  
Peg White, Library Director

#### 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

### 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

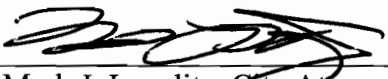
**REQUEST FOR COUNCIL ACTION**

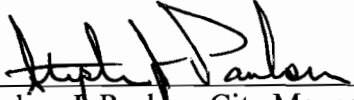
<b>DATE SUBMITTED:</b> September 2, 2010	<b>TYPE OF ACTION:</b> <input type="checkbox"/> RESOLUTION	<b>SUBJECT:</b> DISCUSSION AND POSSIBLE APPROVAL OF GOING INTO EXECUTIVE SESSION FOR THE PURPOSE OF CONSULTING WITH THE CITY ATTORNEY REGARDING BORDER CITIES LAND CORPORATION V. CITY OF BISBEE PER A.R.S § 38-431.03(A)(3) AND (4).
<b>DATE ACTION REQUESTED:</b> September 7, 2010	<input type="checkbox"/> ORDINANCE	
<input checked="" type="checkbox"/> REGULAR <input type="checkbox"/> CONSENT	<input type="checkbox"/> FORMAL ACTION	
	<input checked="" type="checkbox"/> OTHER:	

<b>TO: Mayor and Council</b>
<b>FROM:</b> Mark J. Langlitz, City Attorney
<b>RECOMMENDATION:</b> Approve going into Executive Session
<b>PROPOSED MOTION:</b> 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.

<b>FISCAL IMPACT:</b> None
<b>DEPARTMENT LINE ITEM ACCOUNT:</b>
<b>BALANCE IN LINE ITEM IF APPROVED:</b>

Prepared by:   
Mark J. Langlitz, City Attorney

Reviewed by:   
Stephen J. Pauken, City Manager