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**AGENDA
SPECIAL SESSION
MAYOR and COMMON COUNCIL
of the
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
473 S. Main Street #106
WEDNESDAY, JUNE 17, 2009
5:30 p.m.**

- 1. Call to Order**
- 2. Roll Call**
- 3. Pledge of Allegiance**
- 4. Discussion, consideration, and possible approval of the refinancing of Koch Financial Lease Purchase Agreement #2 and authorization for the Mayor to execute those legal documents that will facilitate the refinancing of the Koch Financial Lease Purchase Agreement #2 to include amending the Intergovernmental Agreement between the Town of Camp Verde and the Camp Verde Sanitary District, dated May 12, 2007 concerning the financing to upgrade the Sanitary District's wastewater treatment facilities. (Staff Resource: Michael Scannell) Note: Council may vote to go into Executive Session pursuant to ARS §38-431.03(A)(3) for discussion or consultation with the attorney for legal advice and §38-431.03(A)(4) for discussion or consultation with the attorney in order to consider Council's position regarding contracts that are the subject of negotiation, in pending or contemplated litigation, or in settlement discussions in order to avoid or resolve litigation.**
- 5. Discussion, consideration, and possible approval of a letter authorizing the Manager to represent the Town of Camp Verde relative to filing a civil complaint in the Verde Valley Justice Court to recover past due rent estimated to be \$6,025.92 that is owed to the Town by Lawman's Pizza. Note: Council may vote to go into Executive Session pursuant to ARS §38-431.03(A)(3) for discussion or consultation with the attorney for legal advice and §38-431.03(A)(4) for discussion or consultation with the attorney in order to consider Council's position regarding contracts that are the subject of negotiation, in pending or contemplated litigation, or in settlement discussions in order to avoid or resolve litigation..**
- 6. Adjournment**

Posted by:

J. Jones

Date/Time:

6-12-09

8:15 a.m

Note: Pursuant to A.R.S. §38-431.03.A.3, the Council may vote to go into Executive Session for purposes of consultation for legal advice with the Town Attorney on any matter listed on the Agenda, or discussion of records exempt by law from public inspection associated with an agenda item.

The Town of Camp Verde Council Chambers is accessible to the handicapped. Those with special accessibility or accommodation needs, such as large typeface print, may request these at the Office of the Town Clerk.

**TOWN OF CAMP VERDE
Council Agenda Action Form**

Meeting Date: June 17, 2009

Meeting Type: Regular

Type of Presentation: Verbal

AGENDA ITEM: Manager Representing the Town at the Verde Valley Justice Court
(Staff Resource: Michael K. Scannell)

- 1. AGENDA TITLE: Discussion, consideration, and possible approval of a letter authorizing the Manager to represent the Town of Camp Verde relative to filing a civil complaint in the Verde Valley Justice Court to recover past due rent estimated to be \$6,025.92 that is owed to the Town by Lawman's Pizza.** Note: Council may vote to go into Executive Session pursuant to ARS §38-431.03(A)(3) for discussion or consultation with the attorney for legal advice and §38-431.03(A)(4) for discussion or consultation with the attorney in order to consider Council's position regarding contracts that are the subject of negotiation, in pending or contemplated litigation, or in settlement discussions in order to avoid or resolve litigation.

PURPOSE AND BACKGROUND INFORMATION:

Factors related to the Rio Verde Plaza, resulted in a Council motion on August 27, 2008, to have the tenants vacate the building in anticipation of the building being razed. The timeline for vacating the premises was to be determined by the Town Manager in consultation with the tenants.

Lawmans Pizza encountered economic difficulties and was not able to fully fund the rental agreement entered into with the Town of Camp Verde. As a result of their inability to fund the back rent, they owe the Town of Camp Verde \$6,025. 92.

STAFF RECOMMENDATION(S): To place the Town in a position to recover the funds in question, staff is recommending that the Town seek a judgment against Lawmans Pizza through the Verde Valley Justice Court and adjourn to Executive Session pursuant to ARS §38-431.03(A)(3) for discussion or consultation with the attorney for legal advice and §38-431.03(A)(4) for discussion or consultation with the attorney in order to consider Council's position regarding contracts that are the subject of negotiation, in pending or contemplated litigation, or in settlement discussions in order to avoid or resolve litigation.

Finance Director Review

Budgeted/Amount Yes No N/A X

Fund: Line Item:

Comments:

Attorney Review Yes No N/A X

Submitting Department: Administration/Manager

Contact Town Manager Michael K. Scannell: Signature

