**Town of Duncan**

**Detailed Description of Items Subject to Ratification**

**A.R.S. § 38-431.05(B)(3)**

**The Duncan Town Council (“Council”) is meeting at 9:00 a.m. on December 3, 2021 at Town Hall, 506 SE Old West Highway, Duncan, Arizona 85534 to ratify actions of the Council due to a procedural error.**

What is Ratification?

Under the Open Meeting Law, ratification is an action by the governing body to retroactively validate a prior act in order to preserve the earlier effective date of the action. It allows the Council to meet and approve retroactively the action previously taken – to ratify its prior action. *Source: Arizona Agency Handbook Chapter 7 Open Meetings, Sec. 7.12. Ratification (Revised 2018).*

Reason for Ratification of Action Items on December 3, 2021

On November 10, 2021, the Council held a regular meeting and failed to properly motion and second an agenda item, which is required by A.R.S. § 38-431.01(B)(4). As a self-correcting remedy, Item 15 from the November 10, 2021 agenda is proposed to be ratified under A.R.S. § 38-431.05 to preserve the original effective date of legal action taken by the Council.

Action Items Subject to Ratification

The Council seeks to ratify Item 15 from the November 10, 2021 agenda, described more fully as follows:

**Item 1: Ratification of to Approve Municipal Properties for Leasing, Subdivision, Disposal, or Consolidation and Direct Interim Town Manager and/or Town Attorney to Execute Agreements on Behalf of the Town**

*Description of Action to be Taken*

Ratification of the “Approval of Municipal Properties for Leasing, Subdivision, Disposal, or Consolidation and Direct Interim Town Manager and/or Town Attorney to Execute Agreements on Behalf of the Town.”

*Written Description*

The following is our proposed disaggregation, consolidation, leasing, selling and retention plan for the 71 municipal owned properties. Consolidation will require consultation with the County Assessor and County Recorders and the Town will follow administrative, legal, or public notification requirements. Properties so identified will be sold or leased at fair market value and in accordance with state and municipal property divestment laws, regulations, and codes. Proceeds from sales or leases will be used for property maintenance, infrastructure, equipment acquisition, road improvements, road maintenance, or other Council-directed fiscal priorities. In addition to increased revenue streams, this will help clean up an excessively messy inventory and better manage our assets. After consolidation, we can reduce our number of properties from the seventies to the fifties. After sales, our property inventory will be in the twenties and way easier to manage.

The memorandum as adopted on November 10, 2021 is attached as **Exhibit A**.

*We are not aware of any prior deliberations, consultations, or decisions by Council regarding this Item.*

**EXHIBIT A**

**APPROVE MUNICIPAL PROPERTIES FOR LEASING, SUBDIVISION, DISPOSAL, OR CONSOLIDATION AND DIRECT INTERIM TOWN MANANGER AND/OR TOWN ATTORNEY TO EXECUTE AGREEMENTS ON BEHALF OF THE TOWN**

**AS ADOPTED NOVEMBER 10, 2021**