CITY OF BENSON
CITY COUNCIL
JUNE 3, 2013 – 7:00 P.M.
SPECIAL MEETING

A SPECIAL MEETING OF THE MAYOR AND CITY COUNCIL OF BENSON, ARIZONA
WILL BE HELD ON JUNE 3, 2013 AT 7:00 P.M.,
AT BENSON CITY HALL,
120 W. 6TH STREET, BENSON, ARIZONA

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Vicki L. Vivian, CMC, City Clerk

A G E N D A

The Council may discuss, consider and take possible action pertaining to the following:

CALL TO ORDER: The Call to Order will consist of the Mayor calling the Council to order. The Mayor or his designee shall then lead those present in the pledge of allegiance.

ROLL CALL: The City Clerk shall call the roll of the members, and the names of those present shall be entered in the minutes.

NEW BUSINESS:

1. Resolution 17-2013 of the Mayor and Council of the City of Benson, Arizona, approving a Tentative Budget for Fiscal Year 2013-2014 – **Megan Moreno, Finance Director** * APPROVED

EXECUTIVE SESSION: Pursuant to A.R.S. section 38-431.03 (A)(3)(4) the City Council may go into executive session for discussion and consultation with the City's attorneys concerning pending litigation matters generally referred to as Stagecoach Trails et al v. City of Benson et al., No. 11-CV-00398-TUC-RCC, currently pending in the Federal District Court for the District of Arizona, and Stagecoach Trails MHC, L.L.C. v. City of Benson, 2 CA-CV 2011-0085, currently pending in the Arizona Court of Appeals, Division Two.

2. Discussion and possible action regarding current pending litigation issues in the matter generally referred to as Stagecoach Trails L.L.C. et al. v. City of Benson et al., No. 11-CV-00398-TUC-RCC, currently pending in the Federal District Court for the District of Arizona. NO ACTION – COUNCIL INSTRUCTED THE ATTORNEYS TO ADDRESS THE PENDING FEDERAL MOTIONS AND REPORT BACK TO COUNCIL

ADJOURNMENT

POSTED this 30th day of May, 2013

Material related to the City Council meeting is available for public review the day before and the day of the meeting, during office hours, at the City Clerk's Office located at 120 W. 6th Street, Benson, Arizona, 520-586-2245 x 2011.

All facilities are handicapped accessible. If you have a special accessibility need, please contact Vicki L. Vivian, City Clerk, at (520) 586-2245 or TDD: (520) 586-3624, no later than eight (8) hours before the scheduled meeting time.

Any invocation that may be offered before the start of regular Council business shall be the voluntary offering of a private citizen, for the benefit of the Council and the citizens present. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Council, and the Council does not endorse the religious beliefs or views of this, or any other speaker.

Executive Session – Upon a vote of the majority of the City Council, the Council may enter into Executive Session pursuant to Arizona Revised Statutes §38-431.03 (A)(3) (legal advice) to obtain legal advice on matters listed on the Agenda.

* Denotes an Exhibit in addition to the Council Communication

** Call to the Public

Arizona Revised Statutes §38-431.01(H) provides that "A public body may make an open call to the public during a public meeting, subject to reasonable time, place and manner restrictions to allow individuals to address the public body on any issue within the jurisdiction of the public body. At the conclusion of an open call to the public, individual members of the public body may respond to criticism made by those who have addressed the public body, may ask staff to review a matter or may ask that a matter be put on a future agenda. However, members of the public body shall not discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action." As such, Call to the Public agenda items are provided as a courtesy to allow citizens an opportunity to voice any concerns or opinions they may have regarding the City of Benson or other matters properly addressed to the City Council. However, in accordance with Arizona law, citizens need to understand that the City Council is not permitted to enter into a direct discussion with the citizens speaking on any issues of concern during the Call to the Public and no legal action can be taken, unless the matter is properly noticed on the agenda.

In order to speak during the Call to the Public, please complete the Call to the Public form requesting to do so.

*** Consent Agenda

The Consent Agenda will be the first item under New Business and shall list separately distinct items requiring action by the City Council that are generally routine items not requiring Council discussion. A single motion will approve all items on the Consent Agenda, including any resolutions or ordinances, or claims/invoices that are of a routine nature. A Councilmember may remove any issue from the Consent Agenda, and that issue will be discussed and voted upon separately, immediately following the Consent Agenda under its proper regular category of New Business.