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NOTICE OF A SPECIAL MEETING AND POSSIBLE EXECUTIVE SESSION OF THE COMMON COUNCIL OF THE TOWN OF CLARKDALE

Tuesday, June 15, 2010 at 3:00 P.M.
Administration Building Conference Room

PURSUANT TO A.R.S. §38-431.02, NOTICE IS HEREBY GIVEN to the members of the Common Council of the Town of Clarkdale and to the general public that the Town of Clarkdale Common Council will hold a Special Meeting open to the public on **Tuesday, June 15, 2010 at 3:00 p.m.** at the Administration Building Conference Room, **39 N. Ninth Street, Clarkdale, Arizona.** Pursuant to A.R.S. §38-431.03, the Council may vote to recess the meeting and move into Executive Session on any item, which will be held immediately after the vote and will not be open to the public. Upon completion of Executive Session, the Council may resume the meeting, open to the public, to address any remaining items on the agenda.

Dated this 10th day of June, 2010
BY

KATHY BAINBRIDGE
TOWN CLERK

The agenda for the meeting is as follows:

1. CALL TO ORDER Meeting was called to order at 3:00 P.M.

Town Council:

Mayor Doug Von Gausig
Vice Mayor Richard Dehnert

Councilmember Patricia Williams
Councilmember Curtiss Bohall - Absent
Councilmember Bill Regner

Town Staff:

Town Manager Gayle Mabery
Town Clerk Kathy Bainbridge
Public Works Director Steve Burroughs
Community Development Director Sherry Bailey
Building Inspector Paul Grasso

2. PUBLIC COMMENT – The Town Council invites the public to provide comments at this time. Members of the Council may not discuss items that are not specifically identified on the

agenda. Therefore, pursuant to A.R.S. §38-431.01(G), action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism or scheduling the matter for further consideration and decision at a later date. Persons interested in making a comment on a specific agenda item are asked to complete a brief form and submit it to the Town Clerk during the meeting. Each speaker is asked to limit their comments to five minutes.

There was no public comment

3. **EXECUTIVE SESSION** - The Council may vote to discuss the following matters in executive session pursuant to §38-431.03(A)(3) discussion or consultation for legal advise with the attorney representing the public body; A.R.S. §38-431.03(A)(4) discussion or consultation with the attorneys of the public body in order to consider its position and instruct its attorneys regarding the public body's position in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation. The executive session will be held immediately after the vote and will not be open to the public.

A) PROPOSED SETTLEMENT WITH BOND SAFEGUARD INSURANCE COMPANY ON MOUNTAIN GATE SUBDIVISION PROJECT CLAIM PER A.R.S. §38-431.03(A)(3)&(4)

Without opposition, the Council recessed to Executive Session at 3:05 P.M.

Without opposition, the Council adjourned the Executive Session at 3:40 p.m.

4. **MOUNTAIN GATE SUBDIVISION** - Discussion and consideration of action to authorize the Town attorney to settle the Town claim against Bond Safeguard Insurance Company on the Mountain Gate Subdivision Project and authorization to execute a release upon receipt of total payment

Vice Mayor Dehnert moved to accept the proposed \$795,000 cash settlement from Bond Safeguard Insurance Company on the Mountain Gate Subdivision Project conditioned upon payment receipt within Thirty days and authorization for Mayor Von Gausig to execute the settlement release upon receipt of the total payment. Motion seconded by Councilmember Williams. Motion approved unanimously.

5. **ADJOURNMENT**

Without opposition, the Council adjourned at 4:05 p.m.

Persons with a disability may request reasonable accommodations by contacting the Town Hall at 639-2400 (TTY: 1-800-367-8939) at least 72 hours in advance of the meeting.