

ACTION MINUTES

MINUTES OF THE TOWN OF FLORENCE SPECIAL COUNCIL MEETING OF THE FLORENCE TOWN COUNCIL HELD ON WEDNESDAY, APRIL 15, 2020, AT 4:00 P.M., IN THE FLORENCE TOWN COUNCIL CHAMBERS, LOCATED AT 775 N. MAIN STREET, FLORENCE, ARIZONA.

SPECIAL NOTICE REGARDING PUBLIC MEETINGS

Due to the risks to public health caused by the possible spread of the COVID-19 virus at public gatherings, the Town of Florence has determined that public meetings will be indefinitely held through technological means. Meetings will be open to the public through technological means. In reliance on, and in compliance with, the March 13, 2020 Opinion issued by Attorney General Mark Brnovich, and in conjunction with the Emergency Proclamation signed by Mayor Tara Walter, on March 18, 2020. The Town of Florence provides this special advance notice of the technological means through which public meetings may be accessed. While this special notice is in effect, public comment at meetings will only be accepted through written submissions, which may or may not be read aloud during meetings.

To attend the meeting noticed below by technological means, members of the public may:

1. Access the link to watch a video stream on the Town website: www.FlorenceAZ.gov/tv or view the meeting live on Cox TV Channel 11.

Members of the public may submit written comments relating to this meeting to Town Clerk Lisa Garcia by emailing lisa.garcia@florenceaz.gov at any time until one hour prior to the posted start time for the meeting. Please be sure to include your name and address for the record as well as the meeting date (and Agenda Item #, if applicable) in the subject of your email.

If any member of the public has difficulty connecting to the meeting, they are invited to contact the Town of Florence Information Technology Helpdesk at (520) 868-7543.

The agenda for this meeting is as follows:

1. CALL TO ORDER

Mayor Walter called the meeting to order at 4:03 p.m.

2. ROLL CALL:

***Present: Tara Walter, John Anderson, Karen Wall, Kristen Larsen, Judy Hughes**
(*all Council appeared telephonically)

Absent: Michelle Cordes

3. MOMENT OF SILENCE

4. PLEDGE OF ALLEGIANCE

5. MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 1

a. CALL TO ORDER

Chairman Walter called the meeting to order at 4:04 p.m.

b. ROLL CALL:

***Present: Tara Walter, John Anderson, Karen Wall, Kristen Larsen, Judy Hughes (*all Council appeared telephonically)**

Absent: Michelle Cordes

6. MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 2

a. CALL TO ORDER

Chairman Walter called the meeting to order at 4:05 p.m.

b. ROLL CALL:

***Present: Tara Walter, John Anderson, Karen Wall, Kristen Larsen, Judy Hughes (*all Council appeared telephonically)**

Absent: Michelle Cordes

7. ADJOURNMENT TO A JOINT EXECUTIVE SESSION WITH MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 1, MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 2 AND THE MAYOR AND COUNCIL OF THE TOWN OF FLORENCE.

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) and (A)(7) to consider its position and instruct its representatives and/or attorneys regarding:

a. Discussion or consultations regarding a Notice of Claim filed by Merrill Ranch Owner's Agent, L.L.C., CMR/Casa Grande, L.L.C., Roadrunner Resorts, L.L.C. and Florence Copper, Inc. against Merrill Ranch Community Facilities Districts No. 1, Merrill Ranch Community Facilities District No. 2 and the Town of Florence.

b. Discussion or consultation potential and threatened claims against the Town and Districts.

Motioned, seconded, and carried (5-0) to adjourn to a Joint Executive Session with Merrill Ranch Community Facilities District No. 1, Merrill Ranch Community Facilities District No. 2 and the Mayor and Council of the Town of Florence.

Tara Walker, John Anderson (S), Karen Wall (M), Kristen Larsen, Judy Hughes

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

On motion of Vice-Chairman Anderson, seconded by Boardmember Wall, and carried (5-0) to adjourn from Merrill Ranch Community Facilities District No. 1 Executive Session.

9. ADJOURNMENT FROM MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 1 MEETING.

On motion of Vice-Chairman Anderson, seconded by Boardmember Wall, and carried (5-0) to adjourn from Merrill Ranch Community Facilities District No. 1 meeting.

10. ADJOURNMENT FROM MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 2 EXECUTIVE SESSION.

On motion of Boardmember Wall, seconded by Boardmember Hughes, and carried (5-0) to adjourn from Merrill Ranch Community Facilities District No. 2 Executive Session.

11. ADJOURNMENT FROM MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 2 MEETING.

On motion of Boardmember Wall, seconded by Vice-Chairman Anderson, and carried (5-0) to adjourn from Merrill Ranch Community Facilities District No. 2 meeting.

12. 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) and (A)(7) to consider its position and instruct its representatives and/or attorneys regarding:

- a. Town's position and instruct its attorneys regarding pending litigation in Maricopa County Superior Court: Town of Florence v. Florence Copper, Inc. CV2015-000325, including counterclaims.
- b. Town's position and instruct its attorneys regarding Arizona Department of Environmental Quality proceedings, related to Water Quality Appeals Board Case No. 16-002, including appellate proceedings to reviewing courts.
- c. Town's position and instruction on economic development agreements pending.
- d. Town's position on Emergency COVID-19 HR issues, potential and threatened claims regarding contracts.

On motion of Vice-Mayor Anderson, seconded by Councilmember Larsen, and carried (5-0) to adjourn to Executive Session.

13. ADJOURNMENT FROM EXECUTIVE SESSION

On motion of Councilmember Wall, seconded by Councilmember Hughes, and carried (5-0) to adjourn from Executive Session.

14. ADJOURNMENT

On motion of Councilmember Wall, seconded by Councilmember Larsen, and carried (5-0) to adjourn the meeting at 5:55 p.m.