

SPECIAL MEETING (EXECUTIVE SESSION)
TUESDAY, NOVEMBER 19, 2024
STAFF CONFERENCE ROOM
SECOND FLOOR - CITY HALL
211 WEST ASPEN AVE
1:00 P.M.

1. **Call to Order**

Mayor Daggett called the Special Meeting (Executive Session) to order at 1:00 p.m.

2. **Roll Call**

NOTE: One or more Councilmembers may be in attendance through other technological means.

PRESENT:

MAYOR DAGGETT (virtual)
VICE MAYOR ASLAN (virtual)
COUNCILMEMBER HARRIS (virtual)
COUNCILMEMBER MATTHEWS
COUNCILMEMBER MCCARTHY
COUNCILMEMBER SWEET

ABSENT:

COUNCILMEMBER HOUSE

Others present: City Manager Greg Clifton; City Attorney Sterling Solomon.

3. **Recess into Executive Session**

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Miranda Sweet to recess into Executive Session.

Vote: 6 - 0 - Unanimously

4. **Executive Session Confidentiality Statement**

Discussions made during Executive Session are confidential by law. All persons present in Executive Session or who receive Executive Session information or materials shall keep the discussion, information and materials confidential and shall not disclose them, except as allowed by law.

5. **Executive Session:**

- A. Discussion or consultation for legal advice with the attorney or attorneys of the public body and 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 regarding contracts that are the subject of negotiations, in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation, pursuant to A.R.S. §38-431.03(A)(3) and (4), respectively.
- i. Consultation for legal advice regarding permissible fees for use of the public rights-of-way, and to consider its position and provide direction to its attorneys regarding the public body's position regarding negotiation of contracts with Wecom Fiber related to construction, operation, and maintenance of a fiber network in public rights-of-way for the City of Flagstaff
- B. Discussion or consultation for legal advice with the attorney or attorneys of the public body, 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 regarding contracts that are the subject of negotiations, in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation, and discussions or consultations with designated representatives of the public body in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale or

lease of real property, pursuant to A.R.S. §38-431.03(A)(3), (4), and (7), respectively.

i. Legal advice and contract negotiations on first amendment to Canyon Del Rio Development Agreement (PZ-18-00113-05) and Roadway Dedication Agreements for John Wesley Powell Extension (DA-24-00209 and DA-24-00209-01)

C. Discussion or consultation for legal advice with the attorney or attorneys of the public body and 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 regarding contracts that are the subject of negotiations, in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation, pursuant to A.R.S. §38-431.03(A)(3) and (4), respectively.

i. Litigation Update

6. Adjournment

The Special Meeting (Executive Session) of the Flagstaff City Council held November 19, 2024, reconvened into Open Session at 2:58 p.m. at which time the meeting adjourned.

MAYOR

ATTEST:

CITY CLERK