

MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 1 ACTION MINUTES

MINUTES OF THE MERRILL RANCH COMMUNITY FACILITY DISTRICT NO. SPECIAL MEETING OF THE DISTRICT BOARD HELD ON MONDAY, SEPTEMBER 16, 2019, AT 7:00 P.M., OR IMMEDIATELY FOLLOWING THE TOWN OF FLORENCE COUNCIL MEETING, IN THE FLORENCE TOWN COUNCIL CHAMBERS, LOCATED AT 775 N. MAIN STREET, FLORENCE, ARIZONA.

1. CALL TO ORDER

Chairman Walter called the meeting to order at 7:45 pm.

2. ROLL CALL:

Present: Tara Walter, John Anderson, Bill Hawkins, Karen Wall, Michelle Cordes

Absent: Kristen Larsen, Judy Hughes

3. Discussion and possible action to approve Merrill Ranch Community Facilities District No.1 July 1, July 15, and September 3, 2019 Special Meeting minutes.

On motion of District Board Member Anderson, seconded by District Board Member Hawkins, and carried (5-0) to approve the July 1, July 15, and September 3, 2019 Special Meeting minutes.

4. Discussion and possible action to approve and ratify a legal services Engagement and Retention Agreement with Sims Mackin, LTD. and Cathy Bowman for legal representation of the Town of Florence, Merrill Ranch Community Facilities District No. 1 and Merrill Ranch Community Facilities District No. 2 for the purpose of defending claims and litigation, including alternative dispute resolution, discovery, trial, post-trial motions, appeals and authorization to enter into related common interest agreements.

On motion of District Board Member Wall, seconded by District Board Member Anderson, and carried (5-0) to approve and ratify a legal services Engagement and Retention Agreement with Sims Mackin, LTD. and Cathy Bowman for legal representation of the Town of Florence, Merrill Ranch Community Facilities District No. 1 and Merrill Ranch Community Facilities District No. 2 for the purpose of defending claims and litigation, including alternative dispute resolution, discovery, trial, post-trial motions, appeals and authorization to enter into related common interest agreements.

5. MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 1 ADJOURNMENT TO EXECUTIVE SESSION

For the purposes of discussions or consultations with designated representatives of the public body and/or legal counsel pursuant to A.R.S. Sections 38-431.03 (A)(3), (A)(4) to consider its position and instruct its representatives and/or attorneys regarding a lawsuit filed against Merrill Ranch Community Facilities District No. 1. C20419-012347 dated September 6, 2019

On motion of District Board Member Cordes, seconded by District Board Member Hawkins, and carried (5-0) to adjourn to Executive Session.

6. ADJOURNMENT FROM MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 1 EXECUTIVE SESSION

On motion of District Board Member Anderson, seconded by District Board Member Wall, and carried (5-0) to adjourn from Executive Session.

7. ADJOURNMENT

The Merrill Ranch Community Facilities District No. 1 (MRCFD1) Board may go into Executive Session at any time during the meeting for the purpose of obtaining legal advice from the District's Attorney(s) on any of the agenda items pursuant to A.R.S. § 38-431.03(A)(3). One or more members of MRCFD1 Board may appear for part or all of the meeting including Executive Session telephonically.

On motion of District Board Member Wall, seconded by District Board Member Anderson, and carried (5-0) to adjourn from the meeting.

Posted this 17th day of September 2019, on the Town of Florence website at www.florenceaz.gov by Maria Hernandez, Deputy District Clerk.