MERRILL RANCH COMMUNITY FACILITIES DISTRIT NO. 2 MINUTES

MINUTES OF THE MERRILL RANCH COMMUNITY FACILITY DISTRICT NO. 2 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.

CALL TO ORDER

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

ROLL CALL:

Present: Tara Walter, John Anderson, Bill Hawkins, Karen Wall, Michelle Cordes
Absent: Kristen Larsen, Judy Hughes

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.

Mr. Mattice stated that the request is to retain the services of Sims Mackin, Ltd., and Cathy Bowman, to assist with specialized legal representation with regards to a lawsuit filed by the Merrill entities against Merrill Ranch Community Facilities District No. 1 but there are additional claims that have been asserted by correspondence against the Town of Florence and Merrill Ranch Community Facilities District No. 2.

On motion of B District Board Member Wall, seconded by District Board Member Hawkins, 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.

MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 2 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 MRCFD2.

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

JOURNMENT FROM MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 2 EXECUTIVE SESSION.

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

ADJOURNMENT

The Merrill Ranch Community Facilities District No. 2 (MRCFD2) 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 MRCFD2 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 Cordes, and carried (5-0) to adjourn from the meeting.

Tara Walter

Tara Walter, Chairman

ATTEST:

Lisa Garcia, District Clerk

I certify that the following is a true and correct copy of the minutes of the Merrill Ranch Community Facilities District No. 2 Special Meeting held on September 16, 2019, and that the meeting was duly called to order and that a quorum was present.

Lisa Garcia, District Clerk