

MINUTES OF THE SPECIAL MEETING OF THE SHOW LOW CITY COUNCIL HELD ON TUESDAY, JUNE 18, 2024, AT 5:00 PM IN THE CITY COUNCIL CHAMBERS, 181 NORTH 9TH STREET, SHOW LOW, NAVAJO COUNTY, ARIZONA

1. Call to Order.

Mayor Leech called the meeting to order at 5:00 p.m.

2. Roll Call.

COUNCIL MEMBERS PRESENT: Mayor Leech, Vice Mayor Kakavas, Councilman Adams, Councilman Clark, Councilman Hatch, Councilman Judd, and Councilman Whipple.

COUNCIL MEMBERS ABSENT: None.

STAFF MEMBERS PRESENT: F. Morgan Brown, City Manager (present at meeting as City's chief negotiator); Justin Johnson, Deputy City Manager; Anna Atencio, City Attorney (for legal advice); and Rachael Hall, City Clerk (to take minutes of the proceedings).

GUESTS: David Brown, Esq., and Jay Brown, Esq., Brown & Brown Law Offices.

VICE MAYOR KAKAVAS MOVED TO RECESS INTO EXECUTIVE SESSION; SECONDED BY COUNCILMAN WHIPPLE; PASSED UNANIMOUSLY.

The Show Low City Council recessed into Executive Session at 5:01 P.M.

3. Executive Session

A. Confidentiality Statement

B. City Council may hold an executive session pursuant to A.R.S. § 38-431.03(A)(3), (4) & (6), discussion or consultation with the attorney or attorneys of the public body for legal advice; to consider its position and instruct its attorneys regarding contemplated litigation or settlement discussions conducted in order to avoid or resolve litigation; or negotiations with members of a tribal council.

1. Discussion and direction to Counsel regarding the Little Colorado River (LCR) Adjudication (Apache County Superior Court – *In Re: The General Adjudication of All Rights to Use Water in the Little Colorado River System and Source* (CV 6417, CV 6417-200, CV 6417-201, CV 6417-202, CV 6417-300, CV 6417-400) potential approval of Northeastern Arizona Indian Water Right Settlement Agreement, involvement with the LCR Coalition and any other legal issues regarding the City's water

supply.

4. Post Executive Session

The Show Low City Council reconvened into Open Session at 6:07 P.M.

A. Consideration of any item on the Executive Session portion of this agenda, which the Council may wish to take action upon in Open Session.

1. Consideration of Approval of Northeastern Arizona Indian Water Right Settlement Agreement.

VICE MAYOR KAKAVAS MOTIONED TO APPROVE NORTHEASTERN ARIZONA INDIAN WATER RIGHTS SETTLEMENT AGREEMENT AND TO AUTHORIZE THE MAYOR, THE CLERK, AND THE ATTORNEY TO EXECUTE THE AGREEMENT UPON SATISFACTION OF THE FOLLOWING CONDITIONS: 1) BROWN & BROWN LAW OFFICES IS SATISFIED THAT ISSUES RELATED TO PARTICIPATION BY THE UNITED STATES AND THE TRIBES IN THE LITTLE COLORADO RIVER ADJUDICATION HAVE BEEN RESOLVED, 2) BROWN & BROWN LAW OFFICES IS SATISFIED THAT ANY AMENDMENTS TO THE AGREEMENT ARE ACCEPTABLE 3) THE EXHIBITS TO THE AGREEMENT, INCLUDING THE LCR JUDGMENT AND DECREE, ARE ACCEPTABLE TO BROWN & BROWN LAW OFFICES, AND 4) BROWN & BROWN LAW OFFICES IS SATISFIED THAT THE CONGRESSIONAL LEGISLATION IMPLEMENTING THE AGREEMENT IS ACCEPTABLE; SECONDED BY COUNCILMAN JUDD; PASSED 7 TO 0 WITH MAYOR LEECH, VICE MAYOR KAKAVAS, COUNCILMAN ADAMS, COUNCILMAN CLARK, COUNCILMAN HATCH, COUNCILMAN JUDD, AND COUNCILMAN WHIPPLE VOTING IN FAVOR.

5. Adjournment.

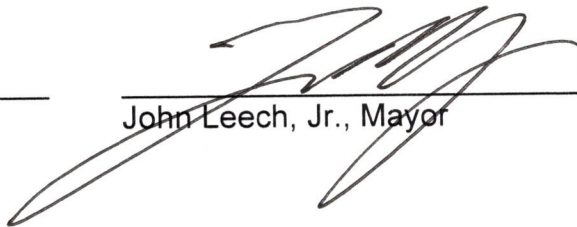
There being no further business to be brought before the Council, **MAYOR LEECH ADJOURNED THE SPECIAL MEETING OF THE SHOW LOW CITY COUNCIL OF JUNE 18, 2024, AT 6:15 P.M.**

ATTEST:



Rachael Hall, City Clerk

APPROVED:



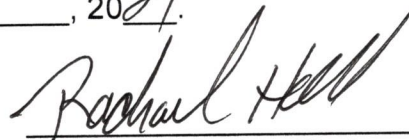
John Leech, Jr., Mayor

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the **SPECIAL MEETING** of the City Council of Show Low held on June 18, 2024. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 16 day of July, 2024.

(SEAL)



Rachael Hall, City Clerk

