

# 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

Monday, July 9, 2018

2:00 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 July 9, 2018 at 2:00 p.m. at the Days Inn, 688 Fletcher Ct., Chino Valley, Az. 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 legal counsel 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 a meeting on June 21, 2018 at 9:00 am. A Public Notice had been published stating that the public hearing for the District's Rate/Fee Schedules and the District's Budget for the 2018-2019 fiscal year would be held on June 21, 2018 at 9:00 a.m. However, there was no Agenda timely posted for that meeting. Instead, an Agenda was posted reflecting that said public hearings were to occur on June 21, 2018 at 1:30 p.m., which contradicted the published notice of a 9:00 a.m. meeting. A quorum of the Board called a meeting to order at 9:00 a.m. on June 21, 2018, and subsequently recessed that meeting to 1:30 p.m. that same day.

At the Board meeting held at 1:30 p.m., the Board discussed the failure of posting an Agenda for 9:00 a.m. public hearings. Recognizing the Board's earlier decision to recess its 9:00 a.m. public hearing, the Board decided to recess that 1:30 p.m. Board meeting so as to complete the previously recessed public hearing on the budget and fees.

As a result, the Governing Board of the Inscription Canyon Ranch Sanitary District will meet on July 9, 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 2018-3 providing for ratification of the Board's actions in regard its actions at its meeting at 9:00 am on June 21, 2018 and at 1:30 pm on June 21, 2018 in connection with a Budget and Rate Hearing.
- B. Possible approval of Capacity Assurance forms and Notice of Intent to Discharge form for the development at Sterling Ranch at Talking Rock.
- C. Legal advice regarding pending litigation with Talking Rock Land, LLC, and future proceedings and filings, and additional litigation.
- D. Notice of Claim served on the District by Talking Rock Land, LLC; Notification of insurance carrier.
- E. Response from insurance carrier and notification in regard to pending litigation, possible future communication by counsel.
- F. Mediation process, status, future actions and issues per provisions in Section 12 of the Amended and Restated Development Agreement.
- G. Moratorium process, status, future actions and issues per A.R.S. Section 48-2033.
- H. Granting authority to verify Disclosure Statements.

*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(s) of June 21, 2018
- Executive Session Minutes of June 21, 2018

Reimbursement to District Manager (\$209.48)

- Prescott Courier- Publish Notice of Budget Hearing - \$191.10
- Walmart – Copy Paper \$18.38

6. OLD BUSINESS - DISCUSSION & POSSIBLE ACTION RE:

- A. Approval of Capacity Assurance Forms and Notice of Intent To Discharge form for Sterling Ranch at Talking Rock.
- B. Setting a time and place for a future meeting of the Governing Board.
- C. Complaint filed in Yavapai Superior Court by TRL (Case number P1300CV201800380, *Talking Rock*)
- D. Moratorium process, status, future actions and issues per A.R.S. Section 48-2033

7. NEW BUSINESS - DISCUSSION & POSSIBLE ACTION RE:

- A. Approval of Resolution 2018-3; ratification of the Board's actions in connection with the 9:00am Budget and Rate Hearing and meeting of June 21, 2018 and meeting of June 21, 2018 at 1:30 pm in regard to the proposed 2018-19 Rates and Fees and Budget
- B. Approval of Resolution 2018-4 and the Amendment #1 to District Ordinance 2008-1 regarding Rates and Fees Definitions.

- C. Response from insurance carrier and notification in regard to pending litigation, possible future communication by counsel.
- D. Mediation process, status, future actions and issues per provisions in Section 12 of the Amended and Restated Development Agreement.
- E. Moratorium process, status, future actions and issues per A.R.S. Section 48-2033.
- Fas. Granting authority to verify Disclosure Statements

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 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 July\_\_\_\_\_, 2018 at \_\_\_\_\_a.m. /p.m. in accordance with the statement filed by the ICR Sanitary District.

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

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

\_\_\_\_\_  
Signature