

AGENDA



**SPECIAL SESSION
MAYOR and COMMON COUNCIL
Of the
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
473 S. Main Street #106
WEDNESDAY, JANUARY 20, 2010
5:15 P.M.**

1. Call to Order
2. Roll Call
3. **Discussion, consideration, and possible direction to staff relative to setting the negotiating parameters with regard to a water rights settlement agreement and related issues with the Yavapai Apache Nation.** 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; and §38-431.03(A)(6) for negotiations with members of a Tribal Council. Staff Resource: Michael Scannell
4. Adjournment

Posted by: J. Jones Date/Time: 1-14-2010 8:30

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.

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**TOWN OF CAMP VERDE
Agenda Action Form**

Meeting Date: January 20, 2010

Meeting Type: Executive Session

Consent Agenda **Regular Business**

Agenda Title:

Discussion, consideration and guidance to staff relative to setting the negotiating parameters, relative to a water rights settlement agreement and related issues, with the Yavapai Apache Nation (“Nation”). *Please 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; and §38-431.03(A)(6) for negotiations with members of a Tribal Council.*

Staff Resource: Michael K. Scannell

Purpose and Background Information:

The purpose of the agenda item is to provide guidance to the manager and the Town’s contract water attorney with respect to the issues that the Town Council may wish to pursue in negotiations relative to water rights settlement and related issues that are of interest to the Nation and the Town.

If Council approves this agenda item, staff will move to the next step in the process, that being, scheduling a joint meeting with the Nation, the Town Manager and Town Water Attorney Steve Wene. The purpose of said discussion will be a water rights settlement agreement and related issues.

As background, the Town Council previously met (see below) on issues related to a water rights settlement agreement with the Nation:

1. December 16, 2009 - Council met in executive session for discussion and consultation with the Town’s water attorney for legal advice relative to a water rights settlement agreement between the Nation and the Town.
2. January 6, 2010 Council ratified a Non-Disclosure Agreement relative to a water rights settlement agreement between the Nation and the Town.

Recommendation:

Provide guidance to staff relative to setting the negotiating parameters, relative to a water rights settlement agreement and related issues, with the Yavapai Apache Nation (“Nation”).

Finance Review: **Budgeted** **Unbudgeted** **N/A**

Finance Director Comments:

Attorney Review: **Yes** **No** **N/A**

Attorney Comments: Information from the Town's Water Attorney Steve Wene relative to said issues were provided to Council under separate cover.

Submitting Department: Town Manager
Action Report prepared by: C. Brown

Contact Person: Michael K. Scannell

