

# NOTICE OF SPECIAL MEETING

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Special Session

INCLUDING RATIFICATION OF PRIOR ACTION

Inscription Canyon Ranch Sanitary District

P.O. Box 215

Chino Valley, AZ 86323

Tuesday, May 8, 2018

1:30 p.m.

Pursuant to A.R.S. § 38-431.02 and A.R.S. § 38-431.05 the public is hereby given Notice that the Inscription Canyon Ranch Sanitary District Governing Board will meet in public session on May 8, 2018 at 1:30 p.m. at 5360 W. Inscription Canyon Drive, Prescott, Arizona. The Board may vote to go into executive session on any agenda item, pursuant to A.R.S. § 38-431.03(A)(3) for legal advice with the District's attorney on matters as set forth in the agenda item. Board Members or other participants may attend by telephonic conference. The following topics and any variables thereto will be subject to Board consideration, discussion, approval, or other action. All items are set for possible action.

In addition, the purpose of the special meeting is to consider possible ratification of prior actions of the Sanitary District Governing Board of the Inscription Canyon Ranch Sanitary District, taken during the board meeting held on March 30, 2018, at which time the Board voted to go into executive session for legal advice pursuant to A.R.S. §38-431.03(A)(3) and to give instructions to the District's attorneys pursuant to A.R.S. §38-431.03(A)(4) with regard to the capacity assurance forms used in conjunction with the District's Development Agreement associated therewith. After reconvening into public session from executive session, the Governing Board of the Inscription Canyon Ranch Sanitary District made two motions to proceed as advised and recommended in executive session by legal counsel (regarding the ongoing issue of the capacity assurance forms in conjunction with the Amended and Restated Development Agreement being negotiated with the Developer), after adjourning from executive session held for purposes of discussing the matter with legal counsel during the March 30, 2018 Board meeting.

As a result, the Governing Board of the Inscription Canyon Ranch Sanitary District will meet on May 8, 2018 for purposes of considering ratification of the above-referenced action.

## AGENDA

1. CALL TO ORDER
2. ROLL CALL OF BOARD MEMBERS
3. CALL TO THE PUBLIC

*Those wishing to address the Inscription Canyon Ranch Sanitary District Board need not request permission in advance. The Sanitary District Board is not permitted to discuss or take action on any item not specifically identified on the agenda (A.R.S. 38-431.01(H)). However, individual Board members may be permitted to respond to criticism directed to them. Otherwise, the Board may direct that staff review the matter or that the matter be placed on a future agenda.*

4. POSSIBLE VOTE TO GO INTO EXECUTIVE SESSION FOR: discussion or consultation for legal advice with the attorneys of the Inscription Canyon Ranch Sanitary District pursuant to A.R.S. Section 38-431.03.(A)(3) and discussion or consultation with the attorneys of the Inscription Canyon Ranch Sanitary District in order to consider its position and instruct its attorneys regarding the District'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. Section 38-431.03.(A)(4) re:

- A. Possible approval of Resolution 2018-1 providing for ratification of the Board's actions on March 30, 2018 in regard to its motion in connection with its advice from counsel regarding the District's position pertaining to District's Amended and Restated Development Agreement and Certificates of Capacity Assurance associated therewith.
- B. The Complaint filed in Yavapai Superior Court by TRL (Case number P1300CV201800380, *Talking Rock Land, LLC v. Inscription Canyon Ranch Sanitary District, et al*) and Order to Show Cause issued therefrom.
- C. The posting of a proposed Privacy Policy on the District's website: [www.icrsd.net](http://www.icrsd.net)
- D. Possible approval of a contract work order with Granite Basin Engineering for design of improvements to the wastewater treatment plant.

*During the Executive Session, the public will be asked to leave the Board meeting room until the general session is re-convened*

#### RECONVENE INTO PUBLIC SESSION

5. CONSENT AGENDA (Routine items that may be approved by one motion)

Minutes of Meetings

- Minutes of Public Meeting of April 23, 2018  
Executive Session Minutes of April 23, 2018
- Minutes of Public Meeting of May 1, 2018

6. OLD BUSINESS - DISCUSSION & POSSIBLE ACTION RE:

- A. Discussion and possible approval of a contract work order with Granite Basin Engineering for design of improvements to the wastewater treatment plant, in an amount not to exceed \$90,000.

7. NEW BUSINESS - DISCUSSION & POSSIBLE ACTION RE:

- A. Approval of Rates and Fees Definitions for 2018-19 fiscal year.
- B. Approval to publish proposed annual budget and proposed rates and fees for 2018-19 fiscal year in advance of budget and rate hearing(s).
- C. Approval of Resolution 2018-1; ratification of the Board's instructions to counsel regarding the District's position pertaining to District's Amended and Restated Development Agreement and Certificates of Capacity Assurance associated therewith.
- D. Complaint filed in Yavapai Superior Court by TRL (Case number P1300CV201800380, *Talking Rock Land, LLC v. Inscription Canyon Ranch Sanitary District, et al*) and Order to Show Cause issued therefrom.
- E. Approval of Privacy Policy for the District's website and approval to post.

8. ADJOURNMENT

*Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting District Manager Bob Busch at [r.busch@icrsd.net](mailto:r.busch@icrsd.net) calling 713-0548. Requests should be made as early as possible to arrange the accommodation.*

**CERTIFICATION OF POSTING OF NOTICE**

The undersigned hereby certifies that a copy of the attached notice was duly posted at 14501 N. Talking Rock Ranch Road, Prescott, Arizona and at 5360 W. Inscription Canyon Drive, Prescott, Arizona on May\_\_\_\_\_, 2018 at \_\_\_\_\_a.m. /p.m. in accordance with the statement filed by the ICR Sanitary District.

Dated this \_\_\_\_\_ day of May, 2018.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature