

## **REGULAR MEETING AGENDA**

**PURSUANT TO A.R.S. § 38-431.02, NOTICE IS HEREBY GIVEN TO THE MEMBERS OF THE FLORENCE TOWN COUNCIL AND TO THE GENERAL PUBLIC THAT THE FLORENCE TOWN COUNCIL WILL HOLD A MEETING OPEN TO THE PUBLIC ON MONDAY, MAY 18, 2015, AT 6:00 P.M., IN THE CHAMBERS OF TOWN HALL, LOCATED AT 775 NORTH MAIN STREET, FLORENCE, ARIZONA.**

**1. CALL TO ORDER**

**2. ROLL CALL: Rankin \_\_, Walter \_\_, Woolridge \_\_, Hawkins \_\_,  
Guilin \_\_, Anderson \_\_.**

**3. MOMENT OF SILENCE**

**4. PLEDGE OF ALLEGIANCE**

**5. CALL TO THE PUBLIC**

**Call to the Public for public comment on issues within the jurisdiction of the Town Council. Council rules limit public comment to three minutes. Individual Councilmembers may respond to criticism made by those commenting, may ask staff to review a matter raised or may ask that a matter be put on a future agenda. However, members of the Council shall not discuss or take action on any matter during an open call to the public unless the matters are properly noticed for discussion and legal action.**

**6. PRESENTATIONS**

- a. Presentation by the Greater Florence Chamber of Commerce recognizing Hospice of the Valley as the Business of the Month.**
- b. Presentation of the 2015 Arizona Governor's Heritage Preservation Honor Award, on behalf of the State Historic Preservation Office, to the Mayor and Council of the Town of Florence, on behalf of the Florence Historic District residents and Home Tour volunteers.**

**7. CONSENT: All items on the consent agenda will be handled by a single vote as part of the consent agenda, unless a Councilmember or a member of the public objects at the time the agenda item is called.**

- a. Approval of Change Order No. 3 with Apache Underground and Excavation, for the Bailey Street waterline, for \$37,376, with a total project cost not to exceed \$648,691.20.**
- b. Approval of Change Order No. 1 with Coolidge Engine & Pump, LLC, for emergency repair of Well #1, for \$8,118.14, with a total project cost not to exceed \$62,618.73.**

- c. **Approval of Change** Order No. 1 with Ripple Industries, for additional troubleshooting and start-up services with regards to installation of the supervisory control of Town wells and reservoir sites for \$10,375, with a total project cost not to exceed \$80,375.
- d. **Approval of the** resignation of Chairman Tom Celaya from the Arts and Culture Commission.
- e. **Resolution No. 1520-15:** Adoption of A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, AUTHORIZING THE TOWN TO ENTER INTO A GRANT AGREEMENT WITH THE ARIZONA CRIMINAL JUSTICE COMMISSION NATIONAL CRIMINAL HISTORY IMPROVEMENT PROGRAM.
- f. Approval of the **April 6,** and **April 20, 2015** Town Council minutes.
- g. Receive and file the following board and commission minutes:
  - i. **April 1, 2015** Arts and Culture Commission minutes.
  - ii. **September 18, 2014, October 16, 2014,** and **April 2, 2015** Planning and Zoning Commission minutes.

#### 8. UNFINISHED BUSINESS

- a. **Ordinance No. 629-15:** Discussion/Approval/Disapproval of AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING A ZONE CHANGE ON .55 ACRES, FROM NEIGHBORHOOD MULTI-FAMILY RESIDENTIAL ZONING DISTRICT TO HIGHWAY BUSINESS COMMERCIAL ZONING DISTRICT (APN 200-47-0250). (First reading May 4, 2015)

#### 9. NEW BUSINESS

- a. Interviews for vacant Council Seat: Interviews are being conducted in the order of applicant submittal. Candidates will be asked to wait in the lobby until they are called to interview. Once their interview is complete, applicants may remain in the Council Chambers for the remainder of the meeting.
  - i. **Jeffrey D. Wooley**
  - ii. **Tom Smith**
  - iii. **Karen J. Wall**
  - iv. **Art Buckley**
  - v. **S. Dulaine Coleman**

#### 10. **MANAGER'S REPORT**


#### 11. CALL TO THE PUBLIC

#### 12. CALL TO THE COUNCIL

**Council may go into Executive Session at any time during the meeting for the purpose of obtaining legal advice from the Town's Attorney(s) on any of the agenda items pursuant to A.R.S. § 38-431.03(A)(3).**

**POSTED ON MAY 15, 2015, BY LISA GARCIA, TOWN CLERK, AT 775 NORTH MAIN STREET, 1000 SOUTH WILLOW STREET, FLORENCE, ARIZONA, AND AT [WWW.FLORENCEAZ.GOV](http://WWW.FLORENCEAZ.GOV).**

**\*\*\*PURSUANT TO TITLE II OF THE AMERICANS WITH DISABILITIES ACT (ADA), THE TOWN OF FLORENCE DOES NOT DISCRIMINATE ON THE BASIS OF DISABILITY REGARDING ADMISSION TO PUBLIC MEETINGS. PERSONS WITH A DISABILITY MAY REQUEST REASONABLE ACCOMMODATIONS BY CONTACTING THE TOWN OF FLORENCE ADA COORDINATOR, AT (520) 868-7574 OR (520) 868-7502 TDD. REQUESTS SHOULD BE MADE AS EARLY AS POSSIBLE TO ALLOW TIME TO ARRANGE THE ACCOMMODATION.\*\*\***

	<b>TOWN OF FLORENCE COUNCIL ACTION FORM</b>	<b><u>AGENDA ITEM</u> 6b.</b>
<b>MEETING DATE:</b> May 18, 2015  <b>DEPARTMENT:</b> Community Development Department  <b>STAFF PRESENTER:</b> Lisa Garcia Deputy Manager/Town Clerk  <b>SUBJECT:</b> 2015 Arizona Governor's Heritage Preservation Award for the Annual Tour of Historic Florence		<input type="checkbox"/> Action <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Public Hearing <input type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <div style="margin-left: 20px;"> <input type="checkbox"/> Regulatory  <input type="checkbox"/> 1<sup>st</sup> Reading  <input type="checkbox"/> 2<sup>nd</sup> Reading </div> <input type="checkbox"/> Other

**RECOMMENDED MOTION/ACTION:**

Presentation of the 2015 Arizona Governor's Heritage Preservation Honor Award, on behalf of the State Historic Preservation Office, to the Mayor and Council of the Town of Florence, on behalf of the Florence Historic District residents and Home Tour volunteers.

**BACKGROUND/DISCUSSION:**

Since 1982, the Arizona Preservation Foundation and Arizona State Historic Preservation Office have partnered to present the Governor's Heritage Preservation Honor Awards. These awards recognize people, organizations, and projects that represent outstanding achievements in preserving Arizona's prehistoric and historic resources. The award recipients are selected from nominations submitted from all over the State of Arizona. One of the nine winners for 2015 was "Celebrating 30 years of Tours of Historic Florence's Historic Buildings and Sites".

Beginning in 1985, the Historic District Advisory Commission (HDAC) held the Historic Home Tour to raise funding for historic property markers/plaques. The first attempt at fundraising proved successful and led the way to this annual event. Leadership of this event has changed over the years, first with the Florence Chamber of Commerce which lead the tour for several years. The Chamber passed the event to the Florence Main Street Program that went on to coordinate the tour for 13 years. The Parks and Recreation Department coordinated the event the past two events. In 2015, the Home Tour marked the 30<sup>th</sup> annual celebration called "The Heart of Florence-Adobe Walls of Love and Heartbreak".

The annual Home Tour includes a slightly different collection of historic homes and historic commercial buildings every year. Each property is strategically selected by the Home Tour Committee/Town staff. With the owner's permission and with volunteers, the Town showcases these properties to the public and gives them the opportunity to

Subject: 2015 Arizona Governor's Heritage Preservation Award for the Annual Tour of Historic Florence

Meeting Date: May 18, 2015

experience the history of the Town.

**FINANCIAL IMPACT:**


Not applicable

**RECOMMENDATION:**

Presentation of the 2015 Arizona Governor's Heritage Preservation Honor Award, on behalf of the State Historic Preservation Office, to the Mayor and Council of the Town of Florence on behalf of the Florence Historic District residents and Home Tour volunteers.

**ATTACHMENT:**

None

	<b>TOWN OF FLORENCE COUNCIL ACTION FORM</b>	<b><u>AGENDA ITEM</u></b> <b>7a.</b>
<b>MEETING DATE:</b> May 18, 2015  <b>DEPARTMENT:</b> Utilities Department  <b>STAFF PRESENTER:</b> John V. Mitchell, Utilities Director  <b>SUBJECT:</b> Approval of Change Order No. 3 with Apache Underground and Excavation, for Bailey Street Waterline.		<input checked="" type="checkbox"/> <b>Action</b> <input type="checkbox"/> <b>Information Only</b> <input type="checkbox"/> <b>Public Hearing</b> <input type="checkbox"/> <b>Resolution</b> <input type="checkbox"/> <b>Ordinance</b> <input type="checkbox"/> <b>Regulatory</b> <input type="checkbox"/> <b>1<sup>st</sup> Reading</b> <input type="checkbox"/> <b>2<sup>nd</sup> Reading</b> <input type="checkbox"/> <b>Other</b>

**RECOMMENDED MOTION/ACTION:**

Motion to approve Change Order No. 3 with Apache Underground and Excavation, for the Bailey Street waterline, for \$37,376, with a total project cost not to exceed \$648,691.20.

**BACKGROUND/DISCUSSION:**

Apache Underground and Excavation has completed work on the Bailey Street waterline. There were three change orders associated for their work. The change orders are as follows:

	<b><u>Amount</u></b>	<b><u>Council Approval</u></b>
Contract Awarded:	\$479,334.00	December 15, 2014
Change Order No. 1	(\$ 5,166.05)	Not applicable
Change Order No. 2	\$137,147.25	March 3, 2015
Change Order No. 3	<u>\$ 37,376.00</u>	Pending Council approval
<b>Amended Amount</b>	<b><u>\$648,691.20</u></b>	

Change Order No. 1 was a deduct change order; Change Order No. 2 provided for the installation of waterlines in the Turner Subdivision, and Change Order No. 3 is for additional asphalt for trench repair, concrete for curb and gutter due to poor field conditions and for additional concrete for a non-compliant ADA ramp.

**FINANCIAL IMPACT:**

The cost of Change Order No. 3 is \$37,376. There is funding in the Fiscal Year 2014/2015 to complete this work.

**STAFF RECOMMENDATION:**

Staff recommends approval of Change Order No. 3 with Apache Underground and Excavation, for the Bailey Street waterline..

**ATTACHMENTS:**

Contract  
Change Order No. 1  
Change Order No. 2  
Change Order No. 3

# CONTRACT DOCUMENTS

for the

***Bailey Street & 12<sup>th</sup> Street Water Line  
Town of Florence  
Project Number: TOF WU-73  
September 30, 2014***



Prepared For:

Town of Florence  
775 N. Main Street  
Florence, AZ 85132

[www.florenceaz.gov](http://www.florenceaz.gov)  
Phone: (520) 868.7500  
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Prepared By:

Sunrise Engineering, Inc.  
2152 S. Vineyard, Suite 123  
Mesa, AZ 85210

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# INVITATION TO BID

## Project Name: Bailey Street & 12<sup>th</sup> Street Water Line

The Town of Florence invites sealed bids for the Bailey Street and 12<sup>th</sup> Street Water Line. The project consists of the installation of 12-inch PVC water lines in public streets with two sections of 12-inch HDPE to be installed by horizontal directional drilling.

Separate sealed bids for construction of Bailey Street & 12<sup>th</sup> Street Water Line will be received by the Town of Florence until **3:30 PM, October 30, 2014** at 775 N. Main Street, Florence AZ 85132, attention to Lisa Garcia, Town Clerk. **All submittals must be date and time stamped on or before the submittal receipt deadline. LATE SUBMITTALS WILL NOT BE ACCEPTED.** Mailed bids shall be addressed to P.O. Box 2670 Florence, AZ 85132, attention to Lisa Garcia, Town Clerk. Submittals will be opened and read as a matter of public information within thirty (30) minutes after the receipt time and date have past. Each Submittal shall be accompanied by a certified check, bank money order, or a Bid Bond, acceptable to the Town of Florence, for a sum of not less than five percent (5%) of the amount of the bid made payable to the Town of Florence. All bids must include a proposed project schedule.

A pre-bid conference will be held on **October 16, 2014, at 10 a.m.**, leaving from the office of the Owner at 425 E. Ruggles Street, Florence, AZ 85132. Attendance at the pre-bid conference is required. Names of those in attendance will be recorded.

The work to be performed under this project shall consist of furnishing all labor, materials and equipment required to construct the facilities and features called for by the CONTRACT DOCUMENTS and as shown on the DRAWINGS.

This project is funded by the Town of Florence.

Plans, specifications and addenda have been prepared by Sunrise Engineering, Inc. and will be available for pickup at their office at 2152 S. Vineyard, Suite 123, Mesa, AZ 85210, telephone (480) 768.8600. To register as a Plan Holder and request electronic, pdf format, plans and specifications, e-mail Holly Powell at [hpowell@sunrise-eng.com](mailto:hpowell@sunrise-eng.com). Hard copies of the plans and specifications are available upon receipt of \$55.00 for each set (non-refundable). Call Holly Powell for plan pick-up appointments. It is imperative that you are a registered Plan Holder with Sunrise Engineering in order to be notified of project associated addenda.

The ENGINEER for this Contract will be Sunrise Engineering, Incorporated and they will be represented by Ricky M. Holston, P.E. as Project Engineer.

# INSTRUCTION TO BIDDERS

Complete sets of Bidding Documents may be obtained from the ENGINEER as designated in the Advertisement or Invitation to Bid. Complete sets of Bidding Documents, which include the following 3 documents: 1) Contract Documents, Special Provisions, and Technical Specifications 2) Standard Specifications for Construction and 3) Drawings, shall be used for preparing BIDS. Neither the OWNER nor ENGINEER assumes any responsibility for errors or misinterpretations resulting from the use of incomplete sets of Bidding Documents.

Each BID must be submitted in a sealed envelope, addressed to: Town of Florence at 775 N. Main Street, Florence, AZ 85132. Each sealed envelope containing a BID must be plainly marked on the outside as "BID for *Project Name*" and the envelope should bear on the outside the name of the BIDDER, their address, license number if applicable and the name of the project for which the BID is submitted. If forwarded by mail, the sealed envelope containing the BID must be enclosed in another envelope addressed to the OWNER at 775 N. Main Street, Florence, AZ 85132.

All BIDS must be made on the required BID form. All blank spaces for BID prices must be filled in, in ink or typewritten, and the BID form must be fully completed and executed when submitted. Only one copy of the BID form is required.

The OWNER may waive any informalities or minor defects or reject any and all BIDS. Any BID may be withdrawn prior to the scheduled time for the opening of BIDS or authorized postponement thereof. Any BID received after the time and date specified shall not be considered. No BIDDER may withdraw a BID within 60 days after the date of the BID opening. Should there be reasons why the contract cannot be awarded within the specified period, the time may be extended by mutual agreement between the OWNER and the BIDDER.

BIDDERS must satisfy themselves of the accuracy of the estimated quantities in the BID Schedule by examination of the site and a review of the drawings and specifications including ADDENDA. All bids will be checked by the ENGINEER for errors. If errors are made, unit prices shall govern and corrections will be made according to the unit price or lump sum amounts and totals will be revised to reflect the corrections.

The OWNER shall provide to BIDDERS prior to BIDDING, all information which is pertinent to, and delineates and describes, the land owned and rights-of-way acquired or to be acquired.

This WORK will be constructed by award of a competitive, sealed bid contract awarded to the lowest responsible, responsive bidder. Compensation to the CONTRACTOR will be made through progressive monthly payments in accordance with the General Conditions of these CONTRACT DOCUMENTS at the units and prices indicated in the BID Schedule.

When construction under this contract takes place on property owned or administered by agencies or organizations other than the OWNER, all construction shall be done in accordance with the special requirements of that entity which are contained or referenced in these CONTRACT DOCUMENTS

When requirements published by such entities are contained in, or referenced by, these CONTRACT DOCUMENTS, they shall be carefully complied with and the CONTRACTOR shall include sufficient compensation to cover the WORK required therein.

Information will be provided on the DRAWINGS and in these documents to indicate areas of WORK which fall on property owned or administered by agencies or organizations other than the OWNER.

The CONTRACT DOCUMENTS contain the provisions required for the construction of the PROJECT. Information obtained from an officer, agent, or employee of the OWNER or any other person shall not affect the risks or obligations assumed by the CONTRACTOR or relieve him from fulfilling any of the conditions of the contract.

Each BID must be accompanied by a BID BOND payable to the OWNER for five percent of the total amount of the BID. As soon as the BID prices have been compared, the OWNER will return the BONDS of all except the three lowest responsible, responsive BIDDERS. When the CONSTRUCTION CONTRACT is executed, the bonds of the two remaining unsuccessful BIDDERS will be returned. The BID BOND of the successful BIDDER will be retained until the PAYMENT BOND and PERFORMANCE BOND have been executed and approved, after which it will be returned. A certified check may be used in lieu of a BID BOND.

A PERFORMANCE BOND and a PAYMENT BOND, each in the amount of 100 percent of the CONTRACT PRICE, with a corporate surety approved by the OWNER, will be required for the faithful performance of the contract.

Attorneys-in-fact who sign BID BONDS or PAYMENT BONDS and PERFORMANCE BONDS must file with each BOND a certified and effective dated copy of their power of attorney.

The party to whom the contract is awarded will be required to execute the CONSTRUCTION CONTRACT and obtain the following items within ten (10) calendar days from NOTICE OF AWARD:

- PERFORMANCE BOND
- PAYMENT BOND, when required
- STATE TRANSACTION PRIVILEGE TAX (TPT) LICENSE
- TOWN OF FLORENCE BUSINESS TAX LICENSE

NOTICE OF AWARD shall be accompanied by the necessary CONSTRUCTION CONTRACT and BOND forms.

In case of failure of the BIDDER to execute the CONSTRUCTION CONTRACT, the OWNER may, at their option, consider the BIDDER in default, in which case the BID BOND accompanying the proposal shall become the property of the OWNER.

Within ten (10) days of receipt of the CONSTRUCTION CONTRACT signed properly by the party to whom the contract was awarded, and accompanied by acceptable PERFORMANCE and PAYMENT BONDS, when required, the OWNER shall sign the CONSTRUCTION CONTRACT and return to the BIDDER an executed duplicate of the CONSTRUCTION CONTRACT. Should the OWNER not execute the CONSTRUCTION CONTRACT within such period, the BIDDER may by WRITTEN NOTICE withdraw their signed CONSTRUCTION CONTRACT. Such notice of withdrawal shall be effective upon receipt of the notice by the OWNER.

The NOTICE TO PROCEED shall be issued within ten (10) days of the execution of the CONSTRUCTION CONTRACT by the OWNER. Should there be reasons why the NOTICE TO PROCEED cannot be issued within such period, the time may be extended by mutual agreement between the OWNER and CONTRACTOR. If the NOTICE TO PROCEED has not been issued within the ten (10) day period or within the period mutually agreed upon, the CONTRACTOR may terminate the CONSTRUCTION CONTRACT without further liability on the part of either party.

The OWNER may make such investigations as deemed necessary to determine the ability of the BIDDER to perform the WORK and the BIDDER shall furnish to the OWNER all such information and data for this purpose as the OWNER may request. The OWNER reserves the right to reject any BID if the evidence submitted by, or investigation of, such BIDDER fails to satisfy the OWNER that such BIDDER is properly qualified to carry out the obligations of the CONSTRUCTION CONTRACT and to complete the WORK contemplated therein.

A conditional or qualified BID will not be accepted.

Award will be made to the lowest responsible, responsive BIDDER. However, the OWNER reserves the right to reject any and all of the bids.

BIDDER and OWNER recognize that time is of the essence in this CONSTRUCTION CONTRACT and that OWNER will suffer financial loss if the WORK is not completed within the time period specified in the Bid. OWNER and BIDDER agree that as liquidated damages for delay (but not as a penalty) BIDDER shall pay OWNER the specified amount for each day that expires after the specified time for substantial completion until the WORK is substantially complete.

All applicable laws, ordinances, and the rules and regulations of all authorities having jurisdiction over construction of the PROJECT shall apply to the contract throughout.

Each BIDDER is responsible for inspecting the site and for reading and being thoroughly familiar with the CONTRACT DOCUMENTS. The failure or omission of any BIDDER to do any of the foregoing shall in no way relieve any BIDDER from any obligation in respect to his BID.

The low BIDDER shall supply the names and addresses of major material SUPPLIERS and SUBCONTRACTORS when requested to do so by the OWNER.

# BID

Bid of Apache Underground + Excavating LLC  
(Insert Contractor's Name)  
 (hereinafter called "BIDDER"), organized and existing under the laws of the State of AZ and doing  
 business as A Corporation  
(Insert "a corporation", "a partnership" or "an individual" as applicable)  
Town of Florence (hereinafter called "OWNER").

In compliance with the Invitation to Bid, BIDDER hereby proposes to perform all WORK for construction of Bailey Street and 12<sup>th</sup> Street Water Line in strict accordance with the CONTRACT DOCUMENTS, within the time set forth therein, and at the prices stated below in the BID Schedule.

By submission of this BID, each BIDDER certifies, and in the case of a joint BID, each party thereto certifies as to their own organization, that this BID has been prepared independently, without consultation, communication, or agreement as to any matter relating to the BID with any other BIDDER or with any competitor.

BIDDER hereby agrees to commence WORK under this Contract on or before a date specified in the NOTICE TO PROCEED and to fully complete the CONTRACT within 90 consecutive calendar days thereafter. BIDDER further agrees to pay liquidated damages, the sum of \$ 430.00, for each consecutive calendar day thereafter as provided in Section 15 of the GENERAL CONDITIONS. This BID will remain open for sixty (60) days after the date of Bid Opening. If awarded the Contract, the BIDDER will sign the CONSTRUCTION CONTRACT and submit the security and the other documents required by the CONTRACT within ten (10) days after the date of the OWNER'S "Notice of Award".

BIDDER acknowledges receipt of the following ADDENDA:

Addendum No. 1 10/24/14

The BID Schedule is provided on the following page. The BID Schedule must be completed in full by the BIDDER and signed properly to be considered responsible.

# REVISED BID SCHEDULE

## CONTRACT FOR: Bailey Street and 12<sup>th</sup> Street Water Line

The undersigned Bidder, having examined and determined the scope of the Contract Documents, hereby proposes to perform the work described herein for the following unit prices or lump sum amounts.

**Note:** 1. Bids shall include sales tax and all other applicable taxes and fees

2. All bids shall be checked for errors. If errors are made, unit prices shall govern and corrections will be made according to the unit price and totals will be revised to reflect the corrections.

No.	Spec.	Item	Quantity	Unit	Unit Price	Amount
1	MAG	Sawcut & Remove Asphalt	13,890	SF	2.-	27,780.-
2	MAG	Sawcut & Remove Existing Concrete Sidewalk	310	SF	6.-	1,860.-
3	MAG	Sawcut & Remove Existing Curb & Gutter	68	LF	22.-	1,496.-
4	MAG	Sawcut & Remove Existing Valley Gutter	59	SF	27.-	1,593.-
5	MAG	Remove Existing Gate Valve, Riser, Frame & Cover	2	EA	900.-	1,800.-
6	MAG	Remove Existing Service, Cap at Main	8	EA	920.-	7,360.-
7	MAG	Remove Existing Pipe (Length and Size as Noted)	31	LF	80.-	2,480.-
8	MAG	Abandon Existing Water Line, Cap Ends Per Plan (Size as Noted)	6	EA	490.-	2,940.-
9	MAG	Demo Existing Fire Hydrant Riser and Elbow. Cap Service Line. Abandon Valve in Place. Turn off, Remove Valve Box, Frame and Cover. Deliver Existing Hydrant Assembly to Town of Florence Public Works Yard.	1	EA	1,650.-	1,650.-
10	MAG	Install Asphalt Pavement Replacement per MAG Std. Dtl. 200-1, T-Top	13,890	SF	3.60	50,004.-
11	MAG	Install Sidewalk Per MAG Std. Dtl. 230	310	SF	18.-	5,580.-
12	MAG	Install Curb & Gutter per MAG Std. Dtl. 220-1, Type A or C	68	LF	46.-	3,128.-
13	MAG	Install Valley Gutter per MAG Std. Dt. 240	59	SF	50.-	2,950.-
14	MAG	Furnish & Install 12" PVC C-900 DR 18 Water Line (length as noted)	2,979	LF	51.-	151,929.-
15	MAG	Furnish & Install 12" Gate Valve, Box and Cover per MAG Std. Dtl. 301 & 391	22	EA	3100.-	68,200.-
16	MAG	Furnish & Install 6" Fire Hydrant Assembly per MAG Std. Dtl. 360	9	EA	4100.-	36,900.-
17	Technical Specifications	Furnish & Install 1" Water Service per Dtl. B, Sheet DT	10	EA	1800.-	18,000.-

No.	Spec.	Item	Quantity	Unit	Unit Price	Amount
18	MAG	Furnish & Install Tee (size as noted) NPI	3	EA		
19	MAG	Furnish & Install Bend (size & degree as noted) NPI	2	EA		
20	MAG	Furnish & Install Cross (size as noted) NPI	5	EA		
21	MAG	Furnish & Install Reducer (size as noted) NPI	6	EA		
22	MAG	Furnish & Install End Cap & Flushing Assembly with Thrust Block per MAG Std. Dtl. 380 & 390 (size as noted)	8	EA	1,420.-	11,360.-
23	MAG	Furnish & Install Tapping Sleeve per MAG Std. Dtl. 340 (size as noted)	2	EA	4,100.-	8,200.-
24	Technical Specifications	Furnish & Install by Mini-Horizontal Directional Drilling 12" HDPE Water Line	82	LF	214.-	17,548.-
25	Technical Specifications	Furnish & Install HDPE Flange Adaptor per Dtl. C, Sheet DT-NPI	4	EA		
26	MAG	Vertical Realignment of Main per MAG Std. Dtl. 370, Ductile Iron, MJ (size as noted)	4	EA	1124.-	4,496.-
27	Technical Specifications	Furnish & Install Long Range Coupler, ROMAC or approved equal (size as noted)	3	EA	700.-	2,100.-
28	MAG	Furnish & Install 6" PVC C-900 DR 18 Water Line (length as noted)	18	LF	50.-	900.-
29	MAG	Furnish & Install Bollards per MAG Std. Dtl. 140	4	EA	400.-	1,600.-
30	Technical Specifications	Furnish & Install 2" Combination Air/Vacuum Valve, APCO Model 145C or approved equal, see Dtl. D, Sheet DT	3	EA	2,500.-	7,500.-
31	MAG	General Unforeseen Conditions	1	AL		\$25,000
32	Technical Specifications	Furnish & Install 12" HDPE Water Line	70	LF	214.-	14,980.-
TOTAL						479,331.-

The undersigned Bidder certifies that this proposal is made in good faith, without collusion or connection with any other person or persons bidding on the work.

Seal (if bid is by Corporation)

Respectfully Submitted:

Bidder: Apache Underground + Excavating

Signature: Melinda D. Gaudin

Title: Managing Member

Address: P.O. Box 113

Lake Side, AZ 85929

License No.

ROC 253882

Date:

Oct. 29, 2014

# BID BOND

KNOW ALL MEN BY THESE PRESENTS, that we, the undersigned, Apache Underground and Excavating, LLC  
(Contractor's Name)  
 as Principal, and Companion Property and Casualty Insurance Company, as Surety, are hereby  
(SURETY'S Name)  
 held and firmly bound unto Town of Florence as OWNER in the penal sum of Five Percent (5%) not to Exceed  
(OWNER'S Name) Twenty Eight Thousand Dollars  
 for the payment of which, well and truly to be made, we hereby jointly and severally bind ourselves, successors and assigns.

Signed this 30th day of October, 20 14.

The Condition of the above obligation is such that whereas the Principal has submitted to Town of Florence  
 a certain BID, attached hereto and hereby made a part hereof to enter into a contract in writing, for Bailey Street & 12th Street Water Line, Project Number TOF WU-73

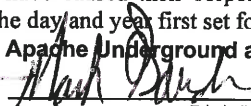
NOW, THEREFORE,

- (a) If said BID shall be rejected, or
- (b) If said Bid shall be accepted and the Principal shall execute and deliver a contract in the Form of Contract attached hereto (properly completed in accordance with said BID) and shall furnish a bond or bonds as may be specified in the CONTRACT DOCUMENTS with surety acceptable to the OWNER and shall in all other respects perform the CONSTRUCTION CONTRACT created by the acceptance of said BID, then this obligation shall be void, otherwise the same shall remain in force and effect; it being expressly understood and agreed that the liability of the Surety for any and all claims hereunder shall, in no event, exceed the penal amount of this obligation as herein stated.

The Surety, for value received, hereby stipulates and agrees that the obligations of said Surety and its BOND shall be in no way impaired or affected by any extension of the time within which the OWNER may accept such BID; and said Surety does hereby waive notice of any such extension.


IN WITNESS WHEREOF, the Principal and the Surety have hereunto set their hands and seals, and such of them as are corporations have caused their corporate seals to be hereto affixed and these presents to be signed by their proper officers, the day and year first set forth above.

Apache Underground and Excavating, LLC

  
(Principal)

Companion Property and Casualty Insurance Company

(Name of Surety)

By:   
(Signature) Stefan E. Tauger - Attorney in Fact

**IMPORTANT:** Surety companies executing BONDS must appear on the Treasury Department's most current list (Circular 570 as amended) and be authorized to transact business in the state where the project is located.

# COMPANION PROPERTY AND CASUALTY INSURANCE COMPANY

P.O. Box 100165 (29202)

51 Clemson Road

Columbia, SC 29229

## GENERAL POWER OF ATTORNEY

Know all men by these Presents, that the COMPANION PROPERTY AND CASUALTY INSURANCE COMPANY ("Companion") had made, constituted and appointed, and by these presents does make, constitute and appoint Andrew C. Heaner of Atlanta, Georgia; Richard L. Shanahan of Atlanta, Georgia; Stefan E. Tauger of Parker, Colorado; Arthur S. Johnson of Atlanta, Georgia; Martha G. Ross of Charlotte, North Carolina; James E. Feldner of West Lake, Ohio; Jeffery L. Booth of Parma, Ohio; Stephen E. Lallier of Reynoldsburg, Ohio; Patricia E. Martin of Lutz, Florida; Melanie J. Stokes of Atlanta, Georgia; Garry W. Black of Murfreesboro, Tennessee; David R. Brett of Columbia, South Carolina; Scott E. Stoltzner of Birmingham, Alabama; Diane L. McLain of Fitchburg, Wisconsin; Brian A. O'Neal of Parker, Colorado; Jason S. Centrella of Jacksonville, Florida; Kelley E.M. Nys of Decatur, Georgia; Michael K. Thompson of Atlanta, GA; or Brian Clark of Charlotte, North Carolina, EACH as its true and lawful attorney for it and its name, place and stead to execute on behalf of the said company, as surety, bonds, undertakings and contracts of suretyship to be given to all obligees provided that no bond or undertaking or contract of suretyship executed under this authority shall exceed in amount of the sum of **\$1,000,000 (One Million Dollars)** including but not limited to consents of surety for the release of retained percentages and / or final estimates on construction contracts or similar authority requested by the Department of Transportation, **State of Florida** and the execution of such undertakings, bonds, recognizances and other surety obligations, in pursuance of the presents, shall be binding upon the Company as if they had been duly signed by the president and attested by any officer of the company in their own proper persons.

In Witness Whereof, the COMPANION PROPERTY AND CASUALTY INSURANCE COMPANY has caused its official seal to be hereto affixed, and these presents to be signed by its President and attested by its Vice President and Chief Underwriting Officer this 27<sup>th</sup> day of July, 2012.

Attest:

Ron Carlson, VP and Chief Underwriting Officer

COMPANION PROPERTY AND CASUALTY  
INSURANCE COMPANY

By:

George P. Reeth, Jr. President

STATE OF SOUTH CAROLINA  
COUNTY OF RICHLAND

On this 27<sup>th</sup> day of July, 2012, before me personally came George P. Reeth, Jr., to me known, who being by me duly sworn, did depose and say that he resides in Columbia, in the County of Richland, State of SC, at Columbia; that he is the President of COMPANION PROPERTY AND CASUALTY INSURANCE COMPANY, the corporation described in and which executed the above instrument; that he knows the seal of the said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed and that he signed his name thereto pursuant to due authorization.

Notary Public, State of SC, Qualified in Richland County Commission Expires: 7/14/14

STATE OF SOUTH CAROLINA  
COUNTY OF RICHLAND

I, the undersigned, an Officer of COMPANION PROPERTY AND CASUALTY INSURANCE COMPANY, a South Carolina Corporation, DO HEREBY CERTIFY that the foregoing and attached Power of Attorney remains in full force and has not been revoked; and, furthermore, that the Resolution of the Executive Committee of the Board of Directors set forth in the Power of Attorney is now in force.

Signed and sealed at the City of Columbia, Dated the 30<sup>th</sup> day of October, 2014.

George P. Reeth, Jr. President

Number 044105

# December

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2	3	4	5	6
7	8 Main Line, Hydrant, and Valves	9 Main Line, Hydrant, and Valves	10 Main Line, Hydrant, and Valves	11 Main Line, Hydrant, and Valves	12 Main Line, Hydrant, and Valves	13
14	15 Main Line, Hydrant, and Valves  Bore Crew	16 Main Line, Hydrant, and Valves  Bore Crew	17 Main Line, Hydrant, and Valves  Bore Crew	18 Main Line, Hydrant, and Valves  Bore Crew	19 Main Line, Hydrant, and Valves  Bore Crew	20
21	22 Main Line, Hydrant, and Valves  Bore Crew	23 Main Line, Hydrant, and Valves  Bore Crew	24 Off	25 Off	26 Off	27
28	29 Off	30 Off	31 Off			

# January

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1 Off	2 Off	3
4	5 Main Line, Hydrant, Valves	6 Main Line, Hydrant, Valves	7 Main Line, Hydrant, Valves	8 Main Line, Hydrant, Valves	9 Main Line, Hydrant, Valves	10
11	12 Main Line, Hydrant, Valves	13 Main Line, Hydrant, Valves	14 Main Line, Hydrant, Valves	15 Main Line, Hydrant, Valves	16 Main Line, Hydrant, Valves	17
18	19 Main Line, Hydrant, Valves  Install Service Lines	20 Install Service Lines	21 Install Service Lines	22 Install Service Lines	23 Install Service Lines	24
25	26 Install Service Lines	27 Install Service Lines	28 Install Service Lines	29 Install Service Lines	30 Install Service Lines	31

# February

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2 Install Service Lines	3 Testing	4 Testing	5 Testing	6 Testing	7
8	9 Tie-in	10 Tie-in	11 Tie-in	12 Tie-in	13 Tie in	14
15	16 Asphalt and Clean-Up	17 Asphalt and Clean-Up	18 Asphalt and Clean-Up	19 Asphalt and Clean-Up	20 Asphalt and Clean-Up	21
22	23 Asphalt and Clean-Up	24 Asphalt and Clean-Up	25 Asphalt and Clean-Up	26 Asphalt and Clean-Up	27 Asphalt and Clean-Up	28

# March


Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2 Concrete Curd and Gutter and Valley Gutter	3 Concrete Curd and Gutter and Valley Gutter	4 Concrete Curd and Gutter and Valley Gutter	5 Concrete Curd and Gutter and Valley Gutter	6 Concrete Curd and Gutter and Valley Gutter	7
8	9 Concrete Curd and Gutter and Valley Gutter	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

## PROPOSED SUBCONTRACTORS

The following information gives the name, business address, and portion of WORK (description of WORK to be done) for each SUBCONTRACTOR that WILL be used in the WORK if the BIDDER is awarded the CONTRACT.

No SUBCONTRACTOR doing WORK in excess of Ten Thousand Dollars (\$10,000.00) and who is not listed SHALL be used without the written approval of the OWNER which SHALL not be unreasonably withheld. (Additional supporting data MAY be attached to this page. Each page SHALL be sequentially numbered and headed "Proposed Subcontractors" and SHALL be signed.) Substitutions of SUBCONTRACTORS MAY be made by the BIDDER so long as all SUBCONTRACTORS used meet all requirements for SUBCONTRACTORS and all subcontract agreements meet all requirements for sub-agreements and lower tier agreements as set forth in the CONTRACT DOCUMENTS.

<u>Name</u>	<u>Business Address</u>	<u>Description of Work</u>
R Blume Underground	2895 n. Hwy 89 Chino Valley, AZ 86323	Directional Drilling
Committed Constroction	820 E. Pine Ln. Show Low, AZ 86901	concrete

  
 \_\_\_\_\_  
 Signature of Bidder

P.O. Box 113 Lakeside, AZ  
 Address of Bidder 85929

# AFFIDAVIT BY CONTRACTOR - NO COLLUSION IN BIDDING

STATE OF ARIZONA    )  
                                  )§  
COUNTY OF ARIZONA )

Mark Gardner BEING FIRST DULY SWORN, DEPOSES AND SAYS:

That he is a managing member of  
Apache Underground + Excavating LLC  
(Title)  
(Name of Business)

That he is property qualified for bidding on Project No. TOF WU-73, for the construction of  
Bailey St + 12<sup>th</sup> St Water Line

That he certifies as follows:

That neither he nor anyone associated with the said Apache Underground +  
Excavating LLC has, directly or indirectly, entered into any agreement, participated in any  
(Name of Business)

collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the above mentioned project.

Mark Gardner

Name

Managing Member

Title

Apache Underground + Excavating LLC

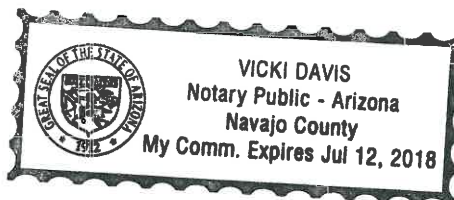
Name of Business

Subscribed and sworn to before me this 29 day of Oct, 20 14

Vicki Davis

Notary Public

My Commission Expires: 7-12-2018



# CONSTRUCTION CONTRACT

THIS CONSTRUCTION CONTRACT, made this 15 day of DECEMBER, 2014, by and between Town of Florence, hereinafter called "OWNER" and Apache Underground & Excavating, doing business as a corporation hereinafter called "CONTRACTOR".

(OWNER's Name) (CONTRACTOR's Name)

(Insert Corporation, Partnership, or Individual as appropriate)

WITNESSETH: That for and in consideration of the payments and agreements hereinafter mentioned:

1. The CONTRACTOR will commence and complete the construction of:  
  
12-inch PVC water line in public streets with two sections of 12-inch HDPE to be installed by horizontal directional drilling.
2. The CONTRACTOR will furnish all of the material, supplies, tools, equipment, labor, and other services necessary for the construction and completion of the PROJECT described herein.
3. The CONTRACTOR will commence the work required by the CONTRACT DOCUMENTS within 10 calendar days after the date of the NOTICE TO PROCEED and will complete the same within 120 90 calendar days after the date of the "Notice to Proceed", unless the period for completion is extended otherwise by the CONTRACT DOCUMENTS.
4. The CONTRACTOR agrees to perform all of the WORK described in the CONTRACT DOCUMENTS and comply with the terms therein for the sum of \$ 479,334.-, or as shown otherwise in the BID schedule.
5. The term "CONTRACT DOCUMENTS" means and includes the following:
  - (A) INVITATION TO BID
  - (B) INSTRUCTION TO BIDDERS
  - (C) BID AND BID SCHEDULE
  - (D) BID BOND
  - (E) PROPOSED SUBCONTRACTORS
  - (F) AFFIDAVIT BY CONTRACTOR CERTIFYING THAT THERE WAS NO COLLUSION IN BIDDING FOR CONTRACT
  - (G) CONTRACTOR'S AFFIDAVIT SETTLEMENT OF CLAIMS
  - (H) CONSTRUCTION CONTRACT, INCLUDING THE GENERAL CONDITIONS OF THE CONTRACT AND ATTACHED EXHIBITS A, B AND C
  - (I) PERFORMANCE BOND
  - (J) PAYMENT BOND
  - (K) TOWN OF FLORENCE BUSINESS LICENSE
  - (L) NOTICE OF AWARD
  - (M) NOTICE TO PROCEED
  - (N) APPLICATION FOR PAYMENT
  - (O) CONTRACT CHANGE ORDER
  - (P) FIELD WORK ORDER
  - (Q) NOTICE OF SUBSTANTIAL COMPLETION
  - (R) NOTICE OF FINAL ACCEPTANCE
  - (S) DISBURSEMENT SUMMARY
  - (T) TECHNICAL SPECIFICATIONS
  - (U) DRAWINGS prepared by Sunrise Engineering, Inc., numbered 1 through 9 and

dated 9-29, 2014.  
 (V) STANDARD SPECIFICATIONS FOR CONSTRUCTION – Uniform Standard Specifications and Details for Public Works Construction, 2014 Revision to 2012 Edition as sponsored and distributed by the Maricopa Association of Governments (MAG).

(W) ADDENDA:

No. 1, dated 10/24/14, 20\_\_\_\_.  
 No. \_\_\_\_\_, dated \_\_\_\_\_, 20\_\_\_\_.  
 No. \_\_\_\_\_, dated \_\_\_\_\_, 20\_\_\_\_.

6. The OWNER will pay to the CONTRACTOR in the manner and at such times as set forth in the General Conditions such amounts as required by the CONTRACT DOCUMENTS.
7. This CONSTRUCTION CONTRACT shall be binding upon all parties hereto and their respective heirs, executors, administrators, successors, and assigns.

IN WITNESS WHEREOF, the parties hereto have executed, or caused to be executed by their duly authorized officials, this CONSTRUCTION CONTRACT in 3 copies, each of which shall be deemed an original on the date first above written.

OWNER: Town of Florence

BY: Tom J. Rankin

NAME: Tom J. Rankin

TITLE: Mayor

(SEAL)  
 ATTEST

BY: Lisa Garcia

TITLE: Town Clerk

CONTRACTOR: Apache Underground + Excavating LLC

BY: Melinda D. Gardner

NAME: Melinda Gardner

ADDRESS: P.O. Box 113

Lakeside, AZ 85929

(SEAL)

ATTEST \_\_\_\_\_

BY \_\_\_\_\_

TITLE \_\_\_\_\_

Approved as to Form:

[Signature]

# PERFORMANCE BOND

Bond Number 62782

KNOW ALL PERSONS BY THESE PRESENTS THAT:

**Apache Underground & Excavation, LLC**

Name of CONTRACTOR

**PO BOX 113, Lakeside, AZ 85929**

Address of CONTRACTOR

a Corporation, hereinafter called PRINCIPAL and  
(Corporation), (Partnership) or (Individual)

**American Southern Insurance Company**

Name of SURETY

**Northridge Center 1, 365 Northridge Rd., Suite 400, Atlanta, GA 30350**

Address of SURETY

hereinafter called SURETY, are held and firmly bound unto

**Town of Florence**

Name of OWNER

**775 North Main Street, Florence, AZ 85132**

Address of OWNER

hereinafter called OWNER, in the total aggregate penal sum of Four Hundred Seventy Nine Thousand  
Three Hundred Thirty Four Dollars  
(\$ 479,334.00 ) in lawful money of the United States, for the payment of which sum well and truly to be made,  
we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these  
presents.

THE CONDITION OF THIS OBLIGATION is such that, whereas the PRINCIPAL entered into a certain  
contract with the OWNER, DATED THE 17th day of November, 2014, a copy of which  
is hereto attached and made a part of the construction contract for Bailey Street & 12<sup>th</sup> Street Water Line

(Contract Name)

NOW, THEREFORE, if the PRINCIPAL shall well, truly and faithfully perform its duties, all the undertakings,  
covenants, terms, conditions and agreements of said CONTRACT during the original term thereof, and any  
extensions thereof which may be granted by the OWNER with or without notice to the SURETY and during the one  
year guaranty period; and if the PRINCIPAL shall satisfy all claims and demand incurred under such contract; and  
shall fully indemnify and save harmless the OWNER from all costs and damages which it may suffer by reason of  
failure to do so; and shall reimburse and repay the OWNER all outlay and expense which the OWNER may incur in  
making good any default; then this obligation shall be void, otherwise to remain in full force and effect.

PROVIDED, that the said SURETY, for value received hereby stipulates and agrees that no change, extension or  
time, alteration or addition to the terms of the CONTRACT or to the WORK to be performed thereunder or the  
SPECIFICATIONS accompanying the same shall in any way affect its obligation on this BOND; and it does hereby  
waive notice of any such change, extension of time, alteration or addition to the terms of the CONTRACT or to the  
WORK or to the SPECIFICATIONS.

**PROVIDED FURTHER**, that it is expressly agreed that this BOND shall be deemed amended automatically and immediately, without formal and separate amendments hereto; upon amendment to the CONTRACT not increasing the contract price more than 20 percent, so as to bind the PRINCIPAL and the SURETY to the full and faithful performance of the CONTRACT as amended. The term "AMENDMENT"; wherever used in this BOND and whether referring to this BOND, the CONTRACT or the LOAN DOCUMENTS shall include any alteration, addition, extension or modification of any character whatsoever.

**PROVIDED FURTHER**, that no final settlement between the OWNER and the PRINCIPAL shall abridge the right of any beneficiary hereunder, whose claim may be unsatisfied. The OWNER is the only beneficiary hereunder.

IN WITNESS WHEREOF, this instrument is executed in 1 counterparts, each one of which shall be deemed an original, this 8th day of December, 2014.

**PRINCIPAL'S ATTEST:**

Apache Underground & Excavation, LLC

PRINCIPAL

By:

Mark Gardner

(SEAL)

Address:

PO BOX 113  
Lakeside, AZ 85929

\_\_\_\_\_  
Witness as to PRINCIPAL

\_\_\_\_\_  
Address

**SURETY'S ATTEST:**

American Southern Insurance Company

By:

Stefan E. Tauger

Stefan E. Tauger - Attorney In Fact

Address: 19751 E. Mainstreet, Ste 255, Parker, CO 80138

(SEAL)

\_\_\_\_\_  
Witness as to SURETY

19751 E. Mainstreet, Ste 255, Parker, CO 80138

Address

**PLEASE NOTE:**

1. *Date of BOND must not be prior to date of CONTRACT.*
2. *If CONTRACTOR is partnership, all partners should execute BOND.*
3. *Surety companies executing BONDS must appear on the Treasury Department's most current list (Circular 570 as amended) and be authorized to transact business in the State where the project is located.*
4. *Use of this form as an instrument of SURETY for this project is not mandatory. Use of other forms normally deemed acceptable in the State wherein the project is located may be allowed.*

# PAYMENT BOND

Bond Number 62782

KNOW ALL PERSONS BY THESE PRESENTS THAT:

Apache Underground & Excavation, LLC

Name of CONTRACTOR

PO BOX 113, Lakeside, AZ 85929

Address of CONTRACTOR

a Corporation, hereinafter called PRINCIPAL and  
(Corporation), (Partnership) or (Individual)

American Southern Insurance Company

Name of SURETY

Northridge Center 1, 365 Northridge Rd., Suite 400, Atlanta, GA 30350

Address of SURETY

hereinafter called SURETY, are held and firmly bound unto

Town of Florence

Name of OWNER

775 North Main Street, Florence, AZ 85132

Address of OWNER

hereinafter called OWNER, in the total aggregate penal sum of Four Hundred Seventy Nine Thousand Three Hundred Thirty Four Dollars (\$ 479,334.00) in lawful money of the United States, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION is such that, whereas the PRINCIPAL entered into a certain contract with the OWNER, dated the 17th day of November, 20 14, a copy of which is hereto attached and made a part of the construction contract for Bailey Street & 12<sup>th</sup> Street Water Line.  
(Insert Contract Name)

NOW, THEREFORE, if the PRINCIPAL shall promptly make payments to all persons, firms and corporations furnishing materials for, or performing labor in the prosecution of the WORK provided for in such contract; and any authorized extensions or modifications thereof, including amounts due for materials, lubricants, oil, gasoline, coal and coke, repairs on machinery, equipment and tools, consumed or used in connection with the construction of such WORK; and for all labor costs incurred in such WORK, including that by a sub-contractor; and to any mechanic or materialman, lienholder; whether it acquires its lien by operation of State or Federal law; then this obligation shall be void, other wise to remain in full force and effect.

PROVIDED, that beneficiaries or claimants hereunder shall be limited to the sub-contractors and persons, firms and corporations having a direct contract with the PRINCIPAL or its sub-contractors.

PROVIDED FURTHER, that the said SURETY, for value received hereby stipulates and agrees that no change, extension or time, alteration or addition to the terms of the CONTRACT or to the WORK to be performed thereunder or the SPECIFICATIONS accompanying the same shall in any way affect its obligation on this BOND; and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the CONTRACT or to the WORK or to the SPECIFICATIONS.

**PROVIDED FURTHER**, that no suit or action shall be commenced hereunder by any claimant: (a) Unless claimant, other than one having a direct contract with the PRINCIPAL shall have given written notice to any two of the following: the PRINCIPAL, the OWNER or the SURETY above named within ninety (90) days after such claimant did or performed the last of the WORK or labor, or furnished the list of the materials for which said claim is made, stating with substantial accuracy the amount claimed and the name of the party to whom the materials were furnished, or for whom the WORK or labor was done or performed. Such notice shall be served by mailing the same by registered mail or certified mail, postage prepaid, in an envelope addressed to the PRINCIPAL, OWNER or SURETY, at any place where an office is regularly maintained for the transaction of business, or served in any manner in which legal process may be served in the State in which the aforesaid project is located, save that such service need not be made by a public office. (b) After the expiration of one (1) year following the date of which PRINCIPAL ceased WORK on said CONTRACT, it being understood; however, that if any limitation embodied in the BOND is prohibited by any law controlling the construction hereof, such limitation shall be deemed to be amended so as to be equal to the minimum period of limitation permitted by such law.

**PROVIDED FURTHER**, it is expressly agreed that this BOND shall be deemed amended automatically and immediately, without formal and separate amendments hereto; upon amendment to the CONTRACT not increasing the contract price more than 20 percent, so as to bind the PRINCIPAL and the SURETY to the full and faithful performance of the CONTRACT as amended. The term "AMENDMENT"; wherever used in this BOND and whether referring to this BOND, the CONTRACT or the LOAN DOCUMENTS shall include any alteration, addition, extension or modification of any character whatsoever.

**PROVIDED FURTHER**, that no final settlement between the OWNER and the PRINCIPAL shall abridge the right of any beneficiary hereunder, whose claim may be unsatisfied. The OWNER is the only beneficiary hereunder.

IN WITNESS WHEREOF, this instrument is executed in 1 counterparts, each one of which shall be deemed an original, this 8th day of December, 20 14.

**PRINCIPAL'S ATTEST:**

Apache Underground & Excavation, LLC

PRINCIPAL

By: Mark Garah

(SEAL)

Address: PO BOX 113  
Lakeside, AZ 85929

**SURETY'S ATTEST:**

American Southern Insurance Company

SURETY

By: Stefan E. Tauger

Attorney-in-Fact

Stefan E. Tauger

(SEAL)

Address: 19751 E. Mainstreet, Ste 255, Parker, CO 80138

**PLEASE NOTE:**

1. Date of BOND must not be prior to date of CONTRACT.
2. If CONTRACTOR is partnership, all partners should execute BOND.
3. Surety companies executing BONDS must appear on the Treasury Department's most current list (Circular 570 as amended) and be authorized to transact business in the State where the project is located.
4. Use of this form as an instrument of SURETY for this project is not mandatory. Use of other forms normally deemed acceptable in the State wherein the project is located may be allowed.

# TOWN OF FLORENCE BUSINESS LICENSE

Refer to INSTRUCTIONS TO BIDDERS

PROJECT NAME: Bailey Street & 12<sup>th</sup> Street Water Line

PROJECT NUMBER: TOF WU-73

Please attach current BUSINESS LICENSE per INSTRUCTIONS TO BIDDERS within ten (10) calendar days of NOTICE OF AWARD.

# NOTICE OF AWARD

TO: Apache Underground & Excavation, LLC  
(Insert Bidder's Name and Address)

P.O. Box 113

Lakeside, AZ 85929

CONTRACT FOR: Bailey Street & 12<sup>th</sup> Street Water Line

The OWNER has considered the BID dated October 30, 2014, submitted by you for the above described WORK in response to its Advertisement for Bids and Information for Bidders.

You are hereby notified that your BID has been accepted for items in the amount of: \$ 479,334.00.

You are required by the Instruction to Bidders to execute the CONSTRUCTION CONTRACT and furnish the required CONTRACTOR'S Performance BOND, Payment BOND, and Certificates of Insurance within ten (10) calendar days from the date of this Notice to you.

If you fail to execute said CONSTRUCTION CONTRACT and to furnish said BONDS within ten (10) days from the date of this Notice, said OWNER will be entitled to consider all your rights arising out of the OWNER'S acceptance of your BID as abandoned and as a forfeiture of your BID BOND. The OWNER will be entitled to such other rights as may be granted by law.

You are required to return an acknowledged copy of this NOTICE OF AWARD to the OWNER.

Dated this 17 day of NOVEMBER, 20 14.

OWNER: Town of Florence  
(Name of Owner)

BY:   
(Signature)

TITLE: Town Manager

## ACCEPTANCE OF NOTICE

Receipt of the above NOTICE OF AWARD is hereby acknowledged by \_\_\_\_\_  
(Contractor)

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

By: \_\_\_\_\_  
(Signature)

Title: \_\_\_\_\_

# NOTICE TO PROCEED

TO: Apache Underground & Excavating LLC  
(Insert Name of CONTRACTOR)  
P.O. Box 113  
Lakeside, AZ 85929

CONTRACT: Bailey Street & 12<sup>th</sup> Street Water Line

The project consists of the installation of 12-inch PVC water line in public streets with two sections of 12-inch HDPE to be installed by horizontal directional drilling.

In accordance with the CONSTRUCTION CONTRACT dated DECEMBER 15, 2014, you are hereby notified to commence WORK on or before DECEMBER 15, 2014, and you are to complete the WORK within 90 consecutive calendar days thereafter. The date of completion of all WORK is, therefore MARCH 15, 2015.

OWNER: Town of Florence  
(Name of Owner)

BY: Tom F. Rando  
(Signature)

TITLE: Mayor

DATE ISSUED DECEMBER 15, 2014

## ACCEPTANCE OF NOTICE

Receipt of the above NOTICE TO PROCEED is hereby acknowledged by \_\_\_\_\_  
(Contractor)  
 this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
 By: \_\_\_\_\_  
(Signature)  
 Title: \_\_\_\_\_



## Town of Florence, Arizona

### ADDENDUM NO. 1

#### BAILEY STREET AND 12<sup>TH</sup> STREET WATER LINE

Project Number: WU-73

October 24, 2014

1. Bidder shall acknowledge the receipt of this addendum on page 5 of the contract documents entitled **BID**.
2. Bid schedule. **Replace** the BID SCHEDULE in its entirety with the accompanying **REVISED BID SCHEDULE**, pages 6 through 7.
3. Technical Specifications. Add **Item No. 32 – “Furnish and Install 12-in HDPE Water Line” Construction Callout #18** Installation and materials for 12-inch HDPE water pipe water line shall conform to MAG Specifications 610. HDPE pipe shall be PE4710 DR 11 and shall conform to AWWA C901/C906, ASTM D3350, and ANSI/NSF 14/61. The pipe shall be butt fused per the manufacturers recommendations.

This item of work includes backfill and compaction shall conform to Detail A, Sheet DT of the plans and to MAG Specifications 601. Existing storm drain crossings shall be CLSM backfilled 10-ft beyond edge of storm drain pipe. CLSM shall comply with MAG Specifications 728

The Contractor shall provide all materials, equipment and labor to install a new 12-inch HDPE water line to the elevations indicated on the plans. Pipe fittings such as bends, elbows, tees, crosses and reducers shall be considered incidental to the new 12-inch HDPE water line installation.

Measurement and payment shall be made at the contract unit price bid for linear foot and shall be full compensation for the item complete in place.

4. Plans. Sheet W06, Construction Callout #11, 12-inch HDPE install by bore. **Revise to Construction Callout #18, “Furnish and Install 12-in HDPE Water Line” “Furnish and Install 12-in HDPE Water Line”**, see #3 above.
5. Details. Sheet DT, Detail A, **Pipe Bedding shall be ABC** per MAG specification 702 and 601.
6. The attached Pre Bid Conference meeting minutes shall be considered part of this addendum.

If you have any questions or comments please e-mail me at [rholsen@sunrise-eng.com](mailto:rholsen@sunrise-eng.com)

Ricky Holston, P.E.  
Project Manager  
Sunrise Engineering, Inc.

## MINUTES

### Bailey Street & 12<sup>th</sup> Street Water Line TOF WU-73

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**Meeting Purpose:** Pre-Bid Meeting

**Date:** October 16, 2014

**Client Project No.:** TOF WU-73

**SEI Project No.:** 04742.000

**Attendees:** Geoff Child, Ricky Holston, Timm Wainscott. See sign in sheet attached separately

#### Meeting Items:

1. Can contractors use an open trench as an alternative to boring on Willow Street? Means and method?  
**Response:** Yes trench alternative with means and method is approved. Use HDPE pipe per the plan. Slurry backfill under storm drain pipes.
2. How old are the storm drains?  
**Response:** 36" CMP drains were built in 1988 and 60" cast in place concrete drains were constructed in 2003.
3. When is the deadline for questions?  
**Response:** October 21<sup>st</sup>
4. What company will be providing the surveying?  
**Response:** Sunrise Engineering, Inc. Refer to the Technical Specifications for the staking scope of work.
5. Who is responsible for material testing?  
**Response:** Contractor
6. Is staking included?  
**Response:** Yes, see response to question 4 above for further information.
7. What is the number of working days?  
**Response:** 90 days, an addendum will be sent out with the revision.
8. Who is responsible for record drawings?  
**Response:** The Contractor shall be required to keep a daily record on a field set of plans. Sunrise Engineering, Inc. will prepare record drawings from field redlines provided by the Contractor.
9. Will there be any work located on private property?  
**Response:** No. All new services shall be located in the same area as existing services. There shall be no work on private property.
10. Liquidated damages?  
**Response:** Per MAG Section 108.9, the actual amount shall be determined by the bid amount and filled in on the Bid Form.

11. What is the contract time/ schedule?  
**Response:** See the response to question 7 above. The Contractor must provide a preliminary schedule.
12. Bid Item #1 states SY. Should it be SF?  
**Response:** Yes, an addendum will be sent out with the revision.
13. Bac-T samples?  
**Response:** To be provided by the Contractor.
14. Details do not show how the water services are to be replaced. Clarify.  
**Response:** Install new water services to the box with curb/ valve stop. Connect the meter after testing and Bac-T.
15. No engineering estimate was provided. Will one be provided?  
**Response:** No.
16. Can contractors use the Town construction yard?  
**Response:** Contractor will be responsible for providing their own construction yard.
17. What is the cost of the right-of-way permit? Will it be waived?  
**Response:** \$25, cannot be waived.
18. What water source will be provided for construction?  
**Response:** The Contractor shall use a hydrant with a meter. The cost shall be \$1,000 refundable deposit/ meter/ and \$2.50 / 1,000 gallons. There will be a onetime charge of \$75.00 to install the meter and a onetime charge of \$70.00 to remove the meter.
19. Will tie-in with a jumper be allowed or a hard tie-in? Backflow sleeve?  
**Response:** It shall be a hard tie-in, no backflow sleeve is necessary.
20. What is the inspection fee?  
**Response:** The inspection fee will be waived. There will be no additional cost to the Contractor for inspections.
21. Mini-horizontal directional drilling – “mini”. Is the plan accurate or will it be necessary to go back further?  
**Response:** It may be necessary to go back further.
22. What is the location for stockpiling soil in the north part of the project?  
**Response:** Clean soil only, no asphaltic concrete, can be deposited at 3200 North Pinal Parkway. There will not be a charge to the Contractor. The Contractor is responsible for hauling off spoils with asphaltic concrete, broken concrete, rocks, and other debris in the soil.
23. Is there a location in Florence to dispose of broken asphalt?  
**Response:** No, the Contractor will be responsible for hauling away asphalt.
24. The HDPE bore radius looks too tight to work.  
**Response:** See the response to question 21.

25. What is the start date for construction?  
**Response:** Estimated start date is the end of November – beginning of December 2014. Assume a start date in December 2014.
26. Who is the preferred compaction testing company?  
**Response:** The Contractor is responsible for providing the compaction testing.
27. How often is compaction testing required?  
**Response:** Refer to MAG Standards for requirements.
28. Use T-top trench repair? AC thickness? ABC or slurry on shelf? ABC or native backfill?  
**Response:** Yes, T-top trench repair *be per MAG detail 200-1*  
AC thickness - assume 3-inches  
ABC on shelf  
Native backfill.
29. Is there an existing soils report available?  
**Response:** No.
30. What is the existing asphalt thickness?  
**Response:** Unknown assume 3 inches
31. Pipe bedding zone? Can MAG ABC be used?  
**Response:** Pipe bedding zone per trench detail on plans.  
Yes ABC can be used. ABC shall be per MAG Specification 702 and 601.
32. Will it be permissible to temporary fill trenches with AB versus cold patch?  
**Response:** Okay to use AB for temporary trench patch.
33. Can traffic control be left in place overnight?  
**Response:** Yes
34. Can streets be closed one block at a time during construction?  
**Response:** No
35. Who is responsible for public notices?  
**Response:** The Town of Florence and Sunrise Engineering, Inc.
36. **The pre-bid meeting is mandatory. Any Contractor who did not attend the pre-bid meeting will be disqualified from submitting a bid, is that correct?**  
**Response:** Yes, only contractors in attendance at the October 16, 2014 pre-bid meeting and who signed in on the sign-in list be able to submit bids to the Town of Florence.
37. Can backfill processed native dirt that meets the spec of the trench detail on sheet 15 of the plan set be used?  
**Response:** Yes, native is allowable backfill. Compaction per MAG Section 601.4.4.

38. In the event that steel plates need to be used on top of open trenches, will the Contractor be required to mill them in?  
**Response:** Trench plates per MAG 107.09 and 601.2.10. Milling varies by posted speed limit. All streets within project limits are local streets, 25MPH
39. Will a different trench detail be provided for trenches running parallel and transverse to the road? This is to address the concern if any slurry backfill would be required.  
**Response:** Same trench detail for parallel and transverse. No slurry backfill.
40. Paving is shown under the bore sections on the plans. Will this be changed?  
**Response:** No. Leave in for change to trenching if Contractor provides means and methods. See question #1.
41. Flush pipe? Page W04 it shows 12 to 6 to a 90 which location to a valve what are where are placing the flush pipe of the line?  
**Response:** Connect flush pipe to 6" line.
42. Do to having driven the job, to have the safest work environment, it would be the safest to close a block down and even an intersection at a time. Is there any way to do this?  
**Response:** No, Town wants streets to stay open.
43. Are we using existing meter boxes, or placing new ones, if came across damaged one who will be replacing?  
**Response:** Replace boxes noted on plans. Contractor is responsible for accidental breakage of existing boxes not noted for replacement.
44. Page W01 and W08 13<sup>th</sup> and Bailey ,the line going East, what size is the line 12,8,6?  
**Response:** 12-inch, Construction Note #1 on W08.
45. What are the requirements, liquid or granule chlorine?  
**Response:** Liquid
46. Do the contractors have to haul the tested water, or to be ran into the street or used to mix soils?  
**Response:** Use to mix soils.
47. What is the depth requirements? The general notes say 4 feet, but the scale says 5 feet.  
**Response:** 5-foot typical cover per profiles and trench detail on plans.  
4-feet in General Notes #1 on all plan sheets is referring to restrained joint lengths. 4-feet is the minimum cover required for the restrained joint lengths given in MAG standards.
48. Is it fine to pressure test section as the job proceeds to clean up faster and cut down on customer complaints?  
**Response:** Yes, ok to pressure test sections at a time.
49. Is AY McDonald is an approved equal for the 1" Double Water Service Brass? Either the CTS PJ or Q CTS conductor connection (Mueller 110 equal)?  
**Response:** Yes, will accept AY McDonald if truly equal to Mueller 110.



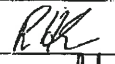

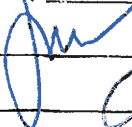
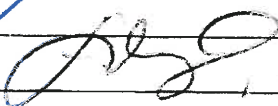


The aforementioned is considered to be a true and accurate record of all items discussed. Please contact the originator within 3 business days to correct any discrepancies or inconsistencies.

Ricky Holston, P.E.

[rholsen@sunrise-eng.com](mailto:rholsen@sunrise-eng.com)

480-768-8600

<b>CONTRACT CHANGE ORDER</b>					ORDER NO. <span style="float: right;">1</span>	
CONTRACT FOR: Bailey Street & 12 <sup>th</sup> Street Water Line					DATE: <span style="float: right;">02/4/2015</span>	
OWNER: Town of Florence						
CONTRACTOR: Apache Underground and Excavating LLC						
You are hereby requested to comply with the following changes from the contract plans and specifications. The following Bid Items will be revised on the Contractor's Bid Schedule						
Bid Item	Description of Changes (Supplemental Drawings & Specifications Attached)	Qty	Unit	Unit Price	Decrease in Contract Price	Increase in Contract Price
22	Remove 7 blow offs	7		\$1,420	\$ 9,940.	\$ -
22	Add 12" Plug/Joint Restraint	7		\$682	\$ -	\$ 4,774 -
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
					\$ -	\$ -
TOTALS					9,940	\$ 4,774 -
NET CHANGE IN CONTRACT PRICE						-\$5,166
Change Order initiated by: <span style="float: right;">Town of Florence</span>						
JUSTIFICATION: 1. Blow offs not necessary due to nearby fire hydrants						
The amount of the Contract will be increased <del>decreased</del> by the sum of:					\$	-5,166 -
						DOLLARS
The Contract total including this and previous change orders will be:					\$	474,168
						DOLLARS
The Contract period provided for completion will be (increased)(decreased)(unchanged) by:						Unchanged
New Completion date:						Unchanged
This document will become a supplement to the Contract and all provisions will apply thereto.						
Requested (OWNER) _____				Date: _____		
Recommended (ENGINEER)  _____				Date: 2/4/2015		
Accepted (CONTRACTOR)  _____				Date: 2/4/2015		
Approved  _____				Date: 2/4/2015		
Approved  _____, acting Town Manager				Date: 2/12/2015		

CHANGE ORDER NO. 2  
CONTRACT NO. TOF WU-79  
BAILEY STREET AND 12<sup>TH</sup> STREET  
WATER LINE PROJECT

APACHE UNDERGROUND & EXCAVATION  
AND  
THE TOWN OF FLORENCE

Town of Florence  
PO Box 2670  
Florence, Arizona 85132

ATTEST:

  
\_\_\_\_\_  
Lisa Garcia, Town Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Clifford L. Mattice, Town Attorney

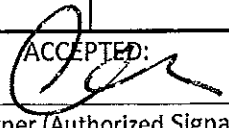
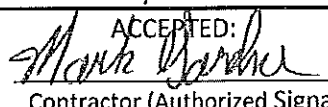
Date of Issuance: March 2, 2015	Effective Date: March 2, 2015
Owner: Town of Florence	Owner's Contract No.: TOF WU-73
Contractor: Apache Underground & Excavation	Contractor's Project No.: NA
Engineer: Sunrise Engineering, Inc.	Engineer's Project No.: NA
Project: Bailey Street & 12 <sup>th</sup> Street Water Line	Contract Name: Bailey Street & 12 <sup>th</sup> Street Water Line Project

The Contract is modified as follows upon execution of this Change Order:

Description: Installation of the Turner Subdivision Phase 1 water improvements.

Attachments: Bid Schedule

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES <i>[note changes in Milestones if applicable]</i>
Original Contract Price:  \$ <u>479,334.00</u>	Original Contract Times: Substantial Completion: _____ Ready for Final Payment: _____ days or dates
[Increase] [Decrease] from previously approved Change Orders No. ____ to No. ____:  \$ <u>0</u>	[Increase] [Decrease] from previously approved Change Orders No. ____ to No. ____: Substantial Completion: _____ Ready for Final Payment: _____ days
Contract Price prior to this Change Order:  \$ <u>479,334.00</u>	Contract Times prior to this Change Order: Substantial Completion: _____ Ready for Final Payment: _____ days or dates
Increase of this Change Order:  \$ <u>137,147.25</u>	[Increase] [Decrease] of this Change Order: Substantial Completion: <u>30</u> Ready for Final Payment: <u>45</u> days or dates
Contract Price incorporating this Change Order:  \$ <u>616,481.25</u>	Contract Times with all approved Change Orders: Substantial Completion: _____ Ready for Final Payment: _____ days or dates

RECOMMENDED:		ACCEPTED:	
By: _____	By: 	By: 	
Engineer (if required)	Owner (Authorized Signature)	Contractor (Authorized Signature)	
Title: _____	Title: <u>Town Manager</u>	Title: <u>Member</u>	
Date: _____	Date: <u>3/2/2015</u>	Date: <u>3/2/15</u>	

Approved by Funding Agency (if applicable)

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Title: \_\_\_\_\_

Apache Underground Excavating  
Change Order No. 2

Bid Schedule  
Turner Subdivision Phase 1 Water

No.	Description	Quantity	Unit	Unit Cost (\$)	Total Cost (\$)
1	Mobilization	1	LS	500	\$ 500.00
2	8" PVC (C900, DR18) waterline	1822	LF	25	\$ 45,550.00
3	8" RW Gate Valve w/Box and Cover	8	EA	2200	\$ 17,600.00
4	Fire Hydrant Assembly (Complete)	5	EA	3100	\$ 15,500.00
5	1" Single Water Service	2	EA	2000	\$ 4,000.00
6	1" Double Water Service	17	EA	2000	\$ 34,000.00
7	8" Cap and Flushing Assembly	1	EA	1420	\$ 1,420.00
8	8" PVC (SDR35) Sewerline	59	LF	55	\$ 3,245.00
9	Sawcut Existing Pavement	240	LF	4	\$ 960.00
10	Remove Existing Pavement	600	SF	4	\$ 2,400.00
11	Asphalt Patch	600	SF	5	\$ 3,000.00

Sub-Total	\$ 128,175.00
Sales Tax (7%)	\$ 8,972.25
Total	\$ 137,147.25

Respectfull Submitted:

Apache Underground & Excavating

Signature:

Title:

Address: P.O. Box 113

Lakeside, AZ 85929

Change Order No. 3

Date of Issuance: April 21, 2015  
Owner: Town of Florence  
Contractor: Apache Underground & Excavation  
Engineer: Sunrise Engineering, Inc.  
Project: Bailey Street & 12<sup>th</sup> Street Water Line

Effective Date: May 5, 2015  
Owner's Contract No.: TOF WU-73  
Contractor's Project No.: N/A  
Engineer's Project No.: S04742.000  
Contract Name: Bailey Street & 12<sup>th</sup> Street Water Line Project

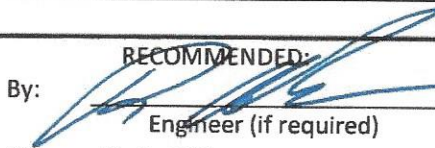
The Contract is modified as follows upon execution of this Change Order:

Description: Increased asphalt for trench patching and concrete for sidewalk, curb and gutter due to poor field conditions.

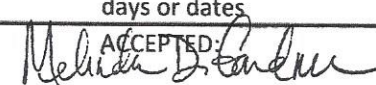
Additional concrete was required for removal and replacement of a non-compliant ADA ramp at 10<sup>th</sup> Street and Bailey Street.

Attachments: *[List documents supporting change]*

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES <i>[note changes in Milestones if applicable]</i>
Original Contract Price:  \$ 479,334.00	Original Contract Times: Substantial Completion: <u>March 19, 2015</u> Ready for Final Payment: <u>April 5, 2015</u> days or dates
<del>(Increase)</del> [Decrease] from previously approved Change Orders No. <u>1</u> to No. <u>2</u> :  \$ 131,981.25	<del>(Increase)</del> [Decrease] from previously approved Change Orders No. <u>1</u> to No. <u>2</u> : Substantial Completion: <u>30</u> Ready for Final Payment: <u>45</u> days
Contract Price prior to this Change Order:  \$ 611,315.25	Contract Times prior to this Change Order: Substantial Completion: <u>May 5, 2015</u> Ready for Final Payment: <u>May 20, 2015</u> days or dates
<del>(Increase)</del> [Decrease] of this Change Order:  \$ 37,376.00	<del>(Increase)</del> [Decrease] of this Change Order: Substantial Completion: <u>0</u> Ready for Final Payment: <u>0</u> days or dates
Contract Price incorporating this Change Order:  \$ 648,691.25	Contract Times with all approved Change Orders: Substantial Completion: <u>May 5, 2015</u> Ready for Final Payment: <u>May 20, 2015</u> days or dates

RECOMMENDED:  
By:   
Engineer (if required)  
Title: Project Manager  
Date: April 21, 2015

ACCEPTED:  
By: \_\_\_\_\_  
Owner (Authorized Signature)  
Title: Town Manager  
Date: May 18, 2015


ACCEPTED:  
By:   
Contractor (Authorized Signature)  
Title: Managing Member  
Date: 4-21-15

Approved by Funding Agency (if applicable)

N/A

By: \_\_\_\_\_  
Title: \_\_\_\_\_

Date: \_\_\_\_\_

	<p align="center"><b>TOWN OF FLORENCE COUNCIL ACTION FORM</b></p>	<p align="center"><b><u>AGENDA ITEM</u></b> <b>7b.</b></p>
<p><b>MEETING DATE:</b> May 18, 2015</p> <p><b>DEPARTMENT:</b> Utilities Department</p> <p><b>STAFF PRESENTER:</b> John V. Mitchell, Utilities Director</p> <p><b>SUBJECT:</b> Approval of Change Order No. 1 with Coolidge Engine &amp; Pump, LLC, for emergency repair of Well #1.</p>		<p> <input checked="" type="checkbox"/> <b>Action</b>  <input type="checkbox"/> <b>Information Only</b>  <input type="checkbox"/> <b>Public Hearing</b>  <input type="checkbox"/> <b>Resolution</b>  <input type="checkbox"/> <b>Ordinance</b> </p> <p> <input type="checkbox"/> <b>Regulatory</b>  <input type="checkbox"/> <b>1<sup>st</sup> Reading</b>  <input type="checkbox"/> <b>2<sup>nd</sup> Reading</b>  <input type="checkbox"/> <b>Other</b> </p>

**RECOMMENDED MOTION/ACTION:**

Motion to approve Change Order No. 1 with Coolidge Engine & Pump, LLC, for emergency repair of Well #1, for \$8,118.14, with a total project cost not to exceed \$62,618.73

**BACKGROUND/DISCUSSION:**

Coolidge Engine and Pump, LLC, has completed the repair of Well #1. There has been one change order associated for their work. The change order is as follows:

	<u><b>Amount</b></u>	<u><b>Council Approval</b></u>
Contract Awarded:	\$54,500.59	April 20, 2015
Change Order No. 1	\$ 8,118.14	Pending Council Approval
<b>Amended Amount</b>	<b><u>\$62,618.73</u></b>	

Council approved the ratification of emergency repair of Well #1 on April 20, 2015. The known cost at the time was \$54,500.59. Coolidge Engine and Pump, LLC, has submitted a final billing of \$62,618.73. The increase is for cleaning the debris from the well, re-videoing the well to determine the placement of the new bowls, and extending the depth of the new bowls by 20 feet.

**FINANCIAL IMPACT:**

The increase cost is \$8,118.14 for Change Order No. 1 for the emergency repair of Well #1. This increase will be paid from the Water Utility Fund.

**STAFF RECOMMENDATION:**

Staff recommends approval of Change Order No. 1, for emergency repair of Well #1.

**ATTACHMENTS:**

Change Order #1  
Invoice

Subject: Approval of CO #1 for Well 1  
Page 1 of 1

Meeting date: May 18, 2015

Date of Issuance: April 13, 2015

Effective Date: April 13, 2015

Owner: Town of Florence

Owner's Contract No.:

Contractor: Coolidge Engine &amp; Pump, LLC

Contractor's Project No.:

Engineer: NA

Engineer's Project No.:

Project: Emergency Repair of Well No. 1

Contract Name:

Emergency Repair of  
Well No. 1

The Contract is modified as follows upon execution of this Change Order:

Description: Add 20 foot to total pump setting; airlift fill from well; and, re-video well.

<b>CHANGE IN CONTRACT PRICE</b> Original Contract Price:  \$ 54,500.59	<b>CHANGE IN CONTRACT TIMES</b> <i>[note changes in Milestones if applicable]</i> Original Contract Times: Substantial Completion: _____ Ready for Final Payment: _____ days or dates
[Increase] [Decrease] from previously approved Change Orders No. ___ to No. ___:  \$ NA	[Increase] [Decrease] from previously approved Change Orders No. ___ to No. ___: Substantial Completion: _____ Ready for Final Payment: _____ days
Contract Price prior to this Change Order:  \$ 54,500.59	Contract Times prior to this Change Order: Substantial Completion: _____ Ready for Final Payment: _____ days or dates
[Increase] [Decrease] of this Change Order:  \$ 8,118.14	[Increase] [Decrease] of this Change Order: Substantial Completion: _____ Ready for Final Payment: _____ days or dates
Contract Price incorporating this Change Order:  \$ 62,618.73	Contract Times with all approved Change Orders: Substantial Completion: _____ Ready for Final Payment: _____ days or dates

RECOMMENDED:

By: \_\_\_\_\_

Engineer (if required)

Title: Utility Engineer

Date: April 13, 2015

ACCEPTED:

By: \_\_\_\_\_

Owner (Authorized Signature)

Title: Town Manager

Date: May 18, 2015

ACCEPTED:

By: \_\_\_\_\_

Contractor (Authorized Signature)

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Approved by Funding Agency (if  
applicable)

By: \_\_\_\_\_

Date: \_\_\_\_\_

Title: \_\_\_\_\_



# INVOICE

## COOLIDGE ENGINE & PUMP LLC

POST OFFICE BOX 957 · COOLIDGE, AZ 85128-0018

PHONE: (520) 723-4556

R.O.C.188885

6108

Sold To: Town of Florence

P. O. Box 2670

Florence, AZ 85132-3050

[Joy.Jonas@florenceaz.gov](mailto:Joy.Jonas@florenceaz.gov)

Job No: 6002

Job Date: March 6, 2015

Order No: 39734 Well #1


Invoice Date: April 13, 2015

QTY	PART NO.	DESCRIPTION	PRICE	UNIT	AMOUNT	
1	SV12C-10	Simflo Bowl Assembly (NSF-61 Compliant)			11,652	51
440'	3/4"	SCH 40 PVC			154	00
23	10" x 20'	Butt Column Pipe			16,129	90
23	3 x 1 15/16	Peerless Tube And Shaft Assembly			22,237	32
8	3" x 10"	Rubber Centering Spiders			117	00
1	3 x 29"	Stretch Tube			199	00
1	1 15/16 x 80'	Headshaft			199	00
1		Banding And Buckles			85	00
					50,773	73
		OUTSIDE LABOR - Longmire & Hoover Well Service				
1	1st	Well Video			700	00
1	Re-shoot	Well Video			600	00
					1,300	00
		OUTSIDE LABOR - Hoover Well Service				
20	Hours	Labor To Air Lift Well			5,200	00
10	Hours	Air Compressor			650	00
					5,850	00
		SCOPE OF WORK				
		Pull Pump For Repair				
		Video Well				
		Hoover Well Service - Airlift Fill From Well				
		Re-Video Well	Fuel Surcharge		100	00
		Install New Pump	Freight		375	00
			Well Video		1,300	00
	Note:	Pricing Changed Due To Adding 20' To Total Pump Setting To	Hoover Well Service		5,850	00
		Move Bowl Out Of Rubbed Area From Previous Setting	Labor		4,220	00
			Parts		50,773	73
			Due Net 10			
		*Payment By Visa Or Master Card Incurs 3.2% Service Fee*	Total Invoice		62,618	73

WHITE - CUSTOMER

YELLOW - OFFICE

PINK - ACCOUNTING

	<b>TOWN OF FLORENCE COUNCIL ACTION FORM</b>	<b><u>AGENDA ITEM</u></b> <b>7c.</b>
<b>MEETING DATE:</b> May 18, 2015  <b>DEPARTMENT:</b> Utilities Department  <b>STAFF PRESENTER:</b> John V. Mitchell, Utilities Director  <b>SUBJECT:</b> Approval of Change Order No. 1 with Ripple Industries, LLC.		<input checked="" type="checkbox"/> <b>Action</b> <input type="checkbox"/> <b>Information Only</b> <input type="checkbox"/> <b>Public Hearing</b> <input type="checkbox"/> <b>Resolution</b> <input type="checkbox"/> <b>Ordinance</b> <input type="checkbox"/> <b>Regulatory</b> <input type="checkbox"/> <b>1<sup>st</sup> Reading</b> <input type="checkbox"/> <b>2<sup>nd</sup> Reading</b> <input type="checkbox"/> <b>Other</b>

**RECOMMENDED MOTION/ACTION:**

Motion to approve Change Order No. 1 with Ripple Industries, for additional troubleshooting and start-up services with regards to installation of the supervisory control of Town wells and reservoir sites for \$10,375, with a total project cost not to exceed \$80,375.

**BACKGROUND/DISCUSSION:**

Ripple Industries has completed the work for the installation of SCADA equipment at well sites and reservoirs. There was one change order associated for their work. The change order is as follows:

	<u><b>Amount</b></u>	<u><b>Council Approval</b></u>
Contract Awarded:	\$70,000	July 21, 2014
Change Order No. 1	\$10,375	Pending Council Approval
<b>Amended Amount</b>	<b><u>\$80,375</u></b>	

On July 21, 2014, Council approved hiring of Ripple Industries, LLC, to install supervisory control and data acquisition equipment on Town wells and reservoir sites. That amount of the award was \$70,000.

During the construction of the Well 3B improvements, Ripple Industries, LLC, was engaged to work with the contractor for additional troubleshooting and start-up services beyond that which was initially contemplated in their original scope of work. The additional cost is \$10,375. Staff has approached the Well 3B contractor for reimbursement of a portion of the added costs and has received a favorable response. Ripple Industries, LLC, is in the process of itemizing their work for consideration by the Town and contractor for those reimbursement costs.

**FINANCIAL IMPACT:**

The cost for Change Order No. 1 is \$10,375, and is available in the Water Utility Fund.

**STAFF RECOMMENDATION:**

Staff recommends approval of Change Order No. 1 with Ripple Industries, LLC, for additional troubleshooting and start-up services with regards to the installation of the supervisory control and data acquisition equipment on Town well and reservoir sites.

**ATTACHMENTS:**

Change Order No. 1  
Invoice

Date of Issuance: April 17, 2015  
 Owner: Town of Florence  
 Contractor: Ripple Industries, LLC  
 Engineer: NA  
 Project: SCADA WU-64

Effective Date: April 28, 2015  
 Owner's Contract No.: WU-64  
 Contractor's Project No.: NA  
 Engineer's Project No.:  
 Contract Name: SCADA WU-64

The Contract is modified as follows upon execution of this Change Order:

Description: Installation of supervisory control & data acquisition equipment at well sites and reservoirs.

Attachments:

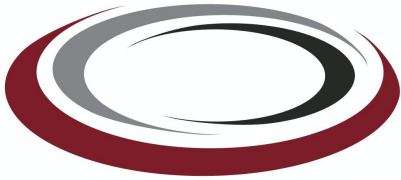
CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES <i>[note changes in Milestones if applicable]</i>
Original Contract Price:  \$ <u>70,000.00</u>	Original Contract Times: Substantial Completion: _____ Ready for Final Payment: _____ days or dates
[Increase] [Decrease] from previously approved Change Orders No. ___ to No. ___:  \$ <u>NA</u>	[Increase] [Decrease] from previously approved Change Orders No. ___ to No. ___: Substantial Completion: _____ Ready for Final Payment: _____ days
Contract Price prior to this Change Order:  \$ <u>70,000.00</u>	Contract Times prior to this Change Order: Substantial Completion: _____ Ready for Final Payment: _____ days or dates
[Increase] [Decrease] of this Change Order:  \$ <u>10,375.00</u>	[Increase] [Decrease] of this Change Order: Substantial Completion: _____ Ready for Final Payment: _____ days or dates
Contract Price incorporating this Change Order:  \$ <u>80,375.00</u>	Contract Times with all approved Change Orders: Substantial Completion: _____ Ready for Final Payment: _____ days or dates

RECOMMENDED:		ACCEPTED:		ACCEPTED:	
By: _____	By: _____	By: _____	By: _____	By: _____	By: _____
Engineer (if required)	Owner (Authorized Signature)	Contractor (Authorized Signature)			
Title: <u>John V. Mitchell</u>	Title: <u>Town Manager</u>	Title: _____	Title: _____	Title: _____	Title: _____
Date: <u>April 30, 2015</u>	Date: <u>May 18, 2015</u>	Date: _____	Date: _____	Date: _____	Date: _____

Approved by Funding Agency (if applicable)

By: \_\_\_\_\_ Date: \_\_\_\_\_  
 Title: \_\_\_\_\_



# Ripple Industries, LLC

Ripple Industries, LLC  
9221 E Baseline Rd #109-234  
Mesa, AZ 85209

(480)442-8199  
messick.robert@rippleind.com

## Invoice

Date	Invoice #
04/17/2015	1561
Terms	Due Date
Net 30	05/17/2015

### Bill To


John Mitchell  
Town of Florence  
PO Box 2670  
Florence, AZ 85232

Amount Due	Enclosed
\$10,375.00	

Please detach top portion and return with your payment.

Activity	Quantity	Rate	Amount
• Change order for additional troubleshooting and startup services at Well 3/4. • PO 36820	1	10,375.00	10,375.00
<b>Total</b>			<b>\$10,375.00</b>

Ripple Industries appreciates the opportunity of doing business with you. If you have any questions regarding information provided herein, please contact your Ripple Industries accounts manager.

	<b>TOWN OF FLORENCE COUNCIL ACTION FORM</b>	<b><u>AGENDA ITEM</u> 7d.</b>
<b>MEETING DATE:</b> May 18, 2015  <b>DEPARTMENT:</b> Administration  <b>STAFF PRESENTER:</b> Jennifer Evans, Management Analyst  <b>SUBJECT:</b> Resignation of Chairman Tom Celaya from the Arts and Culture Commission		<input checked="" type="checkbox"/> <b>Action</b> <input type="checkbox"/> <b>Information Only</b> <input type="checkbox"/> <b>Public Hearing</b> <input type="checkbox"/> <b>Resolution</b> <input type="checkbox"/> <b>Ordinance</b> <input type="checkbox"/> <b>Regulatory</b> <input type="checkbox"/> <b>1<sup>st</sup> Reading</b> <input type="checkbox"/> <b>2<sup>nd</sup> Reading</b> <input type="checkbox"/> <b>Other</b>

**RECOMMENDED MOTION/ACTION:**

Accept the resignation of Chairman Tom Celaya from the Arts and Culture Commission.

**BACKGROUND/DISCUSSION:**

Chairman Tom Celaya was appointed to the newly formed Arts and Culture Commission on January 5, 2015 for a three year term and was assigned as the Chairman for a one year period, per Town Code. Chairman Celaya has been instrumental in establishing the initial mission and direction of the Arts and Culture Commission for the past few months.

Beginning on May 4, 2015, Chairman Celaya began employment with the Town of Florence as the Facilities Manager. Per Town Code, Town employees are not eligible for appointment to any board, commission and committee of the Town. For that reason, Chairman Celaya tendered his resignation from the Arts and Culture Commission effective May 4, 2015.

**FINANCIAL IMPACT:**

None

**STAFF RECOMMENDATION:**

Staff recommends acceptance of Chairman Tom Celaya's resignation from the Arts and Culture Commission.

**ATTACHMENTS:**

Resignation Letter from Chairman Tom Celaya

Dear Mayor, Council and Arts and Culture Commission,

I am writing to officially tender my resignation from the Arts and Culture Commission effective May 4<sup>th</sup> 2015

As a former Council member recognizing the void of an official Town Arts program, I was excited to participate in igniting the spark that has brought us to this point. I appreciate greatly the opportunity, although short, to serve on the committee. I am optimistic that great things will come to the Town of Florence through this activity. I leave with confidence that the current committee members, staff and liaison share the same excitement for enhancing our community that I have. I could not ask for a better group of colleagues.


I will be accepting a position of employment with the Town of Florence and per Town policy, I am not eligible to participate on a Town Board or Commission.

If you have any questions, I will be happy to discuss this decision with you further.

Best wishes,

A handwritten signature in black ink, appearing to read 'Tom Celaya', with a stylized, flowing script.

Tom Celaya

	<b>TOWN OF FLORENCE COUNCIL ACTION FORM</b>	<b><u>AGENDA ITEM</u></b> <b>7e.</b>
<b>MEETING DATE:</b> May 18, 2015  <b>DEPARTMENT:</b> Finance/Grants  <b>STAFF PRESENTER:</b> Ernest Feliz, Grants and Assessment Manager/ Daniel Hughes, Police Chief  <b>SUBJECT:</b> Resolution No. 1520-15: to accept grant funds awarded for the Arizona Criminal Justice Commission (ACJC) National Criminal History Improvement Program (NCHIP).		<input checked="" type="checkbox"/> <b>Action</b> <input type="checkbox"/> <b>Information Only</b> <input type="checkbox"/> <b>Public Hearing</b> <input checked="" type="checkbox"/> <b>Resolution</b> <input type="checkbox"/> <b>Ordinance</b> <input type="checkbox"/> <b>Regulatory</b> <input type="checkbox"/> <b>1<sup>st</sup> Reading</b> <input type="checkbox"/> <b>2<sup>nd</sup> Reading</b> <input type="checkbox"/> <b>Other</b>

**RECOMMENDED MOTION/ACTION:**

Motion to adopt Resolution No. 1520-15: A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, AUTHORIZING THE TOWN TO ENTER INTO A GRANT AGREEMENT WITH THE ARIZONA CRIMINAL JUSTICE COMMISSION (ACJC) NATIONAL CRIMINAL HISTORY IMPROVEMENT PROGRAM (NCHIP).

**BACKGROUND/DISCUSSION:**

The National Criminal History Improvement Program has offered \$29,694 to the Town of Florence Police Department to purchase an electronic booking station, which would accurately and immediately process department detainees, as well as members of the general public requesting fingerprints for clearance cards. Presently, the Department takes fingerprints by hand and submits the information on paper. This system can take as long as six weeks to complete, and is subject to inaccuracies.

**FINANCIAL IMPACT:**

Arizona Criminal Justice Commission National Criminal History Improvement Program is awarding \$29,694. The Town is required to provide a 12% match (\$4,084.00). The match amount will be paid from Pinal County RICO funds made available to the Florence Police Department.

**STAFF RECOMMENDATION:**

Staff recommends the Council adopt Resolution No. 1520-15 to approve the grant agreement from the Arizona Criminal Justice Commission National Criminal History Improvement Program.

**ATTACHMENTS:**

Resolution No. 1520-15  
Grant Agreement

**RESOLUTION NO. 1520-15**

**A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA,  
AUTHORIZING THE TOWN TO ENTER INTO A GRANT AGREEMENT WITH  
THE ARIZONA CRIMINAL JUSTICE COMMISSION (ACJC) NATIONAL  
CRIMINAL HISTORY IMPROVEMENT PROGRAM (NCHIP).**

**R E C I T A L S**

**WHEREAS, THIS GRANT-IN-AID** ("Grant") is entered into as of the 18th day of May, 2015, by and between the ARIZONA CRIMINAL JUSTICE COMMISSION ("ACJC") NATIONAL CRIMINAL HISTORY IMPROVEMENT PROGRAM (NCHIP) and The Town of Florence, an Arizona municipal corporation, (the "TOWN").

**NOW THEREFORE**, it is hereby acknowledged that the ACJC now has the authority to administer and subsequently award federal grant funds to local law enforcement agencies to increase their ability to ensure the safety of the general public; and

**WHEREAS**, this program is administered through the ACJC; and

**WHEREAS**, the Town of Florence, through its Police Department, has expressed an interest in obtaining valuable equipment that can be obtained with grant funds made available through this program; and

**WHEREAS**, ACJC has now awarded such grant funds in the amount of \$29,694 to the TOWN for the purchase of an electronic booking station that will accurately and immediately process department detainees, as well as members of the general public requesting fingerprints for clearance cards; and

**WHEREAS**, it is necessary to execute the agreement by formal resolution of the Mayor and Town Council, and that this resolution shall hereby be made a part thereof and incorporated into the agreement; and

**WHEREAS**, ACJC is authorized to enter into this agreement pursuant to A.R.S. § 41-2405 (B) (6).

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Town of Florence, Arizona, that the Town of Florence Town Council hereby authorizes the Mayor of the Town of Florence to execute the National Criminal History Improvement Program Grant Agreement with ACJC.

**PASSED AND ADOPTED** by the majority vote of the Town Council of the Town of Florence, Arizona, on the 18<sup>th</sup> day of May 2015.

---

Tom J. Rankin, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

---

Lisa Garcia, Town Clerk

---

Clifford L. Mattice, Town Attorney



ARIZONA CRIMINAL JUSTICE COMMISSION  
NATIONAL CRIMINAL HISTORY IMPROVEMENT PROGRAM  
GRANT AGREEMENT

ACJC Grant Number NCP14-15-007  
Catalog of Federal Domestic Assistance (CFDA) Number 16.554

This Grant Agreement is made this 1<sup>ST</sup> day of May, 2015, by and between the ARIZONA CRIMINAL JUSTICE COMMISSION hereinafter called "COMMISSION" and the STATE OF ARIZONA, through the FLORENCE POLICE DEPARTMENT hereinafter called "GRANTEE". The COMMISSION enters into this Agreement pursuant to its authority under the provisions of A.R.S. § 41-2405 (B) (6), and having satisfied itself as to the qualification of GRANTEE;

NOW, THEREFORE, it is agreed between the parties as follows:

1. This Agreement will commence on May 1, 2015 and terminate on March 31, 2016. This Agreement expires at the end of the award period unless prior written approval for an extension has been obtained from the COMMISSION. A request for an extension must be received by the COMMISSION sixty (60) days prior to the end of the award period. The COMMISSION in its sole discretion may approve an extension that further the goals and objectives of the program and shall determine the length of any extension.
2. GRANTEE agrees that grant funds will be used in accordance with applicable program rules, guidelines and special conditions.
3. The COMMISSION will monitor GRANTEE performance against program goals and performance standards and those outlined in the grant application. Substandard performance as determined by the COMMISSION will constitute noncompliance with this Agreement. If the COMMISSION finds noncompliance, the GRANTEE will receive a written notice which identifies the area of noncompliance, and the appropriate corrective action to be taken. If the GRANTEE does not respond within thirty (30) calendar days to this notice, and does not provide sufficient information concerning the steps which are being taken to correct the problem, the COMMISSION may suspend funding, permanently terminate this Agreement or revoke the grant.
4. Any deviation or failure to comply with the purpose and/or conditions of this Agreement without prior written COMMISSION approval may constitute sufficient reason for the COMMISSION to terminate this Agreement, revoke the grant, require the return of all unspent funds, perform an audit of expended funds, and require the return of any previously spent funds which are deemed to have been spent in violation of the purpose or conditions of this grant.
5. This Agreement may be modified only by a written amendment signed by the Executive Director or by persons authorized by the Executive Director on behalf of the COMMISSION and GRANTEE. Any notice given pursuant to this Agreement shall be in writing and shall be considered to have been given when actually received by the following addressee or their agents or employees:

A. If to the COMMISSION:

Arizona Criminal Justice Commission  
1110 W. Washington Street, Suite 230  
Phoenix, Arizona 85007  
Attn: Program Manager

## B. If to the GRANTEE:

City of Florence Police Department  
425 N. Pinal Pkwy  
Florence, AZ 85132  
Attn: **Chief of Police, Daniel R. Hughes**

6. For grant awards above \$100,000, GRANTEE may make budget adjustments of up to ten (10) percent of the total grant within any approved budget category excluding equipment. Written approval from the COMMISSION in advance is required if GRANTEE wishes to make adjustments or reprogram in excess of ten (10) percent or if GRANTEE wishes to purchase equipment not previously approved.

For grant awards less than \$100,000, the GRANTEE may make budget adjustments within approved categories excluding equipment as long as there are no changes to the purpose or scope of the project. If GRANTEE wishes to purchase equipment not previously approved, written approval from the COMMISSION in advance is required.

APPROVED LINE ITEM PROGRAM BUDGET		
Personnel:		
Salaries		Not Approved
Fringe Benefits (for salaries/overtime)*		Not Approved
Overtime		Not Approved
Professional & Outside/Consultant & Contractual Services		\$ 6,460
Travel In-State		Not Approved
Travel Out-of-State		Not Approved
Confidential Funds		Not Approved
Operating Expenses:		
Supplies		Not Approved
Registration/Training		Not Approved
Other		Not Approved
Equipment		
Capital		\$ 27,318
Noncapital		Not Approved
TOTAL		\$ 33,778

\*Reference the ACJC Grant Management Manual for definition of approved Fringe Benefit

7. The total to be paid by the COMMISSION under this Agreement shall not exceed \$29,694 in federal funds awarded to the COMMISSION by the U.S. Department of Justice (USDOJ), Office of Justice Programs (OJP). If this grant has a matching requirement GRANTEE understands that other federal grant funds cannot be used as a match for this grant. The matching amount for this award is \$4,084.
8. Every payment obligation of the COMMISSION under this Agreement is conditioned upon the availability of funds appropriated or allocated for the payment of such obligation. If funds are not allocated and available for the continuance of this Agreement, this Agreement may be terminated by the COMMISSION. No liability shall accrue to the COMMISSION in the event this provision is exercised, and the COMMISSION shall not be obligated or liable for any future payments or for any damages as a result of termination under this paragraph.
9. GRANTEE agrees that if it currently has an open award of federal funds or if it receives an award of federal funds other than this award, and those award funds have been, are being or are to be used, in whole or in part, for one or more of the identical cost items for which funds are being provided under this award, GRANTEE will promptly notify, in writing, the

COMMISSION, and if so requested by the COMMISSION, seek a budget modification or change-of-project-scope grant adjustment notice (GAN) to eliminate any inappropriate duplication of funding.

10. GRANTEE agrees to retain all books, account reports, files and other records, (paper and/or electronic) relating to this Agreement and the performance of this Agreement for no less than five (5) years from the last financial report submitted to the COMMISSION. All such documents shall be subject to inspection and audit at reasonable times, including such records of any subgrantee, contractor, or subcontractor. GRANTEE also understands and agrees that USDOJ and the United States General Accounting Office (USGAO) are authorized to interview any officer or employee of the GRANTEE (or of any subgrantee, contractor, or subcontractor) regarding transactions related to this award.
11. GRANTEE agrees that activities funded under this award will be closely coordinated with related activities supported with Office of Justice Programs (OJP), State, local or tribal funds. Grant funds may only be used for the purposes in the GRANTEE's approved application. GRANTEE shall not undertake any work or activities not described in the grant application, including staff, equipment, or other goods or services without prior approval from the COMMISSION.
12. GRANTEE agrees to track, account for, and report on all funds (including specific outcomes and benefits) separately from all other funds for the same or similar purposes or programs.  
  
Accordingly, the accounting systems of GRANTEE and all subgrantees must ensure that funds from this award are not commingled with funds from any other source.
13. GRANTEE agrees to abide by Federal and State laws and provide accounting, auditing and monitoring procedures to safeguard grant funds and keep such records to assure proper fiscal controls, management and the efficient disbursement of grant funds.
14. For the purpose of this grant, a capital expenditure is \$5,000 or above. If GRANTEE'S policy defines a capital expenditure as less than \$5,000, GRANTEE will use its own policy.
15. GRANTEE agrees to maintain property records for equipment purchased with grant funds and perform a physical inventory and reconciliation with property records at least every two years or more frequently based on GRANTEE policy. GRANTEE agrees that funds will not be used for the construction of new facilities.
16. GRANTEE agrees to follow equipment disposition policies outlined in *OMB Circulars A-102 or 2 CFR, Part 215 Uniform Administrative Requirements for Grants and Cooperative Agreements* as codified in (1) 28 CFR, Part 66 or (2) 28 CFR, Part 70 when the equipment is no longer needed for the grant program.  
**Link:** *OMB Circulars* [http://www.whitehouse.gov/omb/grants\\_attach/](http://www.whitehouse.gov/omb/grants_attach/)
17. GRANTEE agrees that all salaried personnel (including subgrantee personnel) whose activities are to be charged to the award will maintain timesheets or certifications to document hours worked for activities related to this award and non-award related activities. GRANTEE agrees to keep time and attendance sheets for hourly employees signed by the employee and supervisory official having firsthand knowledge of the work performed by the grant-funded employees.
18. GRANTEE agrees that it will submit financial and activity reports to the COMMISSION in a format provided by the COMMISSION, documenting the activities supported by these grant funds and providing an assessment of the impact of these activities which may include documentation of project milestones. In the event reports are not received on or before the

indicated date(s), funding may be suspended until such time as delinquent report(s) are received.

19. These reports are to be submitted according to the following schedule(s):

<b>ACTIVITY REPORTS</b>	
<b>Report Period:</b>	<b>Due Date:</b>
October 1 to December 31	January 15
January 1 to March 31	April 15
April 1 to June 30	July 15
July 1 to September 30	October 15

<b>FINANCIAL REPORTS</b>	
<b>Report Period:</b>	<b>Due Date:</b>
October 1 to December 31	January 15
January 1 to March 31	April 15
April 1 to June 30	July 15
July 1 to September 30	October 15

Additional reporting requirements may be required for GRANTEES who are considered high risk.

20. GRANTEE understands that financial reports are required as an accounting of expenditures for either reimbursement or COMMISSION-approved advance payments.
21. The final request for reimbursement of grant funds must be received by the COMMISSION no later than sixty (60) days after the last day of the award period.
22. All goods and services must be received or have reasonable expectations thereof and placed in service by GRANTEE by the expiration of this award.
23. GRANTEE agrees that all encumbered funds must be expended and that goods and services must be paid by GRANTEE within sixty (60) days of the expiration of this award.
24. GRANTEE agrees to remit all unexpended grant funds to the COMMISSION within thirty (30) days of written request from the COMMISSION.
25. GRANTEE agrees to account for interest earned on federal grant funds and shall remit interest earned in excess of the allowable amount as indicated in the *Office of Justice Programs Financial Guide*.  
**Link:** *OJP Financial Guide* <http://www.ojp.usdoj.gov/financialguide/>
26. GRANTEE agrees to obtain written COMMISSION approval for all sole source procurements in excess of \$150,000.
27. GRANTEE agrees to obtain written COMMISSION approval prior to the expenditure of grant funds for consultant fees in excess of \$650 per day.
28. GRANTEE agrees to not use federal grant funds to pay cash compensation (salary plus bonuses) to any employee paid by the grant at a rate that exceeds 110% of the maximum annual salary payable to a member of the federal government's Senior Executive Service (SES)

- at an agency with a Certified SES Performance Appraisal System for that year. (An award recipient may compensate an employee at a higher rate, provided the amount in excess of this compensation limitation is paid with non-federal funds.) Unless otherwise noted in the grant solicitation.
29. GRANTEE agrees not to use grant funds for food and/or beverage unless explicitly approved in writing by the COMMISSION.
  30. GRANTEE agrees to comply with all applicable laws, regulations, policies and guidance (including specific cost limits, prior approvals and reporting requirements, where applicable) governing the use of grant funds for expenses related to conferences, meetings, trainings, and other events, including the provision of food and/or beverages at such events, and costs of attendance at such events unless explicitly approved in writing by the COMMISSION. Information on pertinent laws, regulations, policies, and guidance is available in the OJP Financial Guide Conference Cost Chapter.
  31. No funds shall be used to supplant federal, state, county or local funds that would otherwise be made available for such purposes. Supplanting means the deliberate reduction of state or local funds because of the existence of any grant funds.
  32. GRANTEE assigns to the COMMISSION any claim for overcharges resulting from antitrust violations to the extent that such violations concern materials or services applied by third parties to GRANTEE in exchange for grant funds provided under this Agreement.
  33. The parties agree to use arbitration in the event of disputes in accordance with the provisions of A.R.S. § 12-1501-12-1518. The laws of the State of Arizona apply to questions arising under this Agreement and any litigation regarding this Agreement must be maintained in Arizona courts, except as pertaining to disputes which are subject to arbitration.
  34. GRANTEE understands that grant funds may not be released until all delinquent reports and reversion of funds from prior grants are submitted to the COMMISSION.
  35. GRANTEE agrees that grant funds are not to be expended for any indirect costs that may be incurred by GRANTEE for administering these funds unless explicitly approved in writing by the COMMISSION. This may include, but is not limited to, costs for services such as accounting, payroll, data processing, purchasing, personnel, and building use which may have been incurred by the GRANTEE.
  36. Each party (as "Indemnitor") agrees to defend, indemnify, and hold harmless the other party (as "Indemnitee") from and against any and all claims, losses, liability, costs, or expenses, (including reasonable attorney's fees) (hereinafter collectively referred to as "Claims") arising out of bodily injury of any person (including death) or property damage, but only to the extent that such Claims which result in vicarious/derivative liability to the Indemnitee are caused by the act, omission, negligence, misconduct, or other fault of the Indemnitor, its officers, officials, agents, employees, or volunteers. If the GRANTEE is a State agency, board, commission, or university of the State of Arizona, this paragraph shall not apply.
  37. Should GRANTEE utilize a contractor(s) and subcontractor(s) the indemnification clause between GRANTEE and its contractor(s) and subcontractor(s) shall include the following:

Contractor shall defend, indemnify, and hold harmless the GRANTEE and the State of Arizona, and any jurisdiction or agency issuing any permits for any work arising out of this Agreement, and its departments, agencies, boards, commissions, universities, officers, officials, agents, and employees (hereinafter referred to as "Indemnitee") from and against any and all claims, actions, liabilities, damages, losses, or expenses (including court costs, attorneys' fees, and

costs of claim processing, investigation and litigation) (hereinafter referred to as "Claims") for bodily injury or personal injury (including death), or loss or damage to tangible or intangible property caused, or alleged to be caused, in whole or in part, by the negligent or willful acts or omissions of the contractor or any of the directors, officers, agents, or employees or subcontractors of such contractor. This indemnity includes any claim or amount arising out of or recovered under the Workers' Compensation Law or arising out of the failure of such contractor to conform to any federal, state or local law, statute, ordinance, rule, regulation or court decree. It is the specific intention of the parties that the Indemnitee shall, in all instances, except for Claims arising solely from the negligent or willful acts or omissions of the Indemnitee, be indemnified by such contractor from and against any and all claims. It is agreed that such contractor will be responsible for primary loss investigation, defense and judgment costs where this indemnification is applicable. Additionally on all applicable insurance policies, contractor and its subcontractors shall name the State of Arizona, and its departments, agencies, boards, commissions, universities, officers, officials, agents, and employees as an additional insured and also include a waiver of subrogation in favor of the State. Insurance requirements for any contractor used by GRANTEE are incorporated herein by this reference and attached to this Agreement as Exhibit "A".

38. GRANTEE agrees to notify the COMMISSION within ten (10) days in the event that the project official is replaced during the award period.
39. No rights or interest in this Agreement shall be assigned by GRANTEE without prior written approval of the COMMISSION.
40. GRANTEE will comply with the audit requirements of *OMB Circular A-133 Audits of States, Local Governments and Non-Profit Organizations* and provide the COMMISSION with the audit report and any findings within 90 days of receipt of such finding. If the report contains no findings, the GRANTEE must provide notification that the audit was completed.  
**Link:** *OMB Circulars:* [http://www.whitehouse.gov/omb/grants\\_attach/](http://www.whitehouse.gov/omb/grants_attach/)
41. GRANTEE certifies that it will comply with *OMB Circulars A-102 and 2 CFR, Part 215 Uniform Administrative Requirements for Grants and Cooperative Agreements* as codified in (1) 28 CFR, Part 66.32 or (2) 28 CFR, Part 70.34 and *Cost Principles (1) 2 CFR, Part 225, (2) 2 CFR, Part 220 or (3) 2 CFR, Part 230*, the OJP Financial Guide and the most current version of the ACJC Grant Management Reference Manual.  
**Link:** *OMB Circulars* [http://www.whitehouse.gov/omb/grants\\_attach/](http://www.whitehouse.gov/omb/grants_attach/)  
OJP Financial guide: <http://www.ojp.usdoj.gov/financialguide/>  
ACJC Grant Management Reference Manual:  
[http://www.azcjc.gov/ACJC.Web/pubs/home/021104\\_Manual\\_GrantReferenceManual.pdf](http://www.azcjc.gov/ACJC.Web/pubs/home/021104_Manual_GrantReferenceManual.pdf)
42. GRANTEE agrees that it cannot use any federal funds, either directly or indirectly, in support of any contract or sub award to either the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries, without the express written approval of the Office of Justice Programs through the COMMISSION.
43. GRANTEE understands and agrees that misuse of award funds may result in a range of penalties, including suspension of current and future funds, suspension or debarment from federal grants, recoupment of monies provided under an award, and civil and/or criminal penalties.
44. GRANTEE agrees not to do business with any individual, agency, company or corporation listed in the Excluded Parties Listing Service.  
**Link:** *System for Award Management* <https://www.sam.gov/portal/public/SAM/>

45. GRANTEE agrees to ensure that, no later than the due date of the GRANTEE's first financial report after the award is made, GRANTEE and any SubGrantee have a valid DUNS profile and active registration with the System for Award Management (SAM) database.
46. GRANTEE certifies that it presently has no financial interest and shall not acquire any financial interest, direct or indirect, which would conflict in any manner or degree with the performance of services required under this Agreement.
47. GRANTEE understands and agrees that any training or training materials developed or delivered with funding provided under this award must adhere to the *OJP Training Guide Principles for Grantees and Sub grantees*.  
**Link:** *OJP Training Guide Principles for Grantees and Sub grantees*  
<http://www.ojp.usdoj.gov/funding/ojptrainingguidingprinciples.htm>
48. GRANTEE agrees to cooperate and participate with any and all assessments, evaluation efforts or information and data collection requests, and acknowledges that the federal or state grantor agency has the right to obtain, reproduce, publish or use data provided under this award and may authorize others to receive and use such information.
49. GRANTEE shall provide the COMMISSION with a copy of all interim and final reports and proposed publications (including those prepared for conferences and other presentations) resulting from this Agreement. Submission of such materials must be prior to or simultaneous with their public release.
50. GRANTEE agrees that any publications (written, visual, or sound) excluding press releases and newsletters, whether published at the GRANTEE'S or COMMISSION'S expense, shall contain the following statement:

"This was supported by Award No. 16.554 awarded by the Bureau of Justice Statistics, Office of Justice Programs, and U.S. Department of Justice. The opinions findings, and conclusions or recommendations expressed in this publication/program/exhibition are those of the author(s) and do not necessarily reflect the views of the Department of Justice."

51. GRANTEE agrees to comply with the non-discrimination requirements of the Omnibus Crime Control and Safe Streets Act of 1968, 42 USC §3789d(c)(1); Title VI of the Civil Rights Act of 1964, 42 USC §2000d; Section 504 of the Rehabilitation Act of 1973, 29 USC § 794; Subtitle A, Title II of the Americans with Disabilities Act of 1990, 42 USC § 12132; Title IX of the Education Amendments of 1972, 20 USC § 1681; the Age Discrimination Act of 1975, 42 USC § 6102; the Department of Justice implementing regulations, 28 CFR pt. 42, subpts. C, D, E, G, and I, 28 CFR pt. 35, and 28 CFR pt. 54; all applicable state laws of A.R.S. § 41-1463; and Executive Order 2009-9. The above-referenced federal laws prohibit discrimination on the basis of race, color, religion, sex, disability, and national origin (including limited English proficiency) in the delivery of services and employment practices, and prohibit discrimination on the basis of age in the delivery of services. If in the three years prior to the date of the grant award a Federal or State Court or Federal or State administrative agency makes a finding of discrimination after a due process hearing against GRANTEE, GRANTEE will forward a copy of the findings to the Office for Civil Rights, Office of Justice Programs and the COMMISSION.

"Applicants must certify that Limited English Proficiency persons have meaningful access to the services under this program(s). National origin discrimination includes discrimination on the basis of limited English proficiency (LEP). To ensure compliance with Title VI and the Safe Street Act, the applicant is required to take reasonable steps to ensure that LEP persons have meaningful access to programs. Meaningful access may entail providing language assistance services, including oral and written translation when necessary."

**Link:** *Limited English Proficiency a Federal Interagency Website* <http://www.LEP.gov>

52. GRANTEE agrees to comply with the applicable requirements of 28 CFR Part 38, the Department of Justice regulation governing "Equal Treatment for Faith Based Organizations" (the "Equal Treatment Regulation"). The Equal Treatment Regulation provides in part that Department of Justice financial assistance may not be used to fund any inherently religious activities, such as worship, religious instruction, or proselytization. Recipients of Department of Justice financial assistance may still engage in inherently religious activities, but such activities must be separate in time or place from the Department of Justice funded program, and participation in such activities by individuals receiving services from GRANTEE must be voluntary. The Equal Treatment Regulation also makes clear that organizations participating in programs receiving financial assistance from the Department of Justice are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion. Notwithstanding any other special condition of this award, faith-based organizations may, in some circumstances, consider religion as a basis for employment.  
**Link:** [http://www.ojp.usdoj.gov/about/ocr/equal\\_fbo.htm](http://www.ojp.usdoj.gov/about/ocr/equal_fbo.htm)
53. GRANTEE should be mindful that the misuse of arrest or conviction records to screen either applicants for employment or employees for retention or promotion may have a disparate impact based on race or national origin, resulting in unlawful employment discrimination. As of June 2013 OJP has issued an advisory that grantees should consult local counsel in reviewing their employment practices. If warranted, grantees should also incorporate an analysis of the use of arrest and conviction records in their Equal Employment Opportunity Plan (EEOP). See Advisory for Recipients of Financial Assistance from the U.S. Department of Justice on the U.S. Equal Employment Opportunity Commission's Enforcement Guidance: Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964 (June 2013), available at [http://www.ojp.gov/about/ocr/pdfs/UseofConviction\\_Advisory.pdf](http://www.ojp.gov/about/ocr/pdfs/UseofConviction_Advisory.pdf).
54. GRANTEE assures that it will comply with all state and federal laws regarding privacy during the course of the award. All information relating to clients is to be treated with confidentiality in accordance with 42 USC section 3789g or 42 USC 14132(b)(3) that are applicable to the collection, disclosure, use and revelation of data information. GRANTEE further agrees to submit a privacy Certificate that is in accordance with requirements of 28 CFR Part 22 if applicable to the program.
55. GRANTEE agrees to formulate and keep on file an EEOP (if GRANTEE is required pursuant to 28 CFR 42.302). GRANTEE certifies that they have forwarded to the Office for Civil Rights, Office of Justice Programs the EEOP, or certifications that they have prepared and have on file an EEOP, or that they are exempt from EEOP requirements. Failure to comply may result in suspension of grant funds. Copies of all submissions such as certifications to or correspondence with the Office for Civil Rights, Office of Justice Programs regarding this requirement must be provided to the COMMISSION by GRANTEE. In the event a federal or state court or federal or state administrative agency makes an adverse finding of discrimination against GRANTEE after a due process hearing, on the ground of race, color, religion, national origin, or sex, GRANTEE will forward a copy of the findings to the Office for Civil Rights, Office of Justice Programs and the COMMISSION.
56. GRANTEE agrees to participate in any required civil rights related training to ensure compliance with all federal and state civil rights laws. GRANTEE will inform the COMMISSION of the position responsible for civil rights compliance and will inform the COMMISSION of change in personnel responsible for civil rights compliance within ten days.  
**Link:** <http://azcjc.gov/ACJC.Web/Grants/civilrights/default.aspx>
57. To support public safety and justice information sharing, GRANTEE, if a governmental subdivision, shall use the National Information Exchange Model (NIEM) specifications and guidelines for this grant. GRANTEE shall publish and make available without restrictions all

schemas generated as a result of this grant to the component registry as specified in the guidelines.

**Link:** <https://www.niem.gov/aboutniem/grant-funding/Pages/implementation-guide.aspx>

58. In order to promote information sharing and enable interoperability among disparate systems across the justice and public safety community, OJP requires the grantee to comply with DOJ's Global Justice Information Sharing Initiative (DOJ's Global) guidelines and recommendations for this particular grant. Grantee shall conform to the Global Standards Package (GSP) and all constituent elements, where applicable, as described at:

**Link:** [http://www.it.ojp.gov/gsp\\_grantcondition](http://www.it.ojp.gov/gsp_grantcondition).

Grantee shall document planned approaches to information sharing and describe compliance to the GSP and appropriate privacy policy that protects shared information, or provide detailed justification for why an alternative approach is recommended.

59. To avoid duplicating existing networks or IT systems in any initiatives for law enforcement information sharing systems which involve interstate connectivity between jurisdictions, such systems shall employ, to the extent possible, existing networks as the communication backbone to achieve interstate connectivity, unless GRANTEE can demonstrate to the satisfaction of the COMMISSION that this requirement would not be cost beneficial or would impair the functionality of an existing or proposed IT system.
60. If GRANTEE is a governmental political subdivision, the GRANTEE should, to the extent possible and practical; share criminal justice information with other authorized criminal justice agencies. The process control number (PCN) shall be used in accordance with A.R.S. § 41-1750 when sharing data with other criminal justice agencies as electronic data systems are developed or improved.
61. If GRANTEE is a state agency and the award is for the development of information technology projects for more than \$25,000, GRANTEE must complete a Project Investment Justification (PIJ) and submit the justification to the Arizona Department of Administration (ADOA), with a copy to the COMMISSION. GRANTEE agrees to submit required project status reports to ADOA by the due dates and submit copies to the COMMISSION.

If GRANTEE is not a state agency and the award is for the development of information technology projects, GRANTEE will follow local technology policies and guidelines.

62. GRANTEE must promptly refer to the COMMISSION any credible evidence that a principal, employee, agent, contractor, SubGrantee, or other person has either 1) submitted a false claim for grant funds under the False Claims Act; or 2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving grant funds. The COMMISSION shall forward the referral to the Department of Justice, Office of the Inspector General.
63. The COMMISSION encourages GRANTEE to establish workplace safety policies and conduct education, awareness and other outreach to decrease crashes caused by distracted drivers, including adopting and enforcing policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this grant. Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 2009).
64. GRANTEE certifies to comply with the Drug-Free Workplace Act of 1988, and implemented in 28 CFR Part 83, Subpart F, for grantees, as defined in 28 CFR, Part 83 Sections 83.620 and 83.650.

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65. GRANTEE agrees to complete and keep on file, as appropriate, Immigration and Naturalization Form (I-9). This form is to be used by recipients to verify that persons are eligible to work in the United States. Additionally GRANTEE ensures compliance with A.R.S. § 41-4401 federal immigration laws by state employers and contractors.
  66. GRANTEE acknowledges that immigration laws require them to register and participate with the E-Verify program (employment verification program administered by the United States Department of Homeland Security and the Social Security Administration or any successor program) as they both employ one or more employees in this state. GRANTEE warrants that they have registered with and participate with E-Verify. If the GRANTOR later determines that the GRANTEE has not complied with E-Verify, it will notify the non-compliant GRANTEE by certified mail of the determination and of the right to appeal the determination.
  67. GRANTEE certifies that no federal funds will be paid, by or on behalf of, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into any cooperative agreement, and for the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan or cooperative agreement. If any funds other than Federal funds are paid or will be paid to any person for influencing or attempting to influence an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal award, grant loan, or cooperative agreement, the GRANTEE will complete and submit to the COMMISSION Standard Form-LLL, "Disclosure Form to Report Lobbying" in accordance with its instructions.
  68. GRANTEE understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy at any level of government, without the express prior written approval of the Commission.
  69. GRANTEE agrees that no funds provided, or personnel employed under this Agreement shall be in any way, or to any extent, engaged in conduct of political activities in violation of USC Title 5, Part II, Chapter 15, section 1502.
  70. GRANTEE understands and agrees that award funds may not be used to discriminate against or denigrate the religious or moral beliefs of students who participate in programs for which financial assistance is provided from those funds, or of the parents or legal guardians of such students.
  71. GRANTEE understands and agrees that- (a) no award funds may be used to maintain or establish a computer network unless such network blocks the viewing, downloading and exchanging or pornography, and (b) nothing in subsection (a) limits the use of funds necessary for any Federal, State, tribal or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.
  72. GRANTEE agrees to comply with all federal, state and local environmental laws and regulations applicable to the development and implementation of activities to be funded under this award. Additional requirements may be found in Grant Agreement Continuation Sheet.
  73. GRANTEE agrees that all income generated as a direct result of this award shall be deemed program income. All program income must be accounted for and used for the purpose under the conditions applicable for the use of funds under this award, including the effective edition of the OJP Financial Guide and, as applicable, either (1) 28 CFR part 66 or (2) 28 CFR part 70 and OMB Circular A-102 & 2 CFR 215.

74. This Agreement is subject to cancellation pursuant to the provision of A.R.S. § 38-511. This Agreement may also be cancelled at the COMMISSION'S discretion if not returned with authorized signatures to the COMMISSION within 90 days of commencement of the award.
75. If any provision of this Agreement is held invalid, the remainder of the Agreement shall not be affected thereby and all other parts of this Agreement shall be in full force and effect.
76. GRANTEE agrees to comply with all Special Condition(s) included with this Agreement on the Grant Agreement Continuation Sheet.
77. GRANTEE understands that grant funds may not be released until GRANTEE is compliant with all requirements of grant agreement.

Arizona Criminal Justice Commission  
**NATIONAL CRIMINAL HISTORY IMPROVEMENT PROGRAM**  
**GRANT AGREEMENT CONTINUATION SHEET**  
**SPECIAL CONDITION(S)**

1. GRANTEE must verify Agency Point of Contact (APOC), Financial Point of Contact (FPOC), Program Point of Contact (PPOC), and Authorized Official contact information in the Grants Management System (GMS), including telephone number and e-mail address. If any information is incorrect or has changed, a Grant Adjustment Notice (GAN) must be submitted via the GMS to document changes. In addition the FPOC and PPOC must be assigned by the APOC prior to payments being made.
2. GRANTEE assures if they are a state agency that the State Information Technology Point of Contact receive written notification regarding any information technology project funded by this grant. GRANTEE agrees to keep on file documentation showing that it has met this requirement.
3. GRANTEE agrees that if any criminal justice information systems developed, designed, implemented or upgraded with these grant funds will be compatible, where applicable with the National Incident-Based Reporting System (NIBRS), the National Crime Information Center system (NCIC), the National Criminal Instant Background Check System (NICS), the Integrated Automated Fingerprint Identification System (IAFIS) that will conform to the American National Standards Institute (ANSI) standard data format for interchange of fingerprint information (ANSI/NIST-CLS-I-1993), National Sex Offender Registry, National Protective Order file, and other reporting standards of the FBI, and applicable statewide or regional criminal justice information sharing standards and plans.
4. GRANTEE has or intends to establish a program that enters into the National Crime Information Center (NCIC) records of: (a) Protection orders for the protection of persons from stalking or domestic violence; (b) Warrants for the arrest of persons violating protection orders intended to protect victims from stalking or domestic violence; and (c) Arrests or convictions of persons violating protection orders intended to protect victims from stalking or domestic violence.
5. GRANTEE agrees that projects supported with these funds will coordinate with federal, state and local homeland security and pre-sale of firearms checks as appropriate.
6. GRANTEE agrees that AFIS (Automated Fingerprint Identification System) equipment purchased under this award will conform to the American National Standards Institute (ANSI) Standard, "Data Format for the Interchange of Fingerprint, Facial & Other Biometric Information" (ANSI/NIST-ITL 1-2007 PART 1) and other reporting standards of the FBI.

Authorized Official Initials: \_\_\_\_\_

IN WITNESS WHEREOF, the parties have made and executed the Agreement the day and year first above written.

**FOR GRANTEE:**

\_\_\_\_\_  
Authorized Official

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name and Title

**Approved as to form and authority to enter into Agreement:**

\_\_\_\_\_  
Legal counsel for GRANTEE

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name and Title

**Statutory or other legal authority to enter into Agreement:**

\_\_\_\_\_  
Appropriate A.R.S., ordinance, or charter reference

**FOR CRIMINAL JUSTICE COMMISSION:**

\_\_\_\_\_  
John A. Blackburn Jr., Executive Director  
Arizona Criminal Justice Commission

\_\_\_\_\_  
Date



**ARIZONA CRIMINAL JUSTICE COMMISSION  
GRANT AGREEMENT**

**Insurance Requirements  
Exhibit "A"**

***Insurance Requirements for Governmental Parties to a Grant Agreement:***

None.

***Insurance Requirements for Any Contractors Used by a Party to the Grant Agreement:***

(Note: this applies only to Contractors used by a governmental entity, not to the governmental entity itself.) The insurance requirements herein are minimum requirements and in no way limit the indemnity covenants contained in the Intergovernmental Agreement. The State of Arizona in no way warrants that the minimum limits contained herein are sufficient to protect the governmental entity or Contractor from liabilities that might arise out of the performance of the work under this Contract by the Contractor, his agents, representatives, employees or subcontractors, and Contractor and the governmental entity are free to purchase additional insurance.

- A. **MINIMUM SCOPE AND LIMITS OF INSURANCE:** Contractor shall provide coverage with limits of liability not less than those stated below.

**1. Commercial General Liability – Occurrence Form**

Policy shall include bodily injury, property damage, personal injury and broad form contractual liability.

- |  |             |
|--|-------------|
| • General Aggregate                                | \$2,000,000 |
| • Products – Completed Operations Aggregate        | \$1,000,000 |
| • Personal and Advertising Injury                  | \$1,000,000 |
| • Blanket Contractual Liability – Written and Oral | \$1,000,000 |
| • Fire Legal Liability                             | \$50,000    |
| • Each Occurrence                                  | \$1,000,000 |

- a. The policy shall be endorsed to include the following additional insured language: ***"The State of Arizona, its departments, agencies, boards, commissions, universities and its officers, officials, agents, and employees shall be named as additional insureds with respect to liability arising out of the activities performed by or on behalf of the Contractor".***

*(Note that the other governmental entity (ies) is/are also required to be additional insured(s) and they should supply the Contractor with their own list of persons to be insured.)*

- b. Policy shall contain a waiver of subrogation against the State of Arizona, its departments, agencies, boards, commissions, universities and its officers, officials, agents, and employees for losses arising from work performed by or on behalf of the Contractor.

## Exhibit "A" Page 2

2. **Business Automobile Liability**

Bodily Injury and Property Damage for any owned, hired, and/or non-owned vehicles used in the performance of this Contract.

Combined Single Limit (CSL) \$1,000,000

- a. The policy shall be endorsed to include the following additional insured language: ***"The State of Arizona, its departments, agencies, boards, commissions, universities and its officers, officials, agents, and employees shall be named as additional insureds with respect to liability arising out of the activities performed by or on behalf of the Contractor, involving automobiles owned, leased, hired or borrowed by the Contractor".***
- b. Policy shall contain a waiver of subrogation against the State of Arizona, its departments, agencies, boards, commissions, universities and its officers, officials, agents, and employees for losses arising from work performed by or on behalf of the Contractor.

*(Note that the other governmental entity (ies) is/are also required to be additional insured(s) and they should supply the Contractor with their own list of persons to be insured.)*

3. **Worker's Compensation and Employers' Liability**

Workers' Compensation	Statutory
Employers' Liability	
Each Accident	\$500,000
Disease – Each Employee	\$500,000
Disease – Policy Limit	\$1,000,000

- a. Policy shall contain a waiver of subrogation against the State of Arizona, its departments, agencies, boards, commissions, universities and its officers, officials, agents, and employees for losses arising from work performed by or on behalf of the Contractor.
- b. This requirement shall not apply to: Separately, EACH contractor or subcontractor exempt under A.R.S. 23-901, AND when such contractor or subcontractor executes the appropriate waiver (Sole Proprietor/Independent Contractor) form.

B. **ADDITIONAL INSURANCE REQUIREMENTS:** The policies are to contain, or be endorsed to contain, the following provisions:

1. The State of Arizona, its departments, agencies, boards, commissions, universities and its officers, officials, agents, and employees *and the other governmental entity* shall be additional insureds to the full limits of liability purchased by the Contractor even if those limits of liability are in excess of those required by the Contract.
2. The Contractor's insurance coverage shall be primary insurance with respect to all other available sources.
3. The Contractor's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insured's liability. Coverage provided by the Contractor shall not be limited to the liability assumed under the indemnification provisions of its Contract with the other governmental entity (ies) party to the IGA.

## Exhibit "A" Page 3

C. **NOTICE OF CANCELLATION:** Each insurance policy required by the insurance provisions of this Agreement shall not be suspended, voided, cancelled, reduced in coverage or in limits except after thirty (30) days prior written notice has been given the State of Arizona. Such notice shall be sent directly to the GRANTEE and the Arizona Criminal Justice Commission 1110 W. Washington, Suite 230, Phoenix, AZ 85007 and shall be sent by certified mail, return receipt requested.

D. **ACCEPTABILITY OF INSURERS:** Insurance is to be placed with duly licensed or approved non-admitted insurers in the State of Arizona with an "A.M. Best" rating of not less than A- VII. The State of Arizona in no way warrants that the above-required minimum insurer rating is sufficient to protect the Contractor from potential insurer insolvency.

E. **VERIFICATION OF COVERAGE:** Contractor shall furnish the GRANTEE and the Arizona Criminal Justice Commission with certificates of insurance (ACORD form or equivalent approved by the State of Arizona) as required by this Agreement. The certificates for each insurance policy are to be signed by a person authorized by that insurer to bind coverage on its behalf.

All certificates and endorsements are to be received and approved before work commences. Each insurance policy required by this Agreement must be in effect at or prior to commencement of work under this Agreement and remain in effect for the duration of the project. Failure to maintain the insurance policies as required by this Agreement, or to provide evidence of renewal, is a material breach of contract.

All certificates required by this Agreement shall be sent directly to the GRANTEE and the Arizona Criminal Justice Commission 1110 W. Washington, Suite 230, Phoenix, AZ 85007. The Commission project/contract number and project description are to be noted on the certificate of insurance. The State of Arizona and the Arizona Criminal Justice Commission reserves the right to require complete, certified copies of all insurance policies required by this Agreement at any time. **DO NOT SEND CERTIFICATES OF INSURANCE TO THE STATE OF ARIZONA'S RISK MANAGEMENT SECTION.**

F. **SUBCONTRACTORS:** Contractor's certificate(s) shall include all subcontractors as insureds under its policies or Contractor shall furnish to the county or local government agency responsible separate certificates for each subcontractor. All coverages for subcontractors shall be subject to the minimum requirements identified above.

G. **APPROVAL:** Any modification or variation from the *insurance requirements* must have prior approval from the State of Arizona Department of Administration, Risk Management Section, whose decision shall be final. Such action will not require a formal contract amendment, but may be made by administrative action.

H. **EXCEPTIONS:** In the event the Contractor or sub-contractor(s) is/are a public entity, then the Insurance Requirements shall not apply. Such public entity shall provide a Certificate of Self-Insurance. If the contractor or sub-contractor(s) is/are a State of Arizona agency, board, commission, or university then none of the above shall apply.

**MINUTES OF THE FLORENCE TOWN COUNCIL MEETING HELD ON MONDAY, APRIL 6, 2015, AT 5:30 P.M., IN THE CHAMBERS OF TOWN HALL, LOCATED AT 775 NORTH MAIN STREET, FLORENCE, ARIZONA.**

**CALL TO ORDER**

Mayor Rankin called the meeting to order at 5:32 p.m.

**ROLL CALL:**

Present: Rankin, Walter, Woolridge, Montañño, Hawkins, Guilin, Anderson

**ADJOURN TO EXECUTIVE SESSION**

**An Executive Session will be held during the Council Meeting for the following pursuant to A.R.S. Section 38-431.03(A)(1) for the purpose of discussion with the Town Manager to discuss Town's organizational structure and the duties and responsibilities of the Town Manager.**

On motion of Councilmember Montañño, seconded by Vice-Mayor Walter, and carried to adjourn to Executive Session.

**ADJOURNMENT FROM EXECUTIVE SESSION**

On motion of Councilmember Hawkins, seconded by Councilmember Montañño, and carried to adjourn from Executive Session.

**MOMENT OF SILENCE**

Mayor Rankin called for a moment of silence.

**PLEDGE OF ALLEGIANCE**

Mayor Rankin led the Pledge of Allegiance.

**CALL TO THE PUBLIC**

**Call to the Public for public comment on issues within the jurisdiction of the Town Council. Council rules limit public comment to three minutes. Individual Councilmembers may respond to criticism made by those commenting, may ask staff to review a matter raised or may ask that a matter be put on a future agenda. However, members of the Council shall not discuss or take action on any matter during an open call to the public unless the matters are properly noticed for discussion and legal action.**

Ms. Ruth Harrison, Florence resident, stated that the signage poll taken by the Florence Reminder had 28 responses with a majority in favor of the vertical signs for Territory

Square; Library and Aquatic Center. She stated that the petition presented to Council at the last meeting was signed by 70 Florence residents and visitors in favor of horizontal signage. She would like this information taken into consideration when reconsidering the previous decision of Council regarding signage for the new buildings.

Ms. Cindy Sills, Florence resident, stated that she is in favor of horizontal signage for Territory Square. She stated that red-tail hawks are nested on the Florence water tower and their eggs should be hatching at any time. She requested that the Town wait on painting the tower until the eggs have hatched and the hawks have flown away.

Ms. Denise Kollert, Florence resident, stated that she is disappointed in the amount of time that has been spent discussing signage for the new library and aquatic center. She stated that she would like the project to move forward and be completed and to see the signage reflect a more modern forward thinking design, such as that reflected in option #1 previously approved by Council.

## **PRESENTATIONS**

### **Proclamation of the Mayor declaring April 2015 as Fair Housing Month in the Town of Florence.**

Ms. Lisa Garcia, Deputy Town Manager/Town Clerk, read the proclamation for the record.

Mayor Rankin declared April 2015 as Fair Housing Month in the Town of Florence.

### **Proclamation of the Mayor declaring April 12-18, 2015 as Week of the Young Child in the Town of Florence.**

Ms. Garcia read the proclamation for the record.

Mr. Brett Haupt, Parent Awareness and Community Outreach Coordinator, stated that in 1962 a study of high-parent engagement was started with 123 pre-school age children. The purpose of the study was to identify the impact of quality early childhood experiences. He stated that the study followed the children through pivotal points in their lives, noting that at the high school graduation level, it was difficult to differentiate from those who children who had received a high-parent engagement quality early childhood experience from those who had not.

Mr. Haupt stated that at the check point, 22 years after the pre-school experience, 70% of those who with a high-parent engagement quality early childhood experience were less likely to commit a violent crime, experience childbirth out of wedlock and less likely to need public assistance such as AHCCCS and welfare. He stated the same group of children, now in their 40's almost 35 years after pre-school, were earning an average of \$500 more a month. He stated that the results of the study showed that the

development in the early years of young children develops their character providing motivation, self-esteem, focus and control.

Mayor Rankin declared April 12-18, 2015 as Week of the Young Child in the Town of Florence and presented Mr. Haupt with the proclamation. He encouraged everyone to participate in the life of a young child and possibly have the opportunity to be a positive influence in their life.

### **Presentation of the Quarterly Financial Report for December 31, 2014.**

Mr. Michael Farina, Finance Director, stated that the quarterly report is the second quarter report for the current fiscal year through December 31, 2014. He stated that the report presents the results of Town revenues, expenditures and fund balances including a comparison of current year actual figures to the budget and prior year.

Mr. Farina presented the following:

- Major Revenues
  - Sales Tax is 15% lower than budget expectations and 11% lower than the prior year.
    - Government construction and food sales tax are slightly ahead of plan.
    - Private construction is down \$160,000 as a result of fewer residential new home sales as projected.
    - General sales tax for retail is lower than projected, resulting in a \$124,000 deficit.
      - Some Town vendors have not paid sales taxes for several months. The Town is following up with the State and the vendors on these past due accounts.
  - State-shared sales tax is 1% lower than budget expectations and 5% ahead of the prior year.
  - State-shared income tax collected was \$1,545,645, which equals budget expectations and 9% ahead of the prior year.
  - Vehicle license tax collected was \$608,107 which is 2% ahead of budget expectations and is 7% greater than the prior year.
  - Highway User Revenue Fund is 5% ahead of budget expectations and is 11% greater than the prior year.
- General Fund
  - Primarily supported by local and State-shared taxes and is the Town's main operating fund accounting for most of the Town's services, including fire and police public safety, culture and recreation, community development and general government administration.
  - The annual budget-projected General Fund revenue, excluding transfers, is \$12,332,800.
  - Total collected at the end of the second quarter was \$6,013,121 which is meeting projections and is \$384,490, or 7%, greater than the prior year.

- General Fund Expenditures
  - General Fund budget, excluding transfers, is \$14,513,600.
  - Total spent was \$6,193,823 or 43% of the budgeted amount and 5% greater than the prior year.
- Highway user Revenue Fund
  - Accounts for operation, maintenance and capital expenditures of Town streets and highways (public works).
  - Revenue collected was \$1,341,899 or 47% of the budget.
    - Transportation excise tax is 7% lower than budget expectation.
  - Expenditures are \$716,954 or 8% of the budget.
    - \$58,443 or 1% of the capital expenditure budget has been spent.
    - The Diversion Dam road improvements project will be starting soon which is budgeted at \$2 million.
- Capital Improvement Fund
  - Supported primarily by construction-related sales tax where \$612,309 or 39% of the budget has been collected. This is 19% lower than the prior year.
  - Expenditures are 17% of budget or \$3,528,898. The second half of the year will show greater expenditures as the new Library and Aquatic Center are under construction at this time and has only had 10% expensed.
- Utility Funds
  - Water Utility Fund has collected 39% of the budgeted revenue with expenses on budget.
  - Wastewater Utility Fund has collected 31% of the budgeted revenue with expenses on a budget.

Mr. Farina stated that the full report will be placed on the Town's website.

Councilmember Anderson inquired as to when the completion deadline is for capital improvements with regards to the expenditure limitations the Town will be experiencing next fiscal year.

Mr. Farina stated that all capital improvement projects must be completed by June 30, 2015; otherwise the carryover cost will count against the Town in regards to the expenditure limitations that Home Rule will be imposing starting July 1, 2015.

Councilmember Anderson inquired if the projects are on schedule to be completed by June 30, 2015; and if not, what is the plan in get the projects completed by June 30, 2015.

Mr. Charles A. Montoya, Town Manager, stated that fields and aquatic center will be completed on time. He stated that the library is behind schedule due to weather related issues. The contractor is working diligently to get caught up but will not know if the June 30, 2015, deadline will be met until the masonry work is completed. He stated that if a project cannot meet the deadline, staff will bring back options to Council based on the situation.

Mayor Rankin stated that most of the revenue sources are down 15% to 20% and inquired what the plan is for the remainder of the fiscal year and next fiscal year.

Mr. Farina stated that he is being conservative for the next fiscal year based on current figures. He does believe the delinquent taxes will be collected before the end of the fiscal year.

**CONSENT: All items on the consent agenda will be handled by a single vote as part of the consent agenda, unless a Councilmember or a member of the public objects at the time the agenda item is called.**

**Adoption of Resolution No. 1505-15:**

Ms. Lisa Garcia, Deputy Town Manager/Town Clerk, read Resolution No. 1505-15 by title only.

**A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, AUTHORIZING THE TOWN TO ENTER INTO A GRANT AGREEMENT WITH THE CITY OF TUCSON POLICE DEPARTMENT REGARDING THE ARIZONA HIGH INTENSITY DRUG TRAFFICKING AREA.**

**Adoption of Resolution No. 1506-15:**

Ms. Lisa Garcia, Deputy Town Manager/Town Clerk, read Resolution No. 1506-15 by title only.

**A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, ACCEPTING NON-EXCLUSIVE PUBLIC ROAD RIGHTS-OF-WAYS FROM THE ARIZONA STATE LAND DEPARTMENT FOR THE EXTENSION OF MERRILL RANCH PARKWAY AND FRANKLIN ROAD AND AUTHORIZING EXECUTION BY THE TOWN MANAGER OF SUPPORTING DOCUMENTS.**

**Approval of an exclusive traffic signal easement between the Town of Florence and Southwest Value Partners (SWV-PTE, LLC).**

**Favorable recommendation to the Arizona Department of Liquor License and Control for the Pinal County Historical Society Museum's application for a Special Event Liquor License for a fundraiser to be held on May 23, 2015, at the Pinal County Historical Society Museum.**

**Favorable recommendation to the Arizona Department of Liquor Licenses and Control on the Arizona Parks and Recreation Fellowship's application for the Cinco de Mayo event on May 2, 2015 at Padilla Park.**

**Approval of accepting the register of demands ending February 28, 2015, in the amount of \$3,579,973.31.**

On motion of Vice-Mayor Walter, seconded by Councilmember Montaña, and carried to approve the Consent Agenda, as written, with the exception of item 9a.

**9a. Adoption of Resolution No. 1505-15: A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, AUTHORIZING THE TOWN TO ENTER INTO A GRANT AGREEMENT WITH THE CITY OF TUCSON POLICE DEPARTMENT REGARDING THE ARIZONA HIGH INTENSITY DRUG TRAFFICKING AREA.**

Councilmember Anderson inquired as to which calendar year the expense for this agreement would be experienced.

Mr. Ernie Feliz, Grants Manager, stated that historically the funds for this program have been used within the first year.

Mr. Montoya stated that the funds are in form of a grant which means they are not impacted by the expenditure limitations.

Councilmember Montoya inquired who is funding the grant.

Mr. Feliz stated that the money for the grant comes from the High Intensity Drug Trafficking Area fund.

Vice-Mayor Walter inquired how the funding time-frame works, as the grant states January 2015 through December 2016. She also inquired what the financial plan will be regarding the position if the funding becomes unavailable.

Mr. Feliz stated that the Town has submitted for funding annually and has successfully received full funding each year; however, if for some reason the Town should not receive funding one year and ran out of funds, the officer would be absorbed back into the Police Department budget.

Mr. Daniel Hughes, Police Chief, stated that the Town of Florence is the last community that still receives full funding for this program. He stated that the Town has an officer assigned to the task force and in return the task force comes to Florence and works the cases, giving the Town a resource at no expense. He stated if the funds would become unavailable, the officer's position is being budgeted for and would be re-absorbed back into the department.

On motion of Councilmember Anderson, seconded by Councilmember Montaña, and carried to authorize the Town to enter into a grant agreement with the City of Tucson Police Department regarding the Arizona High Intensity Drug Trafficking Area.

## **UNFINISHED BUSINESS**

Ms. Garcia read Ordinance No. 626-15 by title only.

**AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, AMENDING TITLE III OF THE TOWN CODE ENTITLED ADMINISTRATION: SECTION 30.23 SPECIAL MEETINGS, AND SECTION 30.25 ORDER OF BUSINESS EFFECTIVE MAY 1, 2015. (First reading on March 16, 2015)**

Ms. Garcia stated that the ordinance has been previously reviewed by Council.

On motion of Vice-Mayor Walter, seconded by Councilmember Guilin, and carried to adopt Ordinance No. 626-15.

Ms. Garcia read Ordinance No. 628-15 by title only.

**AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA AMENDING SECTIONS OF CHAPTER 32: TOWN ORGANIZATIONS. (First reading on March 16, 2015)**

Ms. Garcia stated that the ordinance has been previously reviewed by Council.

On motion of Councilmember Woolridge, seconded by Councilmember Guilin, and carried to adopt Ordinance No. 628-15.

## **NEW BUSINESS**

**Discussion/Approval/Disapproval of a change order with DBA Construction Inc., in an amount not to exceed \$113,752.77.**

Mr. John Mitchell, Utilities Director, stated that the change order is in line with the discussion that took place during the modification of contract with Apache Underground and Excavation, where the Town, instead of Apache Underground, would complete the paving and installation of speed humps after the new waterline was installed. He stated that the requested change order with DBA Construction Inc., will allow the paving portion of the project to be completed.

On motion of Councilmember Guilin, seconded by Councilmember Montaña, and carried to approve a change order with DBA Construction Inc., in an amount not to exceed \$113,752.77.

**Discussion/Approval/Disapproval to award the Cuen Building Auction with and instruct the Town Manager file a deed to include restrictions as outlined in the request for bids.**

Ms. Garcia stated, as instructed, Town staff held a third auction for the Cuen Building, lowering the minimum bid to \$1,000 with deed restrictions.

Three bids were received from the following:

Florence Heritage Fund	\$1,550
Stephen T. Smallidge/Happy Adobe	\$2,500
Wayne Hatch, HCH Development	\$1,100

Ms. Garcia stated that the bid documents stated that the award of the property would go to the highest bidder, and acknowledges that Council reserved the right to reject any and all bids. She stated that Council will make a decision after speaking with all bidders regarding the deed restrictions.

Mayor Rankin asked how Council would like to proceed, speak with each individual bidder tonight or at a later time.

Vice-Mayor Walter asked that they speak with each bidder this evening starting with the highest bidder.

Mr. Mark Eckhoff, Community Development Director, provided Council with a brief reminder of the previously estimated costs and structural needs of the Cuen Building as provided by engineers.

Mayor Rankin asked Mr. Stephen Smallidge to speak with Council first.

Mr. Stephen Smallidge, Florence resident and owner of Happy Adobe, stated that he is in the process of relocating his business to a location on Main Street. He stated that the Cuen Building had been in his vision for a while and he is looking forward to having an opportunity to restore the building and to place a tax-based business back into the building. He was a general contractor for 20 years in Alabama and Florida and left the industry four years ago when he moved to Florence. He stated that the building has stood for 100 years and deserved to be a vital part of the community for another 100 years.

Mayor Rankin inquired how Mr. Smallidge would be completing the stabilization portion of the building.

Mr. Smallidge stated that he would be completing a majority of the structural work himself, hiring professional services for electrical and plumbing needs. He stated he has engineering experience and believes the building is not as unstable as presumed to be. He stated that financially he will be able to fully complete the project himself without any grants or outside funding.

Mayor Rankin inquired if Mr. Smallidge has worked with any historical restoration projects.

Mr. Smallidge stated that has worked with restoration of older and historical homes in the Alabama and Florida areas.

Mayor Rankin inquired as to how long Mr. Smallidge believes it will take him to complete the project.

Mr. Smallidge stated that he will have the walls stabilized and painted in 60 days.

Councilmember Hawkins inquired if the Town is requiring a commercial contractor for the project.

Mr. Eckhoff stated that the building is a commercial building and would require a commercial contractor to pull a permit per the Arizona State Board of Contractors. He stated that the building will have extensive modifications to it. In order for the building to maintain its status as a certified local government historical district, the plans would be to be reviewed with the Historic District Advisory Commission.

Councilmember Hawkins inquired if the bidders were advised of the restoration processes and requirements which includes working with the Historic District and use of a commercial contractor.

Ms. Garcia stated that the bid did state that the successful bidder would be required to complete all state requirements as well as work closely with the Historic District Advisory Commission.

Councilmember Montaña inquired who will be making the determination that the stabilization is completed correctly. He also inquired if it will be the owner, the Town or the State who makes the determination that it is stabilized correctly.

Mr. Eckhoff stated that the owner's architect will provide plans to the Town who will approve them; and then a licensed commercial contractor will ensure the work is completed, per the approved plans.

Councilmember Montaña stated that he is concerned that the process could be slowed down based on the submittal and approval process to determine if the stabilization process being presented is correct.

Mr. Eckhoff stated that the Community Development Department will do whatever it can to expedite the review process for the Town and with the Historical District. He stated it is a small building and the immediate need is to stabilize the walls and reroof the building. He stated the winning bidder will need to put in place their team who will complete the work and have an architect submit the stabilization plans as soon as possible.

Ms. Garcia stated that per the bidding documents, the winning bidder will have 100 days from the day the deed is signed to stabilize the building and Council had an automatic 30 day extension included, if needed, past the 100 days. She stated that it will take some time to get the deed drawn up and executed which will provide the winning bidder more opportunity to get the plans drawn up and into Community Development.

Councilmember Hawkins inquired if Mr. Smallidge is still interested in the building based on the information reiterated this evening.

Mr. Smallidge stated that he is still interested in the building but he is not interested in the semantics.

Councilmember Anderson inquired if it is the State of Arizona that requires a license engineer and contractor to be used for this type of project.

Mr. Eckhoff stated that residential project can be done by whomever the owner chooses but for commercial projects, it is required by the State to use a commercial contractor.

Mr. Smallidge stated that he will do what needs to be done, per Town and State requirements, to complete the project.

Mayor Rankin called the Florence Heritage Foundation to come forward and speak with Council.

Mr. Gem Cox, President of the Florence Heritage Foundation, stated that they submitted their bid in at the last Council meeting and are excited to see that there are three bidders. He stated that he is concerned that the restoration project cannot be completed without grants and outside funding as the building is small and the funds it will take to complete the project to a useable condition will never be recouped. He stated that the project will truly be a labor of love.

He stated that the Foundation is a non-profit and has a plan to raise the funds needed to complete the project and to meet the timelines, as stated in the bid documents.

Mayor Rankin inquired as to how the Foundation will obtain the funds.

Mr. Cox stated that the Foundation will be working with private citizens through grass-roots programs. There will be larger donation along with several engineering and architectural firms that have softly committed to assist in the stabilization. The Foundation has also identified commercial trades that have offered their services at a discounted rate. He stated there is quite a bit of work that needs to be done that is not visible to the naked eye.

Mayor Rankin inquired if the Foundation is aware of the requirements of the Historic District and is committed to the process that is required.

Mr. Cox stated that the Foundation is aware of the requirements and is prepared to follow the process as stated in the bid packet. The Foundation is familiar with working with restoration projects and he personally has experience working with restoration projects. He stated that the Foundation will be hiring local talent and local contractors to complete the project.

Mayor Rankin inquired what local restoration projects have the Foundation or Mr. Cox worked on.

Mr. Cox stated that he has worked on the restoration on the Murphy's Romance building which currently houses State Farm Insurance, the coin laundry building and is currently working with the old grocery store building. He stated that there are several old adobe homes in Town that himself or his family have purchased and restored.

Mayor Rankin inquired what the Foundation believes their timeline would be for the project.

Mr. Cox stated they are committed to completing all phases of the project within the timelines outlined in the bid packet.

Mayor Rankin inquired what the Foundation will do with the building once it is completed.

Mr. Cox stated that the Foundation has been approached from several different types of businesses but it will be up to the Foundation Board to determine what they believe the best use of the building will be.

Councilmember Woolridge inquired what funding the Foundation has immediately to start the process.

Mr. Cox stated that the Foundation has \$2,500 to weatherproof the building, clean it up and ensure the building does not leak.

Mayor Rankin called Mr. Wayne Hatch to come forward and speak with Council.

Mr. Wayne Hatch, Owner of HCH Development and Low Mountain Construction, stated that he and his partner submitted a bid as a way to give back to the Town in appreciation for selecting them as the builder of the new library and aquatic center in Territory Square. He stated that they will be able to meet all timelines noted in the bid packet; they will be funding the project themselves utilizing sub-contractors who are already working in town on Territory Square and other local tradesmen. He stated they will be working with Jeff Swan with Swan Architects who will be submitting the plans and pulling all permits, as required.

Mr. Hatch stated that their objective is to not have ownership of the building; but provide the Town with a historical building and to work with a local business who would like to own the building, working with them to eventually own the building through purchase or a lease-to-own situation.

Mayor Rankin inquired if they would be able to complete the project within the initial 100 day requirement.

Mr. Hatch stated that if they are awarded the building, they will immediately work with Swan Architects to submit plans while the deed is being prepared. Once the deed is executed, they will stabilize the building exceeding all expectation of the initial 100 day criteria. He stated the goal will then be to complete the restoration and have it occupied by a local business.

Ms. Garcia stated that she would like to have the Town Attorney speak to Council prior to Council making their decision; reminding everyone of the deed restriction should the project not be completed per the time requirements and what action will be taken.

Mr. Clifford L. Mattice, Town Attorney, stated that if the timelines stated in the bid packet are not met; 100 days to stabilize the building and fully complete restoration within two years, through the Town's proper and legal procedures, the deed will automatically revert back to the Town including all improvements that have been completed.

Mayor Rankin stated that he believes HCH Development would be the best candidate to complete the project based on the nature of the project with the deed restrictions and timelines that will be in place.

Councilmember Woolridge stated that she agreed with Mayor Rankin but would like to add that she loves Mr. Smallidge's passion for the building and would like to see HCH Development and Mr. Smallidge work together if possible.

Councilmember Hawkins stated it would be a win-win situation if Mr. Smallidge and HCH Development worked together.

Councilmember Montaña stated that he would like to thank the Florence Heritage Foundation for coming forward at the last meeting with their bid to try and save the building. He stated that the bid stated that the building would be awarded to the highest bidder, which is Mr. Smallidge, and he has proven his ability to complete the project and his commitment to Florence with his current business.

Vice-Mayor Walter agreed with Councilmember Montaña's comments and encouraged HCH Development to work with Mr. Smallidge if he is awarded the bid.

Mr. Hatch stated that they are committed to assisting the Town in the restoration of the Cuen building and would be open to assisting the winning bidder if they so desired their help.

Councilmember Anderson extended his appreciation and gratitude to Mr. Cox for keeping the Cuen building alive and bringing it back to the bid process with success.

On motion of Vice-Mayor Walter, seconded by Councilmember Guilin, to award the Cuen Building to the highest bidder, Stephen T. Smallidge, Happy Adobe with a bid of \$2,500 and to instruct the Town Manager to file a deed to include restrictions as outlined in the request for bids.

Mayor Rankin stated that the financial difference between the highest bidder and the lowest bidder is not that much and encourages Council to look at whole project including the financial ability, depth of contractors and tradesmen, and professional services to complete the job within the timeline required by the deed restriction.

Councilmember Woolridge inquired if Mr. Hatch would give Mr. Smallidge first right of refusal to run a business out the building once the project is completed.

Mr. Hatch stated that they would be willing to give Mr. Smallidge first right of refusal.

Councilmember Anderson called for the question.

Roll Call:

Vice-Mayor Walter - Yes  
Councilmember Guilin - Yes  
Councilmember Hawkins – No  
Councilmember Woolridge – No  
Councilmember Anderson - Yes  
Councilmember Montañó - Yes  
Mayor Rankin – No

Motion Passed: Yes: 4; No: 3

**Discussion/Approval/Disapproval to award a contract to Pima Paving, Inc., for improvements to the Police Department and Senior Center parking lot, in an amount not to exceed \$185,989.64.**

Mr. John V. Mitchell, Utilities Director, stated that the project will improve the parking lot of the Police Department and the Florence Senior Center, providing for 22 paved and striped parking stalls, shade canopy and security lighting. He stated that the project will also create a retention basin for storm drainage and relocation of the trash enclosure for

both buildings, and installation of parking bumper curbs for the Senior Center parking lot to enhance traffic safety.

Mr. Mitchell stated that funding for the project is in the current fiscal budget for \$120,000 with the remaining funds coming from deferred projects for the Police Station improvements.

Mayor Rankin inquired which project is more important, the parking lot or the station improvements.

Mr. Daniel Hughes, Police Chief, stated that the parking lot is a project that needs to be completed as soon as possible for the safety of the police vehicles and the equipment inside the vehicles.

Mr. Carroll Michael, Facility Maintenance Manager, stated that the current drainage conditions of the parking area for the police vehicles is not draining correctly and is undermining the parking service.

Mayor Rankin stated that he was concerned with the funding plan for the project and inquired which projects are being deferred.

Mr. Michael stated that the additional funds needed for this project are coming from projects that have been completed this year and have a surplus such as the fire sprinkler installation at Fire Station 1 and electrical upgrades at the Silver King.

Mayor Rankin inquired if there were additional surplus funds that can be reallocated to the Police Station project.

Mr. Montoya stated that there are additional capital improvement funds; however, when a project comes in under budget, those funds are used to complete projects that are under way and may need additional funding for unforeseen needs.

Councilmember Guilin stated that she was glad to see this project coming to fruition.

On motion of Councilmember Hawkins, seconded by Councilmember Walter, and carried to award a contract to Pima Paving, Inc., for improvements to the Police Department and Senior Center parking lot, in an amount not to exceed \$185,989.64.

**Discussion/Approval/Disapproval to award a Contract to Arizona Coating Applicators for painting of the Florence water tower and tank, in an amount not to exceed \$130,000.00.**

Mr. Mitchell stated that the project is for repainting of the Florence water tower and tank, which consists of removal or encapsulation of the current lead based paint using OSHA and EPA approved methods and guidelines and disposal at an EPA approved site. He

stated that once the lead based paint is removed or encapsulated, the tower, tank and lettering will be repainted.

Mr. Mitchell stated that the current budget provides for \$75,000 with the remaining funds coming from savings realized from completed capital projects.

Councilmember Anderson inquired what the process will be now that there are nesting hawks on the tower.

Mr. Mitchell stated that the authorities will be contacted and the Town will work with them to ensure the project does not hinder the hawks.

On motion of Councilmember Anderson, seconded by Councilmember Montaña, and carried to award a contract to Arizona Coating Applicators for painting the Florence water tower and tank, in an amount not to exceed \$130,000.

**Discussion/Approval/Disapproval to issue a purchase order to Ace Asphalt to perform parking lot maintenance and repairs using the Mohave Educational Services Co-Op Bid, Contract Number 10A-ACE-0316, in an amount not to exceed \$182,642.03.**

Mr. Bryan Hughes, Parks and Recreation Director, stated that several of the Town's parking lots at parks and facilities are in various stages of deterioration, including failing asphalt and fading stripes. He stated due to years of deferred maintenance, many parking lots lack striping, have cracks and potholes. He stated that in addition to being aesthetically unpleasing, rough surface and cracks can be a safety hazard.

Mr. Hughes stated that the project will repair the parking lots, utilizing paving and/or slurry seal, dependent upon the degree of deterioration to the following lots:

- Arriola Square
- Brunenkant Building
- Heritage Park
- High Profile/RV Parking
- Jaques Square
- Senior Center
- Town Hall

Mr. Hughes stated that the project will assist in providing additional parking spaces to the downtown area, providing 11 new accessible parking stalls, increasing the overall number of accessible spaces in Town-owned parking lots to 16 in the historic downtown area. He stated that this project was not budgeted for in the current fiscal year and that funding will be reallocated from other projects that have been deferred or cancelled, specifically funding allocated for providing services in the annexation areas.

Councilmember Montaña stated that it is important to look at the first impression the Town is giving to its visitors, and secondly, the increase of parking stalls and accessibility of ADA designated stalls. He stated that he would like to see a Wounded Warier project started in Florence which designates parking stalls for our veterans.

Mr. Hughes stated that certainly could be done by the use of signage.

Councilmember Anderson inquired if there are any utilities under the parking lots.

Mr. Hughes stated that he is not aware of any underground utility lines in the areas that are proposed in this project.

Mayor Rankin inquired if the paving projects that are on the agenda this evening can be combined and provide a saving to the Town.

Mr. Montoya stated that the project for the Police parking lot requires specific engineering and has totally separate and different requirements for completion whereas the parking lot paving project that is being reviewed currently is strictly that, paving and stripping, requiring a different course of work.

On motion of Councilmember Montaña, seconded by Vice-Mayor Walter, and carried to approve a purchase order to Ace Asphalt, to perform parking lot maintenance and repairs using the Mohave Educational Services Co-Op Bid, contact number 10A-ACE-0316, in an amount not to exceed \$182,642.03.

**Discussion/Approval/Disapproval to allow Town staff to work with the Windmill Winery and the Florence Future Foundation to help facilitate future landscape enhancement projects in Florence; to allow for the acceptance of donations of plant materials and/or services from said entities; and to allow the Town Manager to enter into any agreements necessary to facilitate partnerships and future landscape enhancement projects in Florence.**

Mr. Mark Eckhoff, Community Development Director, stated that The Future Forward Foundation and the Windmill Winery would like to partner with the Town of Florence to provide landscaping enhancements throughout the community. He stated that the Windmill Winery has offered to donate plants from their nursery and the Future Forward Foundation has proposed to donate locally grown plants and the services of volunteers to assist with the planting projects.

Mr. Eckhoff stated several projects have been identified and discussed. Florence Future Foundation has an interest in adding locally grown low water usage plants and Desert Willow trees, to the downtown roadways that have excess unused right-of-ways. He stated that the Windmill Winery is primarily focused on adding landscape along the new Main Street extension and landscape enhancements along West Butte Avenue.

Mr. Eckhoff stated that if the Town should proceed with these projects, this initiative will take a collaborative approach of various Town departments and private parties. He stated that additional discussions would need to occur to agree upon ideal project areas, identify necessary water infrastructure, address possible conflicts with right-of-ways and easements, define how plants will be maintained, and to ensure community support for neighborhood planting projects. He stated that the Florence Future Foundation may concurrently continue to work with private property owners to install plants on their property.

Mr. Eckhoff stated that though this initiative will have a significant reliance upon donated plants and services, Town funds will be necessary to support this effort. He stated that staff is requesting a maximum of \$25,000 be set aside on an annual basis to cover costs associated with possible survey work, assistance with plantings and for irrigation systems.

Mayor Rankin stated that he did not believe it was proper for the Town to get involved with planting projects on private property.

Mr. Eckhoff stated that the Town would not be participating with any private property projects but with the right-of-ways and easements.

Mayor Rankin inquired as to what the funds would be used for.

Mr. Eckhoff stated that the funds would be used for assistance with the planting efforts, installation and maintenance of the irrigation that the plants will need.

On motion of Vice-Mayor Walter, seconded by Councilmember Montaña, and carried to allow Town staff to work with the Windmill Winery and the Florence Future Foundation to help facilitate future landscape enhancement projects in Florence; to allow for the acceptance of donations of plant materials and/or services from said entities; and to allow the Town Manager to enter into any agreements necessary to facilitate partnerships and future landscape enhancement projects in Florence.

**Discussion/Approval/Disapproval of the motion to rescind or amend the March 2, 2015 approval of the recommendation of the Planning and Zoning Commission for Option #1 of Territory Square Signage.**

Ms. Lisa Garcia stated that staff received requests from three members of Council to place the item on the April 6, 2015 meeting. She stated that to request a motion to be reconsidered, the motion must be moved by a member who voted with the majority/prevaling side at the March 2, 2015 Council meeting; and can be seconded by any member; requiring a majority vote to adopt. She stated that these are the requirements in the Town's Rules of Procedure and Robert's Rules of Order.

She stated the motion to reconsider is not an option as the next available meeting has passed. She stated that an option that is not in the Town's Rule of Procedure but allowed under Robert's Rules is a motion to rescind and amend something previously adopted. She stated that there will be additional electrical and lighting costs associated with a change to the signs, if passed. She stated that staff has placed a motion to rescind on the agenda and if the procedural motion passes, then the sign package item will be the next agenda item.

Vice-Mayor Walter stated that it is her understanding that the cost to change the direction of the signs would be an additional \$1,000.

Mr. Eckhoff stated that the cost to move the J-boxes for the signs would be \$750.00.

Councilmember Guilin stated that she supports the decision of the Planning and Zoning Commission as the decision is not about education or reading but an expression of artist manner of providing signage, diversity and an interpretation of a visual effect.

Mayor Rankin stated that this issue has been reviewed by the Planning and Zoning Commission and twice by the Council. He stated that he believes the recommendation by the Commission for Option #1 is the right way to go.

On motion of Councilmember Anderson, seconded by Vice-Mayor Walter, to rescind the March 2, 2015 approval of the recommendation of the Planning and Zoning Commission for Option #1 of Territory Square signage.

Roll Call:

Councilmember Anderson - Yes  
Vice-Mayor Walter - Yes  
Councilmember Montañño - Yes  
Councilmember Guilin - No  
Councilmember Hawkins - Yes  
Councilmember Woolridge - No  
Mayor Rankin – No

Motion Passed: Yes: 4; No: 3

### **Discussion/Approval/Disapproval of the Florence Territory Square Signage Design Review application.**

Mr. Eckhoff stated that Option #1 sign orientation is vertical and Option #3 has a horizontal orientation. He stated that both options would work appropriately for the project.

Councilmember Hawkins state that he supports the 70 people who signed the petition supporting a horizontal orientation and has not heard from anyone wanted the vertical orientation. He stated that those who have spoken with him and the unofficial petition are the majority, and he was elected to support the majority.

Vice-Mayor Walter stated that she agreed with Councilmember Hawkins.

Mayor Rankin stated that the youth of our community will be accompanied by adults who can read the signs for them and that he has looked at signage throughout the Town which included signs that are vertical. He stated that Option #1 is progressive and provides the Town with a forward thinking design for the next generation of Florence moving the Town out of the past.

Councilmember Woolridge stated that she liked Option #1 sign but actually liked Option #2 better as it was a nice mix of the other two options but would respect all decisions and thoughts and supports the majority.

On motion of Councilmember Montaña, seconded by Vice-Mayor Walter, to move forward with Option #3 for the Territory Square signage.

Roll Call:

Councilmember Montaña - Yes  
Vice-Mayor Walter - Yes  
Councilmember Anderson - Yes  
Councilmember Guilin - No  
Councilmember Hawkins - Yes  
Councilmember Woolridge - No  
Mayor Rankin – No

Motion Passed: Yes: 4; No: 3

## **DEPARTMENT REPORT**

### **Manager's Report**

#### **Department Reports**

**Community Development**

**Courts**

**Finance**

**Library**

**Parks and Recreation**

**Police**

**Public Works**

**Utilities**

Councilmember Anderson requested a future meeting with the IDA.

The department reports were received and filed.

### **CALL TO THE PUBLIC**

Ms. Denise Kollert, Florence resident, stated that she was not happy with the change in the sign option based on an unofficial petition. She stated that Option #1 signage was artistically different and unusual and would have liked to have seen the Town move forward with this design.

Mr. Bruce Fenstermaker, Florence resident and member of the Planning and Zoning Commission, stated that he appreciated the Council's involvement in reconsidering their previous action on the signage. He thanked the Parks and Recreation Department for the Road to Country Thunder event as it was very enjoyable. He thanked Council and staff for coming out to Anthem and explaining the Special Election and he felt the presentation was very well done.

Ms. Tracy Adam, Florence resident, stated that she is very proud of how the Town has handled the Cuen Building situation and applauds Council on their actions.

### **CALL TO THE COUNCIL**

**Council may go into Executive Session at any time during the meeting for the purpose of obtaining legal advice from the Town's Attorney(s) on any of the agenda items pursuant to A.R.S. § 38-431.03(A)(3).**

Councilmember Anderson stated that he is pleased to see Council work together with respect to ensure the issues are resolved in a proper manner.

Councilmember Montaño stated that the Road to Country Thunder was good with a smaller crowd in the early hours but towards the end was well attended and believes that event will continue to grow and be a great event for the Town. He encouraged all those attending Country Thunder to be safe.

Councilmember Guilin stated that Ship Omega made a great presentation at the Florence Historical Society.

Councilmember Hawkins stated that he thought the Road to Country Thunder event was great and well attended for the first year.

Councilmember Woolridge stated that Town staff did an excellent job cleaning up after the Road to Country Thunder event.

Vice-Mayor Walter thanked Parks and Recreation staff for their hard work to bring the Road to Country Thunder event to Town. She stated that there will be a Special Election meeting on April 15, 2015 at Anthem and encouraged everyone to attend.

Mayor Rankin stated that the Road to Country Thunder was great and Ms. Alison Feliz did an excellent job. He stated that democracy means something different for everyone and he believes that items that were voted on this evening were in the best interest of the Town and even though he is not in favor of some of the decisions, he will support the decision as that is what the majority of the Council decided. He stated that all members of Town need to come together and vote during the Special Election and encouraged all citizens who need more information regarding the Special Election to attend the meeting at Anthem Parkside on April 15, 2015 at 7:00 pm and to obtain accurate information.

## **ADJOURNMENT**

On motion of Councilmember Anderson, seconded by Vice-Mayor Walter, and carried to adjourn the meeting at 8:56 pm.

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Tom J. Rankin, Mayor

## **ATTEST:**

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Lisa Garcia, Town Clerk

I certify that the following is a true and correct copy of the minutes of the Florence Town Council meeting held on April 6, 2015, and that the meeting was duly called to order and that a quorum was present.

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Lisa Garcia, Town Clerk

**MINUTES OF THE FLORENCE TOWN COUNCIL MEETING HELD ON MONDAY, APRIL 20, 2015, AT 5:30 P.M., IN THE CHAMBERS OF TOWN HALL, LOCATED AT 775 NORTH MAIN STREET, FLORENCE, ARIZONA.**

**CALL TO ORDER**

Mayor Rankin called the meeting to order at 5:33 p.m.

**ROLL CALL:**

Present: Rankin, Walter, Woolridge, Montaño, Hawkins, Guilin, Anderson

**ADJOURN TO EXECUTIVE SESSION**

**An Executive Session will be held during the Council Meeting for legal matters pursuant to A.R.S. Section 38-431.03(A)(3) and (4) for the purpose of discussion and consultation with the Town's attorneys for legal advice and to consider the Town's position and instruct its attorneys in regard to a claim involving Johnson Utilities.**

On motion of Vice-Mayor Walter, seconded by Councilmember Hawkins, and carried to adjourn to Executive Session.

**ADJOURNMENT FROM EXECUTIVE SESSION**

On motion of Councilmember Montaño, seconded by Vice-Mayor Walter, and carried to adjourn from Executive Session.

**MOMENT OF SILENCE**

Mayor Rankin called for a moment of silence

**PLEDGE OF ALLEGIANCE**

Mayor Rankin led the Pledge of Allegiance.

**CALL TO THE PUBLIC**

**Call to the Public for public comment on issues within the jurisdiction of the Town Council. Council rules limit public comment to three minutes. Individual Councilmembers may respond to criticism made by those commenting, may ask staff to review a matter raised or may ask that a matter be put on a future agenda. However, members of the Council shall not discuss or take action on any matter during an open call to the public unless the matters are properly noticed for discussion and legal action.**

**PUBLIC HEARING AND PRESENTATION**

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**Public hearing on an application received from Jeffrey P. Erickson, The River Bottom Grill, located at 2501 N. Highway 79, Florence, Arizona, for a personal transfer of a new Type 6 Liquor License, and for Council recommendation for approval or disapproval of said license.**

Mayor Rankin opened the public hearing. There being no comments, Mayor Rankin closed the public hearing.

On motion of Councilmember Hawkins, seconded by Councilmember Montaño and carried to forward a favorable recommendation to the Arizona Department of Liquor Licenses and Control on the application received from Jeffrey P. Erickson, The River Bottom Grill, located at 2501 N. Highway 79, Florence, Arizona, for a personal transfer of a new Type 6 Liquor License.

**Presentation by the Greater Florence Chamber of Commerce recognizing Big Quick's BBQ as the Business of the Month.**

Mr. Jim Gilloon, Office Manager, Greater Florence Chamber of Commerce, recognized Big Quick's BBQ as the business of the month for April, 2015. He stated that Big Quick's BBQ is being recognized for their outstanding contributions to the Town going above and beyond feeding the Florence High School football team, coaches and cheerleaders during the ten week season.

Ms. Lisa Witten, owner of Big Quick's BBQ, accepted the award and stated that she appreciates the Town's support during her first year in business and that it has been a pleasure working with the various organizations, businesses and the Greater Florence Chamber of Commerce.

**CONSENT: All items on the consent agenda will be handled by a single vote as part of the consent agenda, unless a Councilmember or a member of the public objects at the time the agenda item is called.**

- a. Approval of Task Order No. 3 with EPS Group, Inc., for construction phase services for the Well #4 to Well #5 Transmission Main Project, in an amount not to exceed \$43,240.**
- b. Approval of Task Order No. 4 with EPS Group, Inc., for construction phase services for the Diversion Dam Road improvements, in an amount not to exceed \$99,250.**
- c. Acceptance of public infrastructure for maintenance within the dedicated rights-of-way for Anthem at Merrill Ranch Units 9, 22A and 22B.**
- d. Acceptance of Katherine Kaiser's resignation for retirement as Town Magistrate, effective June 30, 2015.**

- e. **Favorable recommendation to the Arizona Department of Liquor License and Control for the Florence Lions Club's application for a Special Event Liquor License for a fundraiser to be held on April 26, 2015, at the McFarland State Park.**
- f. **Favorable recommendation to the Arizona Department of Liquor License and Control for the Greater Florence Chamber of Commerce's application for a Special Event Liquor License for their First Thursday event to be held on May 7, 2015, at the Chamber of Commerce facility.**
- g. **Ratification of emergency repair work on Well #1, completed by Coolidge Engine and Pump, LLC, in the amount of \$54,500.59.**
- h. **Resolution No. 1507-15:**

Mr. Charles A. Montoya, Town Manager, read Resolution No. 1507-15 by title only.

**A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING THE FINAL PLAT FOR MERRILL RANCH UNIT 53; REQUIRING THE PROVISION OF AN INFRASTRUCTURE IMPROVEMENT ASSURANCE OR WITHHOLDING OF RECORDATION TO SECURE THE SATISFACTORY CONSTRUCTION, INSTALLATION AND DEDICATION OF REQUIRED IMPROVEMENTS; ESTABLISHING A DEADLINE FOR REQUIRED IMPROVEMENTS TO BE COMPLETED; AND AUTHORIZING EXECUTION BY THE TOWN MANAGER OF SUPPORTING DOCUMENTS.**

- i. **Resolution No. 1508-15:**

Mr. Charles A. Montoya, Town Manager, read Resolution No. 1508-15 by title only.

**A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING THE FINAL PLAT FOR ANTHEM AT MERRILL RANCH UNIT 36; REQUIRING THE PROVISION OF AN INFRASTRUCTURE IMPROVEMENT ASSURANCE OR WITHHOLDING OF RECORDATION TO SECURE THE SATISFACTORY CONSTRUCTION, INSTALLATION AND DEDICATION OF REQUIRED IMPROVEMENTS; ESTABLISHING A DEADLINE FOR REQUIRED IMPROVEMENTS TO BE COMPLETED; AND AUTHORIZING EXECUTION BY THE TOWN MANAGER OF SUPPORTING DOCUMENTS.**

- j. **Resolution No. 1509-15:**

Mr. Charles A. Montoya, Town Manager, read Resolution No. 1509-15 by title only.

**A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING THE MAP OF DEDICATION FOR CONSTITUTION WAY PHASE 2 AND NATIONAL WAY, REQUIRING THE PROVISION OF AN INFRASTRUCTURE IMPROVEMENT ASSURANCE OR WITHHOLDING OF RECORDATION TO SECURE THE SATISFACTORY CONSTRUCTION, INSTALLATION AND DEDICATION OF REQUIRED IMPROVEMENTS; ESTABLISHING A DEADLINE FOR REQUIRED IMPROVEMENTS TO BE COMPLETED; AND AUTHORIZING EXECUTION BY THE TOWN MANAGER OF SUPPORTING DOCUMENTS.**

**k. Resolution No. 1510-15:**

Mr. Charles A. Montoya, Town Manager, read Resolution No. 1510-15 by title only.

**A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING THE MAP OF DEDICATION FOR SPIRIT LOOP PHASE 4, REQUIRING THE PROVISION OF AN INFRASTRUCTURE IMPROVEMENT ASSURANCE OR WITHHOLDING OF RECORDATION TO SECURE THE SATISFACTORY CONSTRUCTION, INSTALLATION AND DEDICATION OF REQUIRED IMPROVEMENTS; ESTABLISHING A DEADLINE FOR REQUIRED IMPROVEMENTS TO BE COMPLETED; AND AUTHORIZING EXECUTION BY THE TOWN MANAGER OF SUPPORTING DOCUMENTS.**

**l. Resolution No. 1511-15:**

Mr. Charles A. Montoya, Town Manager, read Resolution No. 1511-15 by title only.

**A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING THE RE-SUBDIVISION OF LOTS 36-42 INCLUSIVE AND TRACT A, ANTHEM AT MERRILL RANCH PHASE 1A, UNIT 15; REQUIRING THE PROVISION OF AN INFRASTRUCTURE IMPROVEMENT ASSURANCE OR WITHHOLDING OF RECORDATION TO SECURE THE SATISFACTORY CONSTRUCTION, INSTALLATION AND DEDICATION OF REQUIRED IMPROVEMENTS; ESTABLISHING A DEADLINE FOR REQUIRED IMPROVEMENTS TO BE COMPLETED; AND AUTHORIZING EXECUTION BY THE TOWN MANAGER OF SUPPORTING DOCUMENTS.**

**m. Resolution No. 1512-15:**

Mr. Charles A. Montoya, Town Manager, read Resolution No. 1512-15 by title only.

**A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AMENDED OPERATING AGREEMENT WITH JOHNSON UTILITIES, LLC, FOR WATER AND WASTEWATER UTILITY SERVICES.**

**n. Resolution No. 1513-15:**

Mr. Charles A. Montoya, Town Manager, read Resolution No. 1513-15 by title only.

**A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AMENDED OPERATING AGREEMENT WITH SOUTHWEST ENVIRONMENTAL UTILITIES, LLC, FOR WATER AND WASTEWATER UTILITY SERVICES.**

**o. Resolution No. 1517-15:**

Mr. Charles A. Montoya, Town Manager, read Resolution No. 1517-15 by title only.

**A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, ACCEPTING NON-EXCLUSIVE PUBLIC ROAD RIGHT-OF-WAY FROM THE FLORENCE UNIFIED SCHOOL DISTRICT FOR THE WIDENING OF ADAMSVILLE ROAD AND RATIFYING EXECUTION BY THE TOWN MANAGER OF SUPPORTING DOCUMENTS.**

**p. Resolution No. 1518-15:**

Mr. Charles A. Montoya, Town Manager, read Resolution No. 1518-15 by title only.

**A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING A REORGANIZATION OF THE PUBLIC WORKS AND UTILITIES DEPARTMENTS, CREATING A NEW TOWN ENGINEER DEPARTMENT, AND ADOPTING REVISIONS TO THE TOWN OF FLORENCE POSITION CLASSIFICATION PLAN.**

**q. Resolution No. 1519-15:**

Mr. Charles A. Montoya, Town Manager, read Resolution No. 1519-15 by title only.

**RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, AUTHORIZING THE MAYOR TO RATIFY THE STATE FORESTER'S COOPERATIVE FIRE RATE AGREEMENT AND AMENDMENTS.**

**r. Appointment of Linda Fenstermaker to the Parks and Recreation Advisory Board with a term to expire December 31, 2017.**

**s. Approval of the March 2, March 16, and March 26, 2015 Town Council minutes.**

**t. Receive and file the following board and commission minutes:**

**i. March 12, 2015 Arts and Culture Commission minutes.**

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- ii. **January 28, 2015 Historic District Advisory Commission minutes.**
- iii. **February 18, 2015 Joint-Use Library Advisory Board minutes.**
- iv. **January 15 and February 5, 2015 Planning and Zoning Commission minutes.**

Mr. Charles A. Montoya stated that items 9h. through 9l. are being removed by the Town Manager and will be placed on a future agenda.

On motion of Councilmember Montaño, seconded by Vice-Mayor Walter and carried to approve the Consent Agenda, as written, with the exception of items 9h through 9l that will be reviewed at a future meeting.

## **NEW BUSINESS**

### **Resolution No. 1514-15:**

Mr. Charles Montoya, Town Manager, read Resolution No. 1514-15 by title only.

**A RESOLUTION GRANTING APPROVAL TO THE ISSUANCE OF ONE OR MORE SERIES OF THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE TOWN OF FLORENCE, INC. TAX-EXEMPT AND/OR TAXABLE EDUCATION REVENUE BONDS (ACADEMY OF MATH & SCIENCE – CAMELBACK CAMPUS PROJECT), SERIES 2015B, IN AN AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$6,700,000 TO FINANCE THE ACQUISITION, CONSTRUCTION, RENOVATION, IMPROVEMENT AND EQUIPPING OF EDUCATIONAL FACILITIES FOR ACADEMY OF MATHEMATICS AND SCIENCE, INC.**

Ms. Jennifer Evans, Management Analyst, stated that this item along with the next item on the agenda are connected and would be discussed together. She stated that the IDA was approached by the Academy of Mathematics and Science to issue, through the IDA, up to \$6,700,000 of bonds for the acquisition, construction, renovation, improvements and equipment of the land and buildings at their Camelback Road location in Phoenix, Arizona, for use as a charter school.

Ms. Evans stated that the Academy of Mathematics and Science Affiliated Network is made up of three non-profit organizations that operate two charter schools in Tucson, one charter school in Phoenix, and plans to open a second charter school, the Camelback Campus, in Phoenix, in the fall of 2015.

Ms. Evans stated that there is no liability incurred by the Town of Florence in granting its approval for the bonds and if this resolution is passed, the Florence IDA will receive a \$3,000 application fee and a yearly administrative fee of seven basis points of the outstanding balance of the issue for the life of the bonds. She stated that Mr. Bill Wilder, Council for the IDA, is present and available to answer any questions Council might have regarding the issuing of bonds and Mr. Kim Chayka, Director of Program

Development, Academy of Mathematics and Science, can answer any questions regarding the school.

On motion of Councilmember Anderson, seconded by Councilmember Woolridge, and carried to approve the issuance of one or more series of the Industrial Development Authority of the Town of Florence, Inc. Tax-Exempt and/or Taxable Education Revenue Bonds, Series 2015B, in an aggregate principal amount not to exceed \$6,700,000 to finance the acquisition, construction, renovation, improvement and equipping of educational facilities for Academy of Mathematics and Science, Inc. Camelback Campus Project.

**Resolution No. 1515-15:**

Mr. Charles A. Montoya, Town Manager, read Resolution No. 1515-15 by title only.

**A RESOLUTION GRANTING APPROVAL TO THE ISSUANCE OF ONE OR MORE SERIES OF THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE TOWN OF FLORENCE, INC. TAX-EXEMPT AND/OR TAXABLE EDUCATION REVENUE BONDS (ACADEMY OF MATH & SCIENCE – FLOWER CAMPUS PROJECT), SERIES 2015A, IN AN AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$6,700,000 TO FINANCE AND REFINANCE THE ACQUISITION, CONSTRUCTION, RENOVATION, IMPROVEMENT AND EQUIPPING OF EDUCATIONAL FACILITIES FOR ACADEMY OF MATHEMATICS AND SCIENCE SOUTH, INC.**

On motion of Councilmember Anderson, seconded by Councilmember Woolridge, and carried to approve the issuance of one or more series of the Industrial Development Authority of the Town of Florence, Inc. Tax-Exempt and/or Taxable Education Revenue Bonds, Series 2015B, in an aggregate principal amount not to exceed \$6,700,000 to finance the acquisition, construction, renovation, improvement and equipping of educational facilities for Academy of Mathematics and Science, Inc. Flower Campus Project.

Mr. Wilder stated that he appreciated Council's adoption of the bond resolutions regarding the Academy of Mathematics and Science, Inc.

**Ratification of work performed by Arizona Beeman Drilling, for drilling of Well #2, in an amount not to exceed \$434,745.**

Mr. John Mitchell, Utilities Director, stated that the drilling of Well #2 was planned to be completed, but with the uncertainty of Well #1 which was authorized for repairs at the previous Council meeting, administrative staff directed Arizona Beeman Drilling to move forward and drill Well #2. He stated that Well #1 work has been completed providing the Town with a well. He stated that Well #2 was a planned well, providing capacity to our residents north of the Gila River and is asking Council for ratification of this action.

Councilmember Anderson inquired how deep the well is.

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Mr. Mitchell stated that Well #1 is 542 feet deep and it is anticipated that Well #2 will be the same depth.

On motion of Councilmember Montaña, seconded by Vice-Mayor Walter, and carried to ratify the work performed by Arizona Beeman Drilling, for the emergency drilling of Well #2, in an amount not to exceed \$434,745.

**Discussion/Approval/Disapproval to award a contract to Visus Inc., for the construction of the Main Street Extension Project, in an amount not to exceed \$239,000.**

Mr. Mitchell stated that this is the section of Main Street that will run from Territory Square north to intersect with Highway 79. He stated the project had six companies submit bids ranging from a low of \$239,000 to a high of \$289,000. Visus Inc. was the lowest responsive and responsible bidder with the bid of \$239,000.

Councilmember Anderson inquired if the work included curbing and sidewalks.

Mr. Mitchell stated that the project does not include curbing and sidewalks as this roadway is classified as a temporary emergency roadway tying the downtown core of Florence to Highway 79. He stated that the road will go away when the master plan for Territory Square is put in place.

On motion of Councilmember Guilin, seconded by Councilmember Hawkins, and carried to award a contract to Visus Inc., for the construction of the Main Street Extension Project, in an amount not to exceed \$239,000.

**Discussion/Approval/Disapproval to award a contract to McCain Construction, for construction of the Well #4 to Well #5 Transmission Main Project, in an amount not to exceed \$683,549.**

Mr. Mitchell stated that this is a budgeted CIP project slated for construction in the May/June time frame to minimize disruption to winter visitors. He stated that the project has been designed to enhance water supply and availability to downtown Florence by providing a direct line between the new Well #4 to the Well #5 reservoir.

Mr. Mitchell stated that 13 companies bid the project which ranged from a low of \$539,296.66 to a high of \$940,614.15. The apparent lowest bidder, Tee Pee Construction requested that their bid be pulled due to costs omitted from their bid. He stated the next lowest bidder was McCain Construction, with a bid of \$683,549 and has been determined to be the lowest responsive and responsible bidder.

On motion of Councilmember Guilin, seconded by Councilmember Woolridge, and carried to award a contract to McCain Construction, for construction of the Well #4 and Well#5 Transmission Main Project, in an amount not to exceed \$683, 549.

## **MANAGER'S REPORT**

### **CALL TO THE PUBLIC**

Ms. Bruce Fenstermaker, Florence resident and member of the Planning and Zoning Commission, stated that he is concerned with the level of publication of Town issues within the Anthem Community. He stated that there are tools in place within the community to provide the members with information regarding outside businesses and events and was surprised that the HOA would not allow the Town to post information on these bulletin boards. He stated that he spoke with leaders of the HOA and was told that the rules and regulations of the HOA trump Town rules. He stated that he believes the HOA should have to submit to the Town for any signs that are placed in the right-of-ways in the community. He stated that he has requested from Community Development to see any agreements with the HOA showing agreement regarding the right-of-ways usage and had provided Council with a packet of the information regarding this topic.

Ms. Ruth Harrison, Florence resident, stated that she would like to remind the Town that Earth Day is April 22, 2015 and Arbor Day is the last Friday in April. She stated that she is concerned that there was no mention of these events in the meeting and hopes the Town will be honoring these days.

### **CALL TO THE COUNCIL**

Councilmember Anderson stated that his letter that was recently printed by the Florence Reminder was a letter from himself, not as a member of Council.

Councilmember Montaña stated that the Florence High School held their Spring Prom and Spring Court Champion Night honoring previous sport champions from prior years. He also stated that Country Thunder was awarded Festival of the Year from the Academy of Country Music and is great to have the Town associated with a nationally recognized event.

Councilmember Guilin expressed her appreciation of having her letter to the editor published in the Florence Reminder and hoped the information was read by those who have not been able to attend the informational meetings that have been held throughout the Town.

Councilmember Hawkins thanked Councilmember Anderson and Councilmember Guilin for taking the time to write letters to the editor and thought the letters were well written and informative.

Councilmember Woolridge encouraged participation in the upcoming special election, stressing the need to have everyone vote to ensure the Town can maintain its current service levels.

Vice-Mayor Walter stated that the special election is for Proposition 407, which is regarding the spending level the voters will allow the Town to have in the next fiscal year. The proposition does not raise taxes but will allow the Town to spend the money it collects if it receives a favorable vote. She stated that Council would like to hear from the public regarding the business of the Town and seeks input, positive or constructive; to ensure business is being conducted as the members believe it should.

Mayor Rankin stated that he believes the special election coming up on May 19, 2015, is one of the most important elections the Town has had in many years and encouraged everyone to vote.

#### **ADJOURN TO EXECUTIVE SESSION**

**An Executive Session will be held during the Council Meeting for legal matters pursuant to A.R.S. Section 38-431.03(A)(1) for the purpose of reviewing Town Attorney applications.**

On motion of Councilmember Guilin, seconded by Councilmember Hawkins, and carried to adjourn to Executive Session.

#### **ADJOURNMENT FROM EXECUTIVE SESSION**

On motion of Vice-Mayor Walter, seconded by Councilmember Montaño, and carried to adjourn from Executive Session.

#### **ADJOURNMENT**

On motion of Councilmember Woolridge, seconded by Councilmember Anderson, and carried to adjourn the meeting at 7:05 pm.

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Tom J. Rankin, Mayor

ATTEST:

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Lisa Garcia, Town Clerk

I certify that the following is a true and correct copy of the minutes of the Florence Town Council meeting held on April 20, 2015, and that the meeting was duly called to order and that a quorum was present.

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Lisa Garcia, Town Clerk

**SPECIAL MEETING OF THE TOWN OF FLORENCE ARTS AND CULTURE COMMISSION  
HELD THURSDAY, APRIL 1, 2015 AT 6:00 P.M. IN THE CHAMBERS OF TOWN HALL,  
LOCATED AT 775 NORTH MAIN STREET, FLORENCE, ARIZONA.**

**CALL TO ORDER:**

Chairman Celaya called the meeting to order at 6:00 pm

**ROLL CALL:**

Present: Celaya, Rankin, Cochran, Hansen

Absent: Duncan

**PLEDGE OF ALLEGIANCE**

Chairman Celaya led the Pledge of Allegiance

**WELCOME AND INTRODUCTIONS**

Chairman Celaya welcomed everyone to the meeting.

**NEW BUSINESS**

**Discussion/Approval/Disapproval of Minutes from the March 12, 2015 Regular Meeting**

Chairman Celaya asked if commissioners had read the meeting minutes and were there any changes. Commissioner Cochran said she would like to add that she has a Bachelor's of Fine Arts and is a painter under her introduction and "stated" should read "statement" on page 3 under Chairman Celaya's list of items.

Commissioner Hansen said that Country Thunder should be added to the Art Walk item on page 5 of the minutes.

**On motion of Commissioner Cochran, seconded by Commissioner Hansen, and carried to approve the minutes as amended.**

**Election of Vice Chair**

Election of a Vice-Chairman was moved to the end of the meeting as there were no nominations at this time.

**Discussion of the Annual Public Art Project Plan**

The Commission discussed short, mid, and long term goals for the annual plan.

Short-Term Goals

- Create an inventory of art and related art events currently being held in Florence.
- Take a field trip to a community that has a public art program.

- Presentations from other communities regarding their best practices.
- Discussion with the IT Manager regarding the Town's new website.
- Discussion with a representative of Roosevelt Row to discuss their program including projects and their artists.
- Development and publishing of a Commission newsletter.
- Research juried art shows.
- Develop a list of Town activities and events that the Commission can participate in.
- Art for the Territory Square project and the new Library.

#### Mid-Term Goals

- Survey residents and business owners to find out the types of art that is currently accessible to the public or can be used as part of a future exhibit.
- Develop a logo for the Commission by holding a logo contest to increase public buy-in.
- Develop the Commission's presence on the Town's website; design content, and picture gallery.
- Identify grant funding and other opportunities for projects. Commissioner Hansen provided information from Western States Arts Federation and café.org. Commissioner Cochran mentioned the Southern Arizona Commission on the Arts as another resource.
- Research how to implement an arts exhibit like In Flux in the East Valley using vacant storefront spaces.
- Develop a protocol for installation of art throughout the Town and the length of time it will be in that location.

#### Long-Term Goals

- Develop opportunities to intertwine visual arts with performance arts for youth.
  - Hold a visual arts exhibition and a performing arts event that leads to a final collaborative event where awards will be presented and celebrated.
- Development of 501(c)3 non-profit organization.
- Develop a classification process for different types of art and different types of level of art.

#### Immediate projects

- Commission booth at the Art Walk during Country Thunder for the purpose of collecting public contact information to receive notification of arts and culture events and the Commission's newsletter.
- Obtain directive regarding Commission's participation in the development of a fountain and art work for the Territory Square project and new Library.

The Commission identified the need to develop a public participation policy to be used with all events and activities of the Commission.

Ms. Evans stated that the mural on Main Street is deteriorating and would like the Commission to think about taking on this project.

Commissioner Cochran stated that art and culture is more than a painting or sculpture or a performance, it can be landscaping, architectural or environmental. She stated that art can be used to enhance something non-related to create an eye-appealing, emotion generating environment.

## **Election of Vice Chair**

Commissioner Hansen volunteered to serve as the Vice-Chairman of the Commission. All Commissioners voted in favor of Commissioner Hansen serving as Vice-Chairman.

## **CALL TO THE PUBLIC/COMMISSION RESPONSE**

Call to the Public for Comment is limited to issues within the jurisdiction of the Town of Florence Arts and Culture Commission. Individual commission members may respond to criticism made by those commenting, may ask the staff liaison to review a matter raised, or may ask that a matter be placed on future agenda.

Ms. Ruth Harrison, Florence resident, stated that she would be supportive of including children in as many of events as possible as that will also include their parents. She stated that researching events with the Town of Coolidge and possibly collaborating with them. She recommended reaching out to college level organizations that would perform for free to allow their students the exposure and opportunity to perform their art. She stated that a film festival would be a great opportunity for all ages to submit short films.

## **CALL TO THE COMMISSION**


Commissioner Rankin stated that the mission statement should include something about the uniqueness of the Town and will submit her ideas to Chairman Celaya.

Commissioner Hansen stated that she has participated in events in Coolidge along with a few other Commissioners and they have reached out to them to come speak with the Commission regarding opportunities to work together in the future.

## **ADJOURNMENT**

**On motion of Commissioner Rankin, seconded by Commissioner Cochran, and carried to adjourn the meeting at 7:36 pm.**

Approved:



Tom Celaya, Chairman

# **TOWN OF FLORENCE PLANNING AND ZONING COMMISSION REGULAR MEETING MINUTES**

**REGULAR MEETING OF THE TOWN OF FLORENCE PLANNING AND ZONING COMMISSION HELD THURSDAY, SEPTEMBER 18, 2014 AT 6:00 PM AT TOWN HALL COUNCIL CHAMBERS LOCATED AT 775 NORTH MAIN STREET, FLORENCE, ARIZONA.**

## **CALL TO ORDER**

Chairman Wooley called the meeting to order at 6:00 P.M.

## **ROLL CALL:**

Present: Chairman Wooley, Vice-Chair Putrick, Commissioner Petty, Commissioner Pranzo and Commissioner Garcia.

## **PLEDGE OF ALLEGIANCE**

Chairman Wooley led the Pledge of Allegiance.

**DISCUSSION/APPROVAL/DISAPPROVAL** of the minutes of the regular meeting conducted on June 19, 2014, special meeting conducted July 10, 2014 and regular meeting conducted September 4, 2014.

On motion of Commissioner Petty, seconded by Commissioner Garcia and carried to approve the regular meeting minutes of June 19, 2014, the special meeting minutes of July 10, 2014, and the regular meeting minutes of September 4, 2014, with corrections.

## **NEW BUSINESS**

### **CASE PZC-28-14-CUP (MOSAIC CHURCH)**

**PRESENTATION/APPROVAL/DISAPPROVAL** A Design Review application for the Mosaic Church submitted by Steve Barduson of Barduson Architects. The subject site is approximately 2.6 acres of a 10 acre property located within the Anthem at Merrill Ranch community. The proposed church facility will be located within the Parkside portion located west of the intersection of Merrill Ranch Parkway and Felix Road, Florence, Arizona, AKA, a portion of APN 211-01-005D.

Heath Reed, Town Planner, stated that the Mosaic Church of the Nazarene was founded in 2007 and was originally located within the Town core. Currently, the church is holding services at the American Leadership Academy Charter School within the Anthem at Merrill Ranch Community. Earlier this year, the church purchased a 10 acre parcel located at the southwest corner of Merrill Ranch Parkway and Felix Road within Anthem. The Mosaic Church will be the first worship facility within the Anthem Community. The Anthem at Merrill Ranch Planned Unit Development (PUD) identifies three worship sites within the community, though it is noted that churches can be located within any zoning district.

The applicant submitted a Design Review application for the first phase of a 10 acre, five phase master plan. The proposed church will consist of a former Pulte modular building. The building meets and exceeds the Anthem design standards and will meet the church's needs until they can proceed with future phases.

The 3,997 sq. ft. building will include a sanctuary, classroom spaces, restrooms, offices and a preschool. The main entrance into the facility will have a covered shade structure with brick piers that welcomes attendees into the site.

The building will be placed on the northern portion of the parcel facing Merrill Ranch Parkway. The facility's design is based on traditional prairie style architecture characteristic of the Anthem at Merrill Ranch Master Planned Community and design standards for the area per attached drawings. The architectural style complements the surrounding community and blends with the Anthem community and will be a community amenity. The colors, along with the landscape, are site and context appropriate. The building will boast brick columns, similar to the brick face that is on the community center buildings. The entrance of the building will have a shade structure of fabric that is rust colored.

Staff noted that the site meets all requirements pertaining to setbacks and building heights.

Vehicular ingress/egress into the site will be provided by a right in and right out driveway on Merrill Ranch Parkway. The parking area will be phased in and the second vehicular ingress/egress to Felix Road will be constructed during the second phase of the project.

The parking lot will consist of 34 spaces along with two ADA access spaces near the main entrance of the church which meets Town Code. Additionally, the applicant has worked with staff to accommodate emergency access points within the site. The site will have two fire restricted cul-de-sacs where emergency vehicles can turn around and safely access the building. These areas will be designed per Fire and Engineer requirements and will be restricted for

emergency access only. The two turning circles will also be curbed and designed as temporary access roads.

The proposed monument sign(s) will be located at the front of the church along Merrill Ranch Parkway. The monument, which will be set back at least five feet from the property line and out of the vision triangle, will include an architectural base complementing the proposed church and the church logo. The sign height will be 8' and will have multiple tiers and materials to create variety and enhance the sign per attached drawings. In addition to the materials of concrete, steel and brick, the monument sign will have plants placed within the sign area to break up and add variety and texture to the sign. Future monument signage is planned near the Felix Road alignment. All signage will be in conformance with Town Codes.

The proposed church site will continue the landscaping design that is currently within and around the Anthem community. The landscaping for the proposed church will be extended eastward towards Felix Road. The landscaping within the first phase area will be similar to the plant palette that is already within the Anthem community. Landscaping will be limited to around the facility and along the frontage of Merrill Ranch Parkway. The overall landscape plan will be phased in with ongoing development. The church will also boast outdoor space within the shade canopy and west of the building in the lawn area. Staff noted that Pulte Homes and the Anthem at Merrill Ranch HOA have approved this design review.

Staff found the request is in compliance with the Anthem at Merrill Ranch Planned Unit Development (PUD) and with applicable Town Codes and is keeping with the character established for this area. Therefore, staff hereby recommended approval of the Design Review application for **PZC-28-14-DR**, subject to the following conditions:

1. Design Review approval shall expire in one year from this approval (September 18, 2014) if a building permit is not issued for the subject construction within said period.
2. Project shall comply with all applicable Town Codes, including all applicable building, fire and engineering codes.
3. Any exterior lighting on the property and on the buildings shall be in compliance with applicable light control restrictions.
4. All utility boxes, back-flow preventers and similar equipment shall be painted to match the surrounding buildings.

5. Final fire access and cul-de-sac shall be approved by the Town Fire Chief and provided on a final site plan subject to Community Development staff approval.
6. Final grading and drainage plans and the Traffic Impact Analysis are subject to the review and approval of the Town Engineer and such approvals might result in minor modifications to the proposed site plan.
7. Final landscape and site plans are subject to the review and approval of Community Development staff and such approvals might result in minor modifications of the proposed site plan.
8. Fractured granite rip rap shall be used at the bottom of retention basins and swales.
9. Any roof-mounted HVAC equipment shall be screened from street view by the building's architectural parapet.
10. Compliance with this Design Review approval shall be required prior to issuance of Final Certificate of Occupancy.

**Added to conditions by the Commission September 18, 2014\***

11. "The Design Review approval for the Mosaic Church shall include the religious structure of the cross spire that will require Town Council action on the additional 10 feet of height".

The Commission discussed the applicant's plans for a 30 foot cross spire which would exceed the height restrictions of the Town Code by ten feet, and whether staff planned to address it as an additional condition.

Staff agreed to amend the conditions to address it, but noted that Town Council would have to approve the excess height of the spire as an exception to the Town Code.

The Commission inquired if the additional construction of Phase II and Phase III would be brick and mortar or modular as the presented Phase I structure, to which Mr. Barduson, owner of Barduson Architects replied that additional planned structures would be brick and mortar. He noted that the modular building was similar to the Anthem architecture, but had been shipped from Las Vegas.

Commissioner Pranzo noted that, according to his research, the County had not yet recorded ownership of the property in that name. Mr. Barduson assured the Commission that according to his contact, the property had been sold and

closed. Staff offered to provide email communication from Dan Bonow, Director of Entitlements, approving the church's design and sale.

The Commission requested additional information regarding the placement of signage, entrances, secondary access points and the plans for Anthem at Merrill Ranch to put a cascading waterfall structure at the corner of Felix Road and American Way. Mr. Barduson replied as to the location of secondary access points, an additional entry point off Felix Road and the negotiations with Anthem at Merrill Ranch to raise the church property behind the planned entryway structure so that their spire may be seen from the road.

Chairman Wooley asked whether the fire lane was an actual parking lot or if it is going to be a dirt lot. Staff stated it would be an all-weather road.

On motion of Commissioner Petty, seconded by Vice-Chair Putrick and carried to forward a favorable recommendation for case **PZC-28-14-CUP (Mosaic Church)** to the Town Council, with language added to address the additional condition of the height of the church spire.

#### **CALL TO THE PUBLIC/ COMMISSION RESPONSE:**

Call to the Public for public comment on issues within the jurisdiction of the Planning and Zoning Commission. Individual Commission members may respond to criticisms made, may ask staff to review a matter raised or may ask that a matter be put on a future agenda.

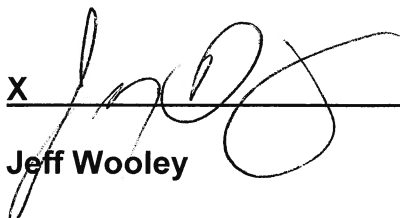
There were no public comments.

#### **CALL TO THE COMMISSION**

There were no Commission comments.

#### **ADJOURNMENT**

On motion of Commissioner Garcia, seconded by Vice-Chair Putrick and carried to adjourn the meeting at 6:38 P.M.

X   
\_\_\_\_\_  
Jeff Wooley

# **TOWN OF FLORENCE PLANNING AND ZONING COMMISSION REGULAR MEETING MINUTES**

**REGULAR MEETING OF THE TOWN OF FLORENCE PLANNING AND ZONING COMMISSION HELD THURSDAY, OCTOBER 16, 2014 AT 6:00 PM AT TOWN HALL COUNCIL CHAMBERS LOCATED AT 775 NORTH MAIN STREET, FLORENCE, ARIZONA.**

## **CALL TO ORDER**

Chairman Wooley called the meeting to order at 6:05 p.m.

## **ROLL CALL:**

Present: Chairman Wooley, Vice-Chair Putrick, Commissioner Petty, Commissioner Pranzo and Commissioner Garcia.

## **PLEDGE OF ALLEGIANCE**

Chairman Wooley led the Pledge of Allegiance.

**DISCUSSION/APPROVAL/DISAPPROVAL** of the minutes of the regular meeting conducted on September 18, 2014.

Commissioner Garcia requested to table the approval/disapproval of the regular meeting minutes of September 18, 2014 as she would like to speak with staff regarding corrections prior to approval/disapproval.

On motion of Commissioner Garcia and seconded by Commissioner Pranzo and carried to table the regular meeting minutes of September 18, 2014 to the next Planning and Zoning meeting.

## **OLD BUSINESS:**

## **PUBLIC HEARING CONTINUED FROM SEPTEMBER 4, 2014**

## **CASE PZC-29-14-CUP (NORTH FLORENCE TANK SITE)**

**PRESENTATION/DISCUSSION/RECOMMENDATION** for a Conditional Use Permit request by the Town of Florence to allow for public utility buildings, structures and facilities for public service uses on a Neighborhood Multi-Family (R-2) zoned property located at 3949 North Iowa Avenue, Florence, Arizona,

AKA, APN 200-71-2400. More specifically, this request is directly related to an additional water storage facility (tank) proposed on the subject site that has been previously reserved and developed for municipal utility and telecommunications purposes.

Gilbert Olgin, Senior Town Planner, presented that Vista Hermosa is a retirement community in the northwest portion of Florence, Arizona adjacent to Highway 79/Pinal Parkway. This quaint area is mostly composed of retirement communities and partially surrounded by state land to the north and east, the Florence Military Reservation to the east and Florence Gardens retirement community to the south. Currently, 103 condominium-style homes exist around the Town's parcel (Vista Hermosa Unit 1-A, Tract B).

The subject parcel is approximately 1.45 acres in size and has been utilized by the Town of Florence for public infrastructure for several decades. This fairly remote area is zoned as Neighborhood Multi-Family (R-2) zoning district.

The Town of Florence owns the subject parcel and some of the parcels in close proximity to the site. For several years the Town has housed a water tank, police wireless communication tower and other public infrastructure equipment in this area to provide services to the Florence Gardens area, including Vista Hermosa.

Several years ago, Town owned parcels were traded to Vista Hermosa to obtain the subject 1.45 acres of land. The land trade helped to clear up some parcel boundary and ownership issues. This decision accompanied the re-plating of Vista Hermosa within the Florence Garden area on June 6, 2009. The re-plat clearly defines Town property and Vista Hermosa Home Owner's Association (HOA) owned property. This said re-plat is attached to this report to provide clarity.

The Town has an obligation to improve and maintain infrastructure within the Town, in order to provide reliable service presently and for the future. Therefore, the Town of Florence is proposing to add the additional water storage facility (tank) to the subject site that has previously been reserved and developed for municipal utilities.

The Town of Florence presents a Conditional Use Permit with the intent to allow for additional public utility buildings, structures and facilities for public service uses on a Neighborhood Multi-Family (R-2) zoned property located at 3949 North Iowa Avenue, Florence, Arizona,

Currently, the Town of Florence has two water systems for their service area and each of these systems can run independently from one another. Town water systems have a total of six wells, along with a 2.5 million gallon water storage capacity. They service an average of 2,650 meters and staff conducts a number

of regulatory tests and analytical processes to ensure the safety and quality for its users.

Staff contends that pursuant to Town's efforts to improve and update existing infrastructure within the Vista Hermosa and the Florence Gardens area, this Conditional Use Permit is vital to the Town's ability to provide continuous service to the said area.

When the Planning and Zoning Commission considers a Conditional Use Permit request the applicant must show the following:

### **The site of the proposed use and the surrounding land uses**

The site is currently zoned Neighborhood Multi-Family (R-2) and per the Town of Florence Development Code Title XV: Land Usage Chapter 150: Public utility buildings, structures or appurtenances for public service uses are an allowed use on a Neighborhood Multi-Family (R-2) Zoning District with an approved Conditional Use Permit (CUP).

Staff contends that the new proposed water tank will be smaller to the existing water tank in design and will accommodate up to 600,000 gallons of potable water that will be used to continue adequate water service to the residents and community at large.

Additional Town equipment is already in use on the site that includes a police wireless communication tower located on the existing water tank and the possibility of an additional office/ equipment may be utilized in the near future.

### **Access to the site**

Vehicular access to the site is provided by a privately maintained street (Iowa Avenue). Town has been granted permission to use this access point by a blanket easement which was approved by Town Council, June 6, 2009, which states the following:

*"A blanket easement across all private streets and open areas shall be dedicated for public services, utilities and emergency vehicles. Public utility facilities easements are hereby dedicated to the public upon, over under, across and throughout those areas designated as a "Blanket Easement" for the installation, maintenance, repair and removal of underground utilities including but not limited to water, sewer, gas, electric and telecommunications. Ingress/egress access is also dedicated for the purposes of access to the utilities and other municipal services purposes. Maintenance of the areas subject to*

*such public utility facility easements shall be the responsibility of the Vista Hermosa Homeowner's Association."*

Staff notes that only one access point will be necessary to accommodate access to the Town site, however, additional access points have been contemplated with the growth of the surrounding Town owned area and will be built out in future phases.

The utility department will also add the following design and security features to the site:

- A six foot CMU wall to enclose the entire location and provide added security.
- Security fencing is to be placed inside the brick fenced area outside of the public view.
- Rolled gate opening for vehicular access.
- All weather access roads within the site for emergency vehicles access.
- No landscaping is being proposed at this time.

**The impact on adjoining and surrounding property if the application is approved**

The evaluation of potential impacts of a conditionally permitted use to adjoining and/or surrounding properties is a factor that requires careful consideration. In general, a conditionally permitted use is a use that might work at one location within a given zoning district, but might be inappropriate at another location within the same zoning district.

Staff contends that no potential compatibility issues have been presented to the Town regarding allowing this use. The Town has established the subject location for the current water tank and communication tower in order to continue to provide adequate water service to Vista Hermosa and Florence Gardens residents.

In making its recommendation, the Planning and Zoning Commission and Town Council may include conditions that are deemed necessary to protect the public health, safety, and general welfare. These conditions may include, but are not limited to:

1. Regulation of use;
2. Special yard requirements;
3. Special buffers, fences or walls;
4. Special parking areas;
5. Street dedications and/or improvements or appropriate bonds;

6. Regulation of access points;
7. Sign restrictions;
8. Required maintenance of yard;
9. Regulations of odors, noise, light or other special environmental factors;
10. Restrictions of hours of activity;
11. Duration of use;
12. Completion of development; and
13. Other conditions that will make the proposed use more compatible and harmonious with the surrounding land uses. In no case, however, shall these conditions be less restrictive than those found in the existing zoning classification.

In addition to any of the above special conditions, the Planning and Zoning Commission and Town Council shall impose the following general requirements on every Conditional Use Permit that is granted:

1. No Conditional Use approval shall be final until all conditions imposed have been met;
2. All of the special conditions shall constitute restrictions that run with the land and that shall be binding upon the owner of the land, successors or assigns;
3. The special conditions imposed by the Planning and Zoning Commission and/or Town Council shall be consented to in writing by the applicant prior to issuance of a Conditional Use Permit; and
4. The Resolution of the Town Council granting the application together with all consent forms shall be recorded by the recorder of the County.

Staff presents the following findings for the consideration of the Planning and Zoning Commission and Town Council:

1. A Neighborhood Multi-Family (R-2) and per the Town of Florence Development Code Title XV: Land Usage Chapter 150: Public utility buildings, structures or appurtenances for public service uses are an allowed use on a Neighborhood Multi-Family (R-2) Zoning District with an approved Conditional Use Permit (CUP) subject to complying with applicable locational criteria.
2. Access and circulation for the subject use conform to applicable codes.
3. The subject use is consistent with the Town of Florence 2020 General Plan.

4. The subject site exceeds the Town minimum locational criteria for Public utility buildings, structures or appurtenances for public service uses.
5. There is no evidence to suggest that this use would have a negative impact on adjacent or surrounding land uses if the CUP is properly conditioned and the use complies with all applicable local ordinances and state statutes.

By acting on this Conditional Use Permit application, the Planning and Zoning Commission thereby accept staff's findings made on this request. Based on the findings established for this case, staff recommends that the Planning and Zoning Commission send the Town Council a favorable recommendation for this Conditional Use Permit request on the property described in the attached Exhibit A, subject to the following conditions:

1. Final plans for grading, drainage and applicable public utility improvements are subject to the review and approval of the Town Engineer.
2. The development of the subject site shall be in conformance with any applicable Town Codes, Ordinances, Building Codes and Fire Codes.

Chairman Wooley continued the open hearing from September 4, 2014. He requested that anyone interested in speaking please come to the podium and state their name and address for the record. He also stated that during open hearings Commission members are not permitted to have a dialogue with the public.

Rose Cane (Rosa Maria Sosa Ochoa Chacon Huggins Cane), a Vista Hermosa resident stated she has been at Vista Hermosa for seven months as a renter. She stated she does not understand why a second water tower is being put up when the first one is not doing the job because it is too old. According to Ms. Cane, she lives near the water tower and has seen rust and smelled the sewer. She called the Town Council and spoke with them regarding a contractor at the village throwing sewage into the empty lot. She has a video of this incident and stated that she never received a return telephone call. She would like to know what benefit Vista Hermosa is going to receive from this proposition.

Chairman Wooley closed the public hearing on case PZC-29-14-CUP.

Mr. Olgin stated that in response to the public comment, the second tower is needed to continue to provide services for potable water and that both tanks are going to be used.

Commissioner Pranzo asked Mr. Olgin if he could address what Ms. Cane stated she has seen regarding the already standing tower?

Mr. Olgin stated that he could not at this time. He also stated that staff could speak with the Utilities Director, John Mitchell, and get back with the Commission and/or the resident, but at this time Mr. Olgin cannot comment on that statement.

Mr. Olgin stated that he had the opportunity to speak with Cassie Chronic, the HOA President for Vista Hermosa. Ms. Chronic spoke with Mr. Olgin, John Mitchell, Utilities Director and Wayne Costa, Town Engineer to discuss several topics and questions. Staff addressed Ms. Chronic's questions and she later thanked staff for their time. Staff also had one telephone call to discuss why the tower was going up.

Commissioner Garcia stated that she isn't as familiar as she'd like to be with water and utility provisions and was reading at the top of page three, which states that staff contends that the new proposed water tank will be smaller to the existing water tank and will accommodate 600,000 gallons of potable water. Commissioner Garcia wanted to know if it is common to add an additional smaller water tank instead of replacing an old, possibly problematic water tank, with something that is larger and newer in design.

Rob Ryan, Employee of Water Works Engineers, a Phoenix resident, stated that the reason for two tanks is for operational flexibility. It allows the Utility Department to take one tank off-line, clean it, inspect it, and perform maintenance on the tank if required, while the other tank can stay on-line and still provide potable water service for the area. Mr. Ryan confirmed that the existing tank is rusting, but there is an allowance for recoating and repainting of the existing tank in the project. The smaller tank will be sufficient for a short amount of time to service the residents in the event that the larger unit may need to be taken offline temporarily.

Chairman Wooley requested if somebody could acquire the name and contact information of the public respondent so that the information can be forwarded to Public Works and her questions can be answered.

On motion of Commissioner Petty and seconded by Vice-Chair Putrick and carried to forward a favorable recommendation to Town Council for a Conditional Use Permit request by the Town of Florence.

## **RECONSIDERATION OF A PRELIMINARY PLAT**

### **CASE PZC-30-14-PP (VISTA GRANDE AT WALKER BUTTE)**

**PRESENTATION/APPROVAL/DISAPPROVAL** a Preliminary Plat application for Vista Grande at Walker Butte submitted by the United Engineering Group. The subject site is approximately 154 acres in size and is located west of the Union

Pacific Rail Road and south of the Hiller Road alignment in Florence, Arizona 85132.

Heath Reed, Town Planner, presented that the Preliminary Plat for Vista Grande at Walker Butte went before the Planning and Zoning Commission on September 18, 2014 and was denied. After making some modifications to the plat, the applicant desires to resubmit this Preliminary Plat for review to the Planning and Zoning Commission.

Hunt & Hooper, L.L.C., owns the planned residential land within the Walker Butte Planned Unit Development (PUD) west of Hunt Highway. The said property is within the Rancho Sendero Annexation that was brought into the Town on February 2, 2005 per Ordinance No. 361-05. The project site was previously approved for a Preliminary Plat in 2006 and was extended in 2007. Due to the housing downturn, the applicant let the plat approval expire. With increasing growth expectations in the northern portions of the Town, the applicant has applied to bring the subject area through the platting and engineering process again.

The Preliminary Plat for Vista Grande at Walker Butte is located on the far western portion of the Town of Florence Town limits, west of Hunt Highway. This plat includes six hundred and five (605) single-family residential lots on a 154.17 acre site. The zoning for the subject area is PUD (R-1), (Single-Family Residential).

The average lot size and product will vary. Standard lot sizes are 45'x115' (5,175 SF) and 55'X120' (6,600 SF), ranging from 5,175 SF to a maximum lot area of 13,068 (SF). Within the plat varies by unit, but overall the average lot size is 6,316 (SF).

Primary access into Vista Grande at Walker Butte will be achieved via Walker Granite Road south of Hunt Highway. This roadway is designated as a minor arterial. As the main thoroughfare into the site, Walker Granite Road will range from 110' right-of-way with four (4) travel lanes (two (2) northbound and two (2) southbound) to 100' right-of-way with three (3) travel lanes (two (2) northbound and one (1) southbound), both with a raised divided median.

The variation from 110' to 100' is due to the constraints of the existing Magic Ranch subdivision to the east of section line and Arizona State Land Department (ASLD) to the west. The various Magic Ranch plats previously dedicated 50' of right-of-way east of section line to Pinal County and a 2004 easement acquired from ASLD (File No. 16-10601) granted a 50' easement west of section line for the use of Walker Butte, thereby limiting the right-of-way to 100'.

The proposed minor arterial roadway will be designed to meet or exceed minimum travel lane widths, both east and west of the proposed median, to accommodate emergency vehicles in the event either side of the roadway is blocked. Given that, this roadway will serve as both primary access to the site and secondary emergency access if needed.

In addition to Walker Granite Road providing a primary and emergency access, a permanent emergency access point will be provided at the northeast corner of the subdivision. Connection will be made to an existing 80' Highway Maintenance Easement granted to Pinal County for ingress and egress that connects Hunt Highway and the northeast corner of the subject site. The 80' Highway Maintenance Easement is located adjacent to and west of the existing railroad right-of-way. This proposed emergency access road will be improved and maintained to meet all Town and/or County emergency access road standards.

Within the subdivision, the plat has three points of ingress/egress. The main collector, Wagon Ridge Drive will run through the subdivision and will be the primary vehicular connection in the subdivision and will connect to future subdivisions. The other two access points are local streets into the community. All three connections access Walker Granite Road.

The subdivision has three street types; minor arterial, minor collector and local streets. The minor arterial right of way is between 100' to 110' with a raised 16' median and detached sidewalks on the sides. The minor collector right of way is 60' with detached sidewalks, no median. The local street right of way is 40' with attached sidewalks.

The overall landscape plan accounts for approximately 35 acres of dedicated open space within the community. The overall plan has three areas of emphasis, landscape space, natural hillside space and park space. The majority of the landscape space accounts for entrances, roadway landscaping, trails, drainage tracks and natural hillside open space area.

The park space will enhance the community with more vegetation and grass along with two main parks that will boast playground equipment, ramadas, barbeque pits, basketball courts and additional benches for the community. With the parks and open space elements, the community will have several ramadas throughout the community.

The Preliminary Plat has been reviewed by the Public Works, GIS, Fire and Community Development departments. The applicant made necessary changes and addressed access concerns with Town staff and submitted corrections.

Staff has approved the conceptual landscape plan and finds that it was in compliance of the Town's landscape standards and will enhance the community.

Staff notes that the applicant has provided for additional emergency access per Planning and Zoning Commission concerns.

Staff finds that the proposed Preliminary Plat is in conformance with the Walker Butte PUD and Town requirements.

The proposed Preliminary Plat is in compliance with the goals, objectives and strategies of the Town's 2020 General Plan.

Staff recommends that the Planning and Zoning Commission approve Vista Grande at Walker Butte Preliminary Plat, subject to the following conditions of approval.

1. Development of subdivision shall comply with all applicable Town codes, including all applicable planning, building, fire, and engineering requirements.
2. The applicant shall address any final comments on the Preliminary Plat by the Town Engineer prior to the Final Plat going to Town Council.
3. The Developer/Property owner shall provide an all-weather road connecting the Vista Grande at Walker Butte community to Hunt Highway for secondary/emergency access. The design of this emergency access shall be subject to the review and approval of Town Fire Marshal and Pinal County.
4. Developer/Property owner is responsible for all applicable street dedications and improvements at the time the subdivision is developed, except as otherwise approved by the Town Fire Marshal and Town Engineer.
5. Final plans for right-of-way and easement dedications and/or abandonments that may be provided for via the Final Plat or other means are subject to the review and approval of the Town Engineer.

Commissioner Pranzo inquired if the PUD is going to be updated to reflect the additional stipulations.

Mr. Eckhoff stated ingress/egress is the only item being modified, therefore the plat is consistent with the zoning.

Commissioner Pranzo stated that as long as the Fire Department has signed off and as long as the roads are going to be made all weather access before building permits are issued, then he will be satisfied with that.

Mr. Eckhoff stated that all of the streets are going to be designed to Town standards.

It was discussed that the Town would be taking responsibility for the maintenance of the road and that it would be an emergency access road and that the gate would be controlled by the Town of Florence. The HOA and community residents will not have access to the gate as it will be an emergency only gate. There will be three points of ingress/egress off of the arterial roadway that leads to Hunt Highway..

Chairman Wooley asked if he is correct that there is one public ingress/egress point and one emergency ingress/egress point?

Mr. Eckhoff responded that there are three access points that will bring people to an arterial roadway. The arterial roadway will be paved to Hunt Highway. He stated that people will have access to one arterial, but there will be three opportunities to get out of the community. Additionally, there will be an emergency only access point as well.

On motion of Commissioner Pranzo and seconded by Vice-Chair Putrick and carried to approve a Preliminary Plat application for Vista Grande at Walker Butte submitted by United Engineering Group.

## **NEW BUSINESS**

### **CASE PZC-33-14-DR**

#### **(TOWN OF FLORENCE LIBRARY AND RECREATION COMPLEX)**

**PRESENTATION/APPROVAL/DISAPPROVAL** a Design Review (DR) application for the Town's first phase of development within the Territory Square project. The proposed project lies within a portion of the 40 acre Territory Square Phase One property, which is generally located at the northwest corner of Main Street and the 1<sup>st</sup> Street alignment that was recently elevated and graded. This DR application considers the conceptual Master Plan for the Phase One 40 acre site in order to best anticipate the future development plans for the property, not only as it relates to this initial construction project, but the remainder of the Territory Square project. More specifically, this DR application provides specific information related to the plans to develop a library, pool, ball fields, tennis courts, parking and other improvements on a portion of the Phase One 40 acre site.

Aaron Babcock representing Low Mountain Construction stated that in 2009, work on the North End Framework Vision Plan, a multi-faceted project that sought to develop a variety of planning, engineering and economic development enhancement strategies for an area along the Gila River in the core area of Florence, began and much has transpired since the project was completed. Town staff and the consulting team, led by Swaback Partners and Town staff, created what is now the Territory Square Zoning District, just north of the Town core.

The Town of Florence Library has seen many locations throughout its history. As of date, the Town Library is in a joint use partnership for the past 18 years with Florence High School. The Town has an immediate need to construct a public library, as the joint use partnership for the current facility is scheduled to end May 2015.

Low Mountain Inc. has submitted a DR application for the phase one development (16.5 acres) of a 40 acre master plan located in the Territory Square Zoning District. The phase one improvements include a public library, recreation program rooms, Park and Recreation Department offices, an outdoor aquatic complex, two soccer fields, two outdoor tennis courts, two outdoor pickle ball courts and associated parking.

Located within Territory Square, this facility will establish aesthetic criteria for the District. The proposed design includes an exterior plaza located at the corner of Main Street and 1st Street, which becomes a gateway to Territory Square from the south. It will also establish the formation and development standard for the area in formation and design criteria. The project will establish a boundary from a landscape and design theme as the Main Street tapestry extends northward towards the Gila River.

This project will provide necessary amenities to the Town of Florence core, including both indoor and outdoor recreational facilities, a public library, meeting space, aquatic center and social gathering spaces.

The Library/Recreation facility will be located along Main Street and will extend the mercantile context found within the Town's Historic District. The roof forms and materials are rural in nature, while modern in detail, envisioning the historic past of the Town with pitched and flat roofs within a modern framework.

The south/southwest elevation of the building will boast large windows that will allow for natural light into the building and also to view out into the Territory Square gateway plaza. The main large window will allow for natural light to penetrate the building, but will be shaded from direct sunlight due to sun screens. This exterior exposure will appear to be four separate buildings to break up the

sheer mass of the structure. Facing the promenade, the building will have additional windows with different CMU block colors and weathered steel sun screens along with the EIFS veneer in-between façade changes. The pitch of the roof and clerestory will be approximately 33'-4", which will be a high point of the building.

The east façade of the building will face the street and will renew the street wall of Main Street that creates the outdoor room along Main Street. The majority of this elevation will be CMU block, Mojave Brown and Berkeley, windows with weathered steel sun screens and screen wall. To the north, the EIFS veneer texture will continue to the north façade of the building.

The main entrance of the building will be facing northwest and towards the parking lot. The building will continue on with the same texture and color pattern of the building. The clerestory height will be 26'-0" at the main entrance, which will allow for additional natural light into the interior of the building.

Colors and materials of the building will be earth and natural tones and textures. Below is a list of building's exterior elevations variations.

- Galvanized standing seam metal roof
- EIFS Veneer – medium texture color
- Weathered steel canopy system
- Megastone cmu block ground face (Berkeley)
- Megastone cmu block ground face (Mohave brown)
- Weathered steel screen wall/sun screens
- Insulated glass in anodized aluminum windows

The Aquatic facility repeats these agrarian forms and contextual materials. The building will have similar textures and materials and will blend in well with the Library. However, the aquatic center will not have as many windows, particularly looking outward or the EIFS veneer texture feature on the building. The exterior textural breakups of the buildings will add verity to both facilities and their façades.

Vehicular ingress/egress into the site will be provided by Main and 1<sup>st</sup> Street entrances. As the 40 acres and Territory Square continues to build out, there will be increases in additional access and circulation within and around the site.

The parking requirements for all of the uses are 375 spaces. The site plan calls for 381 permanent spaces, 17 which will be ADA accessible. The library triggers 156 spaces (10 ADA) provided, aquatic facility triggers 121 spaces (5 ADA), soccer fields call for 96 spaces, and will provide (2 ADA) and the tennis courts call for 8 spaces. The applicant proposes additional 32 temporary spaces on top of the 381 spaces, totaling 413 spaces. These additional spaces will be near the

library within the planned pedestrian access lawn between the library and the future Town Hall.

The parking requirements for the area meet Town Code and the Territory Square Zoning requirements for design and flexibility. In addition to the parking, emergency access will be accommodated and exceed circulation and access to building entrances.

Pedestrians will be able to access the facilities off of Main Street and 1<sup>st</sup> Street. In addition to the exterior circulation through street networks, on site the pedestrian circulation will be enhanced to allow for people to move in and out of the site safely. Sidewalks will be extended within the site along each building facility with crosswalks and ADA ramps.

The first phase of the 40 acre site will enhance the north end of the Town core with additional and well-manicured landscaping in and around the site. At the entrance of the District will be located the Territory Square plaza greeting users from the south. The plaza will have additional outdoor seating and large tree canopies and vegetation. Around the Library, many shrubs and trees will be placed around the building. The aquatic area will have additional shrubs and trees, along with turf surrounding the facility. The landscaping pallet of grass, trees and shrubs will add variety and colors to the earth tone colors of the buildings and enhance the District.

The rest of phase one will have additional landscaping to enhance the site and parking lot. Raised landscape strips will be placed at the end of parking rows and in-between ends. The landscape strips will help break up large expanses of the parking lot and provide some shade for users and help reduce urban heat island. The Promenade between the Library and Future Recreation Center will extend northwest to the proposed new Town Hall. The Promenade will boast additional landscaping and vegetation to connect users comfortably within the site and large expanses of parking lots.

Signage shown on the elevations of the Design Review is conceptual and subject to later modifications. Final signage for District, Library and Aquatic building will be reviewed at a later date and is not a part of this Design Review.

Under Arizona Revised Statutes, Title 9, Section-462.04. and per the Town of Florence Development Code, a public hearing is not required for a Design Review application however staff notes that the Parks and Recreation and Library departments held public review and comments during the design stages.

Staff finds the request is in compliance with applicable Town Codes and is in keeping with the character established for Territory Square District. Therefore,

staff hereby recommends approval of the Design Review application for PZC-28-14-DR, subject to the following conditions:

1. Design Review approval shall expire in one year from this approval (October 16, 2014) if a building permit is not issued for the subject construction within said period.
2. Project shall comply with all applicable Town Codes, including all applicable building, fire and engineering codes.
3. Any exterior lighting on the property and on the buildings shall be in compliance with applicable light control restrictions.
4. Final landscape and site plans are subject to the review and approval of Community Development staff and such approvals might result in minor modifications of the proposed site plan.
5. Monument signage shall comply with all applicable Town Codes, including all applicable building, fire and engineering codes.
6. Any roof-mounted HVAC equipment shall be screened from street view by the building's architectural parapet.
7. Compliance with this Design Review approval shall be required prior to issuance of Final Certificate of Occupancy.

Commissioner Pranzo questioned if the Town Council has already appropriated on the project.

Mr. Eckhoff responded that the Town Council has approved the contract with Low Mountain, including the initial design contract and the guaranteed maximum price for the development of the project. The Council has approved the contracts to move forward with the library and aquatic center, however the contract does not specify how the building is laid out, how the site plan is developed and what the building is going to look like.

Commissioner Pranzo stated that this has to be a success and he is not sure that the architecture is compatible with surrounding buildings. He stated he feels it has more of an Anthem feel and not a Town of Florence feel to it. He would like to know that the contractor has done buildings similar to this in the past and it has been successful in a Town of Florence type of environment.

Mr. Babcock responded that they have completed many municipal projects and he believes this project will also be successful.

Mr. Eckhoff stated that multiple departments have been working closely together to make the project successful within the Town. It is a project that has a unique character within itself, so it is not a continuation of Historic Main Street. He also stated that staff feels comfortable with the direction the master plan and the architecture are heading in.

Commissioner Pranzo stated there is a message in the voters voting down Home Rule and voting down a school bond override three times. He would like to know why the Town is spending the large sum of money on Territory Square instead of simply building a pool and building a library for now. He stated there are planned communities that are not being built because developers do not want to spend the money. He also stated that there are businesses that choose not to build in the Town because there is not enough of a population to support those businesses. He believes that this is irresponsible spending by government. He also stated that the town needs a pool and a library, but that is the only thing that the Town should be building right now.

Commissioner Garcia inquired about the ability to keep the building cool during the summer months and avoiding some issues that similarly structured buildings have in the area in that regard.

Mr. Babcock stated that they plan on shading the building well by extending canopy systems. They are putting a galvanized metal roof on the building, using a wood truss system and a purlin system within the building to make the building more energy efficient. In regards to echoing of sound, Mr. Babcock stated the flooring will be carpet, the sidewall is being broken up, and the volume is a tall volume, but it is not wide.

The Commission, Mr. Eckhoff, and Mr. Babcock discussed what steps would take place in the future if the Commission were to approve the proposal.

Commissioner Garcia stated her hesitation is not having enough time to process where the concept of the building is coming from and whether it is the proper construction and/or the proper placement for something so important.

On motion of Commissioner Petty seconded by Commissioner Garcia there was a roll call taken on whether or not to approve a Design Review application for the Town's first phase of development within the Territory Square project.

Roll call:

Chairman Wooley:	Yes
Vice Chair Putrick:	Abstain
Commissioner Pranzo:	No
Commissioner Petty:	Yes

Commissioner Garcia: Yes

With three “yes” votes, the motion carried to approve a Design Review application for the Town’s first phase of development within the Territory Square project.

#### **CASE PZC-38-14 (ADAPTIVE REUSE PROGRAM)**

**PRESENTATION/DISCUSSION/RECOMMENDATION** a request by the Town of Florence to establish an Adaptive Reuse Program for the Town of Florence that would work under the framework of the previously adopted Town Core Infill Incentive Plan to facilitate redevelopment and development within the core of Florence.

Staff reached out to communities throughout the State, building officials, specialists in economic development and the local International Code Council representative to seek new ideas for facilitating development within the Town core.

The proposed Program expands beyond options currently available and quite frankly would be one of the more robust, business-friendly reuse programs in the State. Currently, the City of Tempe is working on a very similar Program and other cities are expected to follow as cities begin to re-focus on the core areas (central business districts) of their communities. The Program offers added flexibility on building and development codes on reuse projects within the defined Program area and there are also provisions to reduce development related fees.

This Program was discussed at two Council work sessions, the latter one on June 16, 2014 was a joint work session that included members of the Planning and Zoning Commission and Historic District Advisory Commission. Staff has made several modifications to the Program based on the comments made at the work sessions, most notably staff made sure that the Program would not compromise fire safety and that impact fee reductions would be carefully directly to established, infill lots with existing infrastructure inside the central core area of downtown Florence, i.e., not for new subdivisions at the fringes of the downtown.

This Program, if adopted, will work as an extension of the regulatory power granted through the Town Core Infill Incentive Plan. The Program has greater flexibility in being implemented, modified or eliminated over time in that the Program is adopted as more of an administrative policy tool versus a rigid ordinance.

The highlights of this Program are as follows:

- The Program allows greater flexibility in the use of the International Existing Building Code, which will help with the remodel, renovation, remodeling and reuse of older buildings within the core of Florence.
- The Program allows greater flexibility in meeting plumbing requirements when working to reuse older buildings within the core of Florence.
- The Program provides more flexibility in meeting parking and landscaping requirements on projects within the core of Florence.
- The Program helps to overcome some of the challenges on building on smaller infill lots within the core of Florence, even as to allow less formal lot combinations where needed.
- The Program establishes the opportunity for a new "Evaluation" permitting process that could save time and money on small scale projects on older buildings within the core of Florence.
- The Program provides limited financial incentives for redevelopment and development within the core of Florence as permitted under the authority of the adopted Town Core Infill Incentive Plan.

Staff stated that the Adaptive Reuse Program will be an additional tool for the Town to use to facilitate redevelopment and development within the core of Florence.

Staff recommends that the Planning and Zoning Commission send the Mayor and Town Council a favorable recommendation to adopt the proposed Adaptive Reuse Program, subject to any conditions suggested by the Commission.

Commissioner Pranzo stated that in speaking about this previously there was a desire to provide relief for someone in a commercial lease. He does not believe that there should be code relief for a commercial lease. He stated that should be between a landlord and tenant.

On motion of Commissioner Garcia, seconded by Commissioner Pranzo, and carried to forward a favorable recommendation for a request by the Town of Florence to establish an Adaptive Reuse Program for the Town of Florence.

## **STAFF REPORT**

Staff provided an update on the Padilla Park at the Silver King Plaza project.

## **CALL TO THE PUBLIC/ COMMISSION RESPONSE:**

Call to the Public for public comment on issues within the jurisdiction of the Planning and Zoning Commission. Individual Commission members may

respond to criticisms made, may ask staff to review a matter raised or may ask that a matter be put on a future agenda.

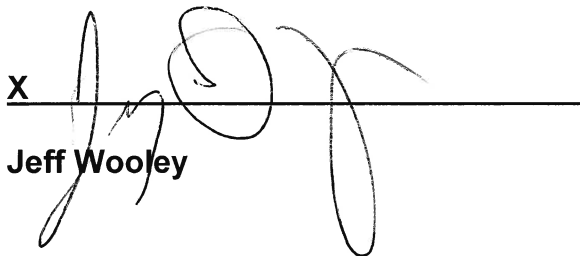
No public comments.

### **CALL TO THE COMMISSION**

Commissioner Pranzo thanked staff for Padilla Park. All Commissioners thanked Chairman Wooley for his service on the Commission. Chairman Wooley stated that over the 14 years he has been on the Commission the Commission has grown into a worthy entity that the Town Council now respects.

### **ADJOURNMENT**

On motion of Vice Chair Putrick, seconded by Commissioner Garcia and carried to adjourn the meeting at 7:58 P.M.

X   
Jeff Wooley

# **TOWN OF FLORENCE PLANNING AND ZONING COMMISSION REGULAR MEETING MINUTES**

**REGULAR MEETING MINUTES OF THE TOWN OF FLORENCE PLANNING AND ZONING COMMISSION HELD THURSDAY, APRIL 2, 2015 AT 6:00 PM AT TOWN HALL COUNCIL CHAMBERS LOCATED AT 775 NORTH MAIN STREET, FLORENCE, ARIZONA.**

## **CALL TO ORDER**

Vice-Chairman Putrick called the meeting to order at 6:00 pm.

## **ROLL CALL:**

Present: Vice-Chairman Putrick, Commissioner Petty, Commissioner Pranzo, Commissioner Garcia, Commissioner Fenstermaker

## **PLEDGE OF ALLEGIANCE**

Gilbert Olgin, Senior Town Planner, led the Pledge of Allegiance.

**DISCUSSION/APPROVAL/DISAPPROVAL** of the minutes of the regular meeting conducted on January 15 and February 5, 2015.

Commissioner Pranzo spoke regarding the format change to the meeting minutes requesting in the future if any changes to meeting minutes are made, could the decision be brought to the Commission's attention prior to the changes being put in place.

Councilmember Hawkins, Florence resident, stated that the meetings are recorded and if someone wanted to listen word for word they could do so via the recording. Summarizing the transcript makes it less time intensive and saves the Town money.

On motion of Commissioner Pranzo, seconded by Commissioner Garcia, and carried to approve the regular meeting minutes conducted on January 15, 2015 and February 5, 2015.

## **ELECTION FOR PLANNING AND ZONING COMMISSION CHAIRMAN**

Gilbert Olgin, Senior Town Planner, commented that the only seat up for election is to receive nominations for Chairman. If the person who is nominated accepts

the nomination, then there will be a motion and a second. If the person who is nominated does not wish to be nominated, they may state that they do not accept.

Vice-Chairman Putrick nominated Commissioner Pranzo for Chairman, which Commissioner Pranzo accepted. No other nominations were made.

On motion of Vice-Chairman Putrick, seconded by Commissioner Petty, and carried to approve the nomination of Commissioner Pranzo as Chairman.

## **PUBLIC HEARING**

### **TACO BELL ZONE CHANGE (CASE PZC-11-15-ZC)**

**PRESENTATION/DISCUSSION/RECOMMENDATION** of a zone change request by Hitchens Associates Architects on behalf of Matthew Ritter and James and Janet Mannato to change the zoning on approximately .55 acres, located at the northeast corner of 3rd Street and Phoenix Street, from Neighborhood Multi-Family Zoning District (R-2) to Highway Business Commercial Zoning District (B-2).

Gilbert Olgin, Senior Town Planner stated that the Taco Bell Corporation has been interested in locating a restaurant in the Florence area and has investigated numerous sites along the State Route 79 Corridor in the past with no success until recently. Finding a suitable site has been an ongoing challenge until the opportunity to combine three parcels at the northwest corner of 3rd Street and State Route 79 became a viable option. This combination of lots is vital to the proposed Taco Bell restaurant in order to accommodate site improvements, setbacks and Arizona Department of Transportation (ADOT) required right-of-way.

The purpose of this application is to obtain proper zoning on the largest of three parcels of land for the proposed restaurant. The three subject parcels are designated as Highway Mixed Use (HMU) in the Town 2020 General Plan and the HMU designation is primarily intended to assist with the revitalization of older areas and to provide for a mix of highway-oriented retail goods and commercial services for commuters, workers and residents. Typical uses within this HMU include lodging, retail, entertainment, professional services, restaurants, automotive-related businesses and mid-to-high density residential projects that are part of mixed use developments.

The proposed site consists of three parcels. Two parcels are situated fronting State Route 79 and the third parcel is located behind the highway frontage property. The front two lots are already zoned Highway Business Commercial

Zoning District (B-2) and the rear lot zoned Neighborhood Multi- Family Zoning District (R-2).

The subject parcel has no permanent structure(s) on site and the applicant will combine all parcels, if the zone change is approved by the Town Council.

The applicant has attended Technical Review Committee (TRC) meetings with staff and has worked diligently to respond to staff concerns. The Design Review application for Taco Bell Restaurant will be presented to the Planning and Zoning Commission at a later date.

Staff offers the following findings for the consideration of the Planning and Zoning Commission and Town Council:

1. The proposed zoning is consistent with the Town of Florence 2020 General Plan, specifically the Highway Mixed Use (HMU) designation.
2. The proposed zoning and development of the site should facilitate ongoing revitalization and redevelopment efforts along the State Route 79 Corridor.

A notice for the Planning and Zoning Commission public hearing was mailed to all property owners within three hundred (300) feet of the site. Property posting for notice of public hearings was posted on site and advertisements in the local Town paper per Town requirements. Under Arizona Revised Statutes, Title 9, Section-462.04 and Town of Florence Development Code, a public hearing is required for a Zone Change.

Staff noted that as of this writing, no public comments have been received.

Staff found that the proposed Zone Change for Taco Bell (PZ-15-17-ZC) is in compliance with the Town's 2020 General Plan and is in the interest of general welfare, health and safety of the public and therefore recommends that the Planning and Zoning Commission forward to the Town Council a favorable recommendation for this Zone Change, subject to the following condition:

1. The development of the subject site, as described in Exhibit A attached, shall be in conformance to any applicable Town Codes and Ordinances.
2. Property owners agree to waive claims for diminution in value pursuant to Proposition 207 [A.R.S. 12-1134] pursuant to the waivers attached hereto as Exhibit B.

Staff explained that the businesses which were on the proposed property have relocated to other locations within the Town.

Staff and the Commission had a brief discussion with minimal questions and comments.

Greg Hitchens addressed the Commission stating that he is in agreement with the staff report given and that he represents both owners.

Chairman Pranzo opened the public hearing.

No public comment.

Chairman Pranzo closed the public hearing.

On motion of Commissioner Petty, seconded by Commissioner Garcia, and carried to forward a favorable recommendation to the Town Council on case PZC-11-15-ZC to change the zoning on approximately .55 acres located at the northeast corner of 3<sup>rd</sup> Street and Phoenix Street from Neighborhood Multi-Family Zoning District to Highway Business Commercial District.

#### **CALL TO THE PUBLIC/ COMMISSION RESPONSE:**

Call to the Public for public comment on issues within the jurisdiction of the Planning and Zoning Commission. Individual Commission members may respond to criticisms made, may ask staff to review a matter raised or may ask that a matter be put on a future agenda.

Mark Eckhoff, Community Development Director, addressed the Commission regarding it being the Town Planner, Heath Reed's last day with the Town of Florence. Mr. Eckhoff stated Mr. Reed has been an asset to the Town and said good-bye. He also spoke about the second annual Boards and Commission appreciation dinner. It is also his hope that once the Town acquires a Town Attorney that there can be a Boards and Commissions training opportunity for the Commission members. Swaback Partners and the Town's combined efforts received an award from the American Society of Landscape Architects, Arizona Chapter for their work on the framework plan and Territory Square. It was also stated that the Territory Square sign item will be presented to Council on April 6, 2015 as well as consideration of the bids for the Cuen Building.

#### **CALL TO THE COMMISSION**

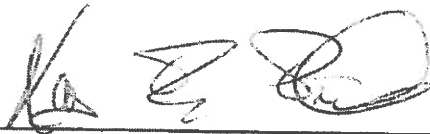
The Commission stated their good-byes to Heath Reed, Town Planner, stating what an asset he has been and wishing him well in future endeavors. The Commissioners also thanked Commissioner Pranzo for accepting the Chairman nomination.

Commissioners also congratulated staff for the award they received on Territory Square.


## ADJOURNMENT

On motion of Commissioner Garcia, seconded by Vice-Chairman Putrick and carried to adjourn the meeting at 6:32 pm.

X



Vice-Chair Putrick

	<b>TOWN OF FLORENCE COUNCIL ACTION FORM</b>	<b><u>AGENDA ITEM</u></b> <b>8a.</b>
<b>MEETING DATE:</b> May 18, 2015  <b>DEPARTMENT:</b> Community Development  <b>STAFF PRESENTER:</b> Mark Eckhoff, AICP Community Development Director  <b>SUBJECT:</b> Ordinance No. 629-15: Taco Bell Zone Change (PZ-11-15-ZC)		<input checked="" type="checkbox"/> <b>Action</b> <input type="checkbox"/> <b>Information Only</b> <input type="checkbox"/> <b>Public Hearing</b> <input type="checkbox"/> <b>Resolution</b> <input checked="" type="checkbox"/> <b>Ordinance</b> <div style="margin-left: 20px;"> <input type="checkbox"/> <b>Regulatory</b>  <input type="checkbox"/> <b>1<sup>st</sup> Reading</b>  <input checked="" type="checkbox"/> <b>2<sup>nd</sup> Reading</b> </div> <input type="checkbox"/> <b>Other</b>

**RECOMMENDED MOTION/ACTION:**

Motion to adopt Ordinance No. 629-15: AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING A ZONE CHANGE ON .55 ACRES, FROM NEIGHBORHOOD MULTI-FAMILY RESIDENTIAL (R-2) ZONING DISTRICT TO HIGHWAY BUSINESS COMMERCIAL (B-2) ZONING DISTRICT (APN 200-47-0250).

**REQUEST:**

This is a request by Hitchens Associates Architects, on behalf of Matthew Ritter and James and Janet Mannato, for approval of a zone change request to change the zoning on approximately .55 acres, located at the northeast corner of 3rd Street and Phoenix Street, from Neighborhood Multi-Family Zoning District (R-2) to Highway Business Commercial Zoning District (B-2).

**BACKGROUND/DISCUSSION:**

The Taco Bell Corporation has been interested in locating a restaurant in the Florence area and has investigated numerous sites along the State Route 79 Corridor in the past with no success until recently. Finding a suitable site has been an ongoing challenge until the opportunity to combine three parcels at the northwest corner of 3rd Street and State Route 79 became a viable option. This combination of lots is vital to the proposed Taco Bell restaurant in order to accommodate site improvements, setbacks and Arizona Department of Transportation (ADOT) required right-of-way.

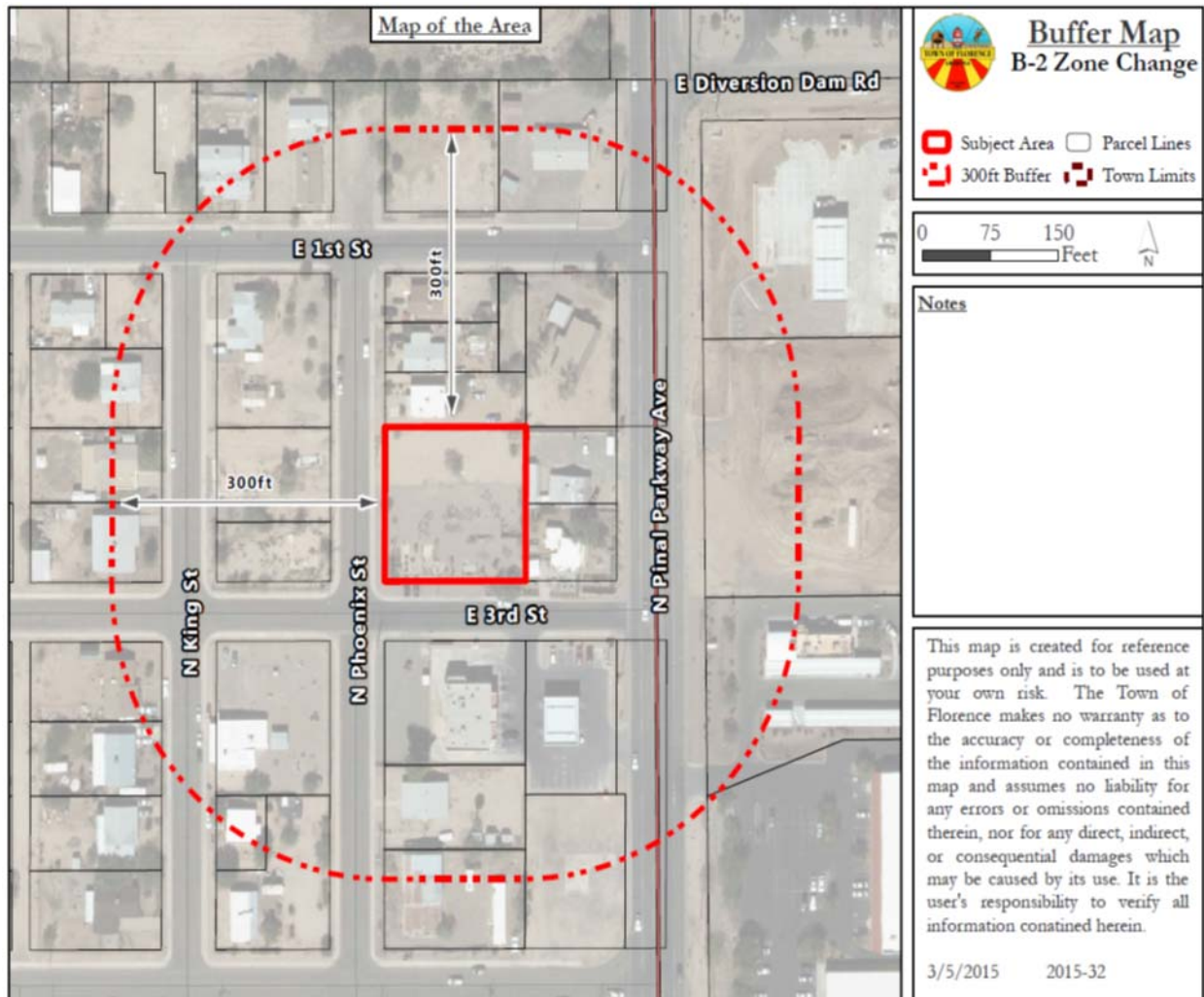
The purpose of this application is to obtain proper zoning on the largest of three parcels of land for the proposed restaurant. The three subject parcels are designated as Highway Mixed Use (HMU) in the Town 2020 General Plan and the HMU designation is primarily intended to assist with the revitalization of older areas and to provide for a mix of highway-oriented retail goods and commercial services for commuters, workers and residents. Typical uses within this HMU include lodging, retail, entertainment,

professional services, restaurants, automotive-related businesses and mid-to-high density residential projects that are part of mixed use developments.

**ANALYSIS:**

Surrounding Land Uses and Zoning Districts:		
	Zoning Classification	Existing Use
North	Neighborhood Multi-Family Zoning District (R-2)	Residential
East	Highway Business Commercial Zoning District (B-2)	Commercial Retail/Professional Office
South	Neighborhood Multi-Family Zoning District (R-2)	Commercial Retail
West	Single-Family Residential (R1-6)	Residential
On-Site	Neighborhood Multi-Family Zoning District (R-2)	Commercial Retail

## Map of the Area



The proposed site consists of three parcels. Two parcels are situated fronting State Route 79 and the third parcel is located behind the highway frontage property. The front two lots are already zoned Highway Business Commercial Zoning District (B-2) and the rear lot zoned Neighborhood Multi- Family Zoning District (R-2).

The subject parcel has no permanent structures on site and the applicant will combine all parcels, if the zone change is approved by the Town Council.

The applicant has attended Technical Review Committee meetings with staff and has worked diligently to respond to staff concerns. The Design Review application for Taco Bell Restaurant will be presented to the Planning and Zoning Commission at a later date.

## **FINDINGS:**

Staff offers the following findings for the consideration of the Planning and Zoning Commission and Town Council:

1. The proposed zoning is consistent with the Town of Florence 2020 General Plan, specifically the HMU designation.
2. The proposed zoning and development of the site should facilitate ongoing revitalization and redevelopment efforts along the State Route 79 Corridor.

## **PUBLIC PARTICIPATION:**

A notice for the Planning and Zoning Commission public hearing was mailed to all property owners within 300 feet of the site. Property posting for Notice of Public Hearings was posted on site and advertisements in the local Town paper, per Town requirements. Under Arizona Revised Statutes, Title 9, Section-462.04 and Town of Florence Development Code, a public hearing is required for a zone change.

Staff notes that as of this writing, a phone call in opposition was received; however, the caller did not leave their name or number.

## **HEARINGS:**

The Planning and Zoning Commission/Town Council meeting schedule for this application is as follows:

April 2, 2015	Planning and Zoning Public Hearing
May 4, 2015	Town Council Public Hearing and 1 <sup>st</sup> Reading
May 18, 2015	Town Council and 2 <sup>nd</sup> Reading/Action

All meetings will be held at Town Hall Council Chambers, 775 North Main Street, Florence, Arizona 85132.

## **FINANCIAL IMPACT:**

Approval of this zone change will allow Taco Bell to proceed with the development of their Florence restaurant, which will have a positive impact on the Town.

## **RECOMMENDATION:**

The Planning and Zoning Commission found that the zone change for Taco Bell (PZ-11-15 ZC) is in compliance with the Town's 2020 General Plan and is in the interest of

general welfare, health and safety of the public. The Planning and Zoning Commission has forwarded a unanimous favorable recommendation on this zone change, as described in Exhibit A-1 and A-2, to the Mayor and Town Council, subject to the following conditions:

1. The development of the subject site, as described in Exhibit A-1 and A-2 attached, shall be in conformance to any applicable Town Codes and Ordinances.
2. Property Owners agree to waive claims for diminution in value pursuant to Proposition 207 [A.R.S. § 12-1134] pursuant to the waivers attached hereto as Exhibit B.
3. Any additional conditions deemed necessary by the Town Council.

**ATTACHMENTS:**

Ordinance No. 629-15  
Exhibits A-1 and A-2  
Application Materials  
Letter of Opposition

**ORDINANCE NO. 629-15**

**AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING A ZONE CHANGE ON .55 ACRES, FROM NEIGHBORHOOD MULTI-FAMILY RESIDENTIAL (R-2) ZONING DISTRICT TO HIGHWAY BUSINESS COMMERCIAL (B-2) ZONING DISTRICT (APN 200-47-0250).**

**WHEREAS**, a request to change the existing zoning on the subject property from Neighborhood Multi-Family Residential (R-2) to Highway Business Commercial (B-2) has been proposed and a public hearing has been held by the Planning and Zoning Commission; and

**WHEREAS**, the Planning and Zoning Commission has found the zone change is in conformance with the 2020 Town's General Plan; and

**WHEREAS**, the Planning and Zoning Commission has forwarded the Mayor and Council of the Town of Florence a favorable recommendation for the zone change, subject to certain conditions; and

**WHEREAS**, said proposal has been considered by the Mayor and Council of the Town of Florence and the recommended zone change has been found to be appropriate and further found to promote the health, safety and welfare of the residents of the Town and its orderly growth.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Town of Florence, Arizona, as follows:

The Zoning Map of Florence, Arizona, is hereby amended by changing the zoning classification of the parcel of land depicted on Exhibits A-1 and A-2, attached hereto, from Neighborhood Multi-Family Residential (R-2) to Highway Business Commercial (B-2) Zoning District, subject to the following conditions:

1. The development of the subject site, as described in Exhibits A-1 and A-2 attached, shall be in conformance to any applicable Town Codes and Ordinances.
2. Property Owners agree to waive claims for diminution in value pursuant to Proposition 207 [A.R.S. § 12-1134] pursuant to the waivers attached hereto as Exhibit B.

**PASSED AND ADOPTED** by the Mayor and Council of the Town of Florence, Arizona, this 18<sup>th</sup> day of May, 2015.

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Tom J. Rankin, Mayor

**ATTEST:**

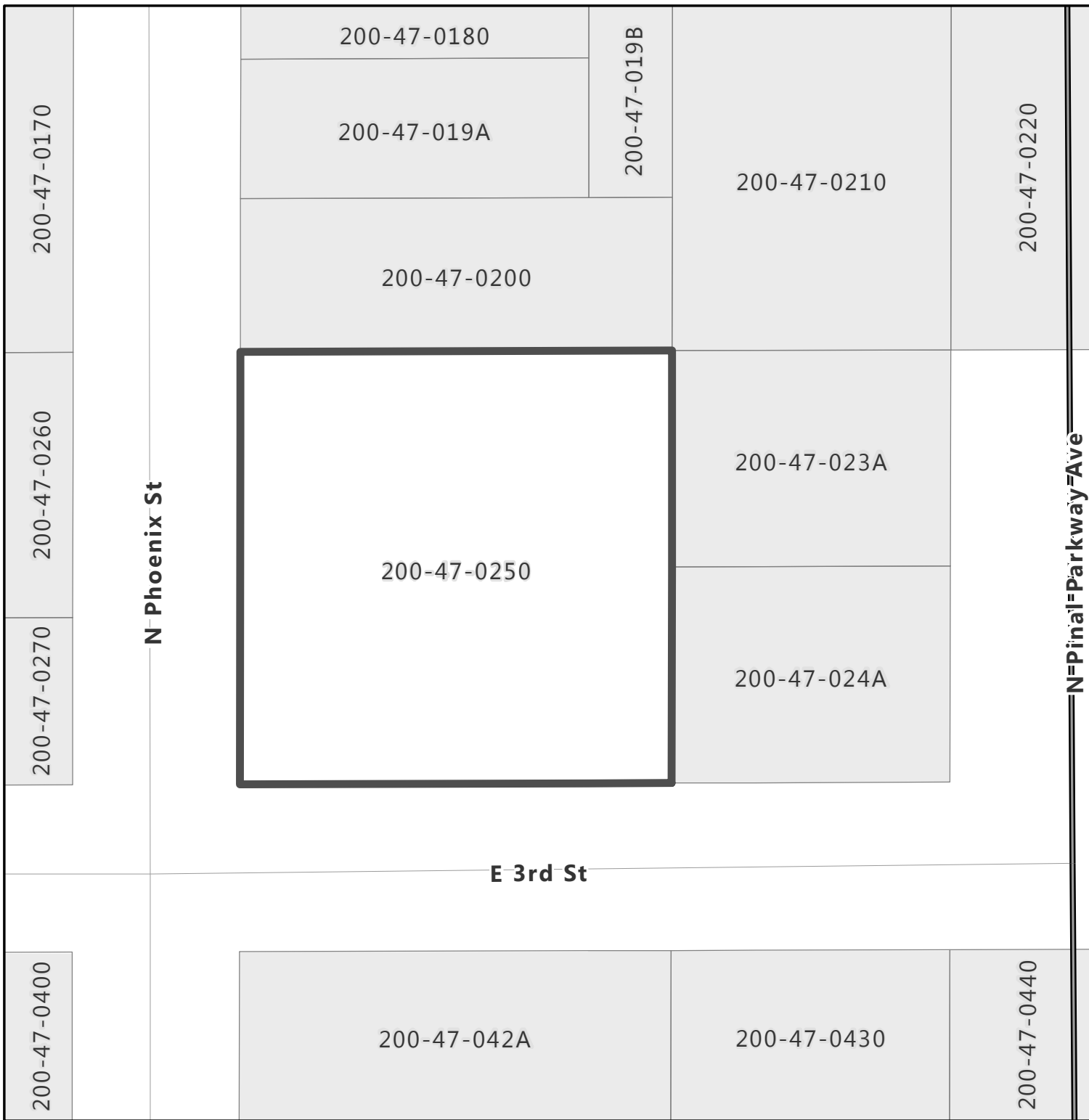
**APPROVED AS TO FORM:**

---

Lisa Garcia, Town Clerk

---

Clifford L. Mattice, Town Attorney



# Exhibit A-1: Taco Bell B-2 Zone Change

- Site Location
- Parcel Lines
- Town Limits



**Legal Description**

Refer to Exhibit A-2 for information pertaining to the legal description for each parcel

This map is created for reference purposes only and is to be used at your own risk. The Town of Florence makes no warranty as to the accuracy or completeness of the information contained in this map and assumes no liability for any errors or omissions contained therein, nor for any direct, indirect, or consequential damages which may be caused by its use. It is the user's responsibility to verify all information contained herein.

**Exhibit A-2: Legal Description of Taco Bell Zone Change**

PARCEL 200-47-0250:

ALL OF BLOCK 26, TOWNSITE OF FLORENCE, ACCORDING TO THE PLAT OF  
RECORD IN THE OFFICE OF THE COUNTY RECORDER OF PINAL COUNTY,  
ARIZONA;

TOGETHER WITH THE EAST 30 FEET AND THE NORTH 30 FEET BY 155 FEET  
ADJACENT.

EXHIBIT B

CONSENT TO CONDITIONS/WAIVER FOR DIMINUTION OF VALUE

The undersigned is/are the owner(s) of the subject land described in Exhibit A hereto that is the subject of a Zone Change Application PZC-11-15-ZC. By signing this document, the undersigned agrees and consents to all the conditions imposed by the Florence Town Council in conjunction with the approval of the Zone Change Application PZC-11-15-ZC ("Conditions of Approval") and waives any right to compensation for diminution in value pursuant to Arizona Revised Statutes § 12-1134 that may now or in the future exist as a result of the approval of the Zone Change Application PZC-11-15-ZC. Except as expressly set forth in the Zone Change Application PZC-11-15-ZC and its Conditions of Approval, nothing herein shall constitute a waiver of any other of the undersigned's rights pursuant to the above-referenced statutes.

200-47-0234, 200-47-025  
Parcel(s)

6773 W. Olberg Rd. Queen Creek AZ 85742  
Physical or Mailing Address

Janet R. Mannato  
Owner(s) Signature

Janet R. Mannato  
Print or Type Name

James E. Mannato

James E. Mannato

STATE OF ARIZONA

County of Arizona/Pinal )  
SS

On this 15th day of March, 20 15, before me, the undersigned Notary Public, personally appeared Janet and James Mannato known to me to be the person(s) whose name(s) is/are subscribed to the within instrument.

IN WITNESS WHEREOF, I hereto set my hand and official seal.

My commission expires Oct 30, 2015

[Signature]  
Notary Public

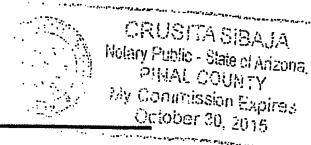


EXHIBIT B

CONSENT TO CONDITIONS/WAIVER FOR DIMINUTION OF VALUE

The undersigned is/are the owner(s) of the subject land described in Exhibit A hereto that is the subject of a Zone Change Application PZC-11-15-ZC. By signing this document, the undersigned agrees and consents to all the conditions imposed by the Florence Town Council in conjunction with the approval of the Zone Change Application PZC-11-15-ZC ("Conditions of Approval") and waives any right to compensation for diminution in value pursuant to Arizona Revised Statutes § 12-1134 that may now or in the future exist as a result of the approval of the Zone Change Application PZC-11-15-ZC. Except as expressly set forth in the Zone Change Application PZC-11-15-ZC and its Conditions of Approval, nothing herein shall constitute a waiver of any other of the undersigned's rights pursuant to the above-referenced statutes.

200-47-0234, 200-47-025  
Parcel(s)

6773 W. Olberg Rd. Queen Creek AZ 85142  
Physical or Mailing Address

Janet R. Mannato  
Owner(s) Signature

Janet R. Mannato  
Print or Type Name

STATE OF ARIZONA

County of Pinal

SS

On this 4th day of March, 20 15, before me, the undersigned Notary Public, personally appeared Janet and James Mannato known to me to be the person(s) whose name(s) is/are subscribed to the within instrument.

IN WITNESS WHEREOF, I hereto set my hand and official seal.

My commission expires: Oct 30, 2015

[Signature]  
Notary Public

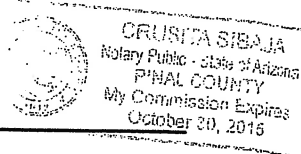


EXHIBIT B

CONSENT TO CONDITIONS/WAIVER FOR DIMINUTION OF VALUE

The undersigned is/are the owner(s) of the subject land described in Exhibit A hereto that is the subject of a Zone Change Application PZC-11-15-ZC. By signing this document, the undersigned agrees and consents to all the conditions imposed by the Florence Town Council in conjunction with the approval of the Zone Change Application PZC-11-15-ZC ("Conditions of Approval") and waives any right to compensation for diminution in value pursuant to Arizona Revised Statutes § 12-1134 that may now or in the future exist as a result of the approval of the Zone Change Application PZC-11-15-ZC. Except as expressly set forth in the Zone Change Application PZC-11-15-ZC and its Conditions of Approval, nothing herein shall constitute a waiver of any other of the undersigned's rights pursuant to the above-referenced statutes.

200-47-023A, 200-47-025  
Parcel(s)

P.O. Box 2943, Florence AZ 85132  
Physical or Mailing Address

[Signature]  
Owner(s) Signature

Matthew A. Ritter  
Print or Type Name

STATE OF ARIZONA )

County of Pinal )

ss

On this 5<sup>th</sup> day of March, 20 15, before me, the undersigned Notary Public, personally appeared Matthew A. Ritter, known to me to be the person(s) whose name(s) is/are subscribed to the within instrument.

IN WITNESS WHEREOF, I hereto set my hand and official seal.

My commission expires: April 10, 2015

[Signature]  
Notary Public



## APPLICATION FOR REZONING

PROJECT NAME: TACO BELL

APPLICATION TYPE: ☒ Rezoning ☐ PUD ☐ PUD Amendment

1. Property Owner: Name: MATTHEW RITTER  
Address: 592 N PINAL PARKWAY  
FLORENCE AZ 85132  
Phone: 520-868-3700 Fax: \_\_\_\_\_  
Email: \_\_\_\_\_

2. Applicant/Developer: Name: GREGORY L HITCHENS  
Address: 2857 N NORFOLK  
MESA AZ 85215  
Phone: 480-844-8313 Fax: 480-248-7665  
Email: greg@hitchhairs.com

3. Address or Location of Property: NEC OF 3RD STREET AND  
PHOENIX STREET

4. Legal Description of Property: If applicable, include Lot(s), Block(s), and Subdivision  
Name: ALL OF BLOCK 25 OF "FLORENCE TOWNSITE" TOGETHER  
WITH EAST 30 FEET AND THE NORTH 30 FEET BY 155 FEET  
ADJACENT

Tax Parcel Numbers: 200-47-025

Gross Acres: 0.55 Net Acres: \_\_\_\_\_

5. Current Zoning District: R2

6. Proposed Zoning District: B2

Gregory L Hitchens  
SIGNATURE OF PROPERTY OWNER or REPRESENTATIVE

2-27-15  
DATE

### FOR STAFF USE ONLY:

CASE NO. P2-15-17

APPLICATION DATE AND TIME Feb. 27, 2015

PZ HEARING DATE April 2, 2015

FEE \$ 536.00

1<sup>st</sup> TC HEARING DATE May 4, 2015

2<sup>nd</sup> TC HEARING DATE May 18, 2015

REVIEWED BY: Gilbert Olgin

RECOMMENDATION: APPROVAL


DISAPPROVAL

## AFFIDAVIT OF SIGN POSTING

Applicant Name: Gregory Hitlens

Project Name/Location: PZC-11-15-ZC NE corner of 3<sup>rd</sup> St + Phoenix St.

I confirm that the site has been posted as required by Town of Florence Community Development Department. A picture of the sign(s) posted on the subject site has also been submitted.

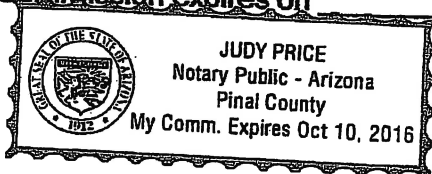
  
Applicant/Representative Signature

3-16-15  
Date

This instrument was acknowledged before me on this 16 day of March, 2015, by Justin Davis. In witness whereof I hereunto set my hand and official seal.

  
Notary Public

My Commission expires on 10-10-2016



Return completed notarized affidavit and picture to the Community Development Department within twenty-four (24) hours of the posting.

## **NOTICE OF PUBLIC HEARING FLORENCE TOWN COUNCIL**

Notice is hereby given that the Town Council of Florence, Arizona will hold a Public Hearing on Monday, May 4, 2015 at 6:00 PM at Florence Town Hall located at 775 N. Main Street, Florence, Arizona, 85132 to discuss the following application:

**PZC-11-15-ZC Public Hearing.** A zone change request by Hitchens Associates Architects on behalf of Matthew Ritter and James and Janet Mannato to change the zoning on approximately .55 acres, located at the northeast corner of 3<sup>rd</sup> Street and Phoenix Street, from Neighborhood Multi-Family Zoning District (R-2) to Highway Business Commercial Zoning District (B-2). (APN 200-47-0250).

Additional information on the above case can be obtained Monday thru Friday from 8 AM to 5 PM at the Town of Florence Community Development Department located at 224 West 20th Street, Florence, Arizona 85132 or please call (520) 868-7542.

Pursuant to Title II of the Americans with Disabilities Act (ADA), the Town of Florence does not discriminate on the basis of disability regarding admission to public meetings. Persons with a disability may request reasonable accommodations by contacting the Town of Florence ADA Coordinator at (520) 868-7574 or (520) 868-7502 TDD. Requests should be made as early as possible to allow time to arrange the accommodation.

No. of publications: One; date of publication: April 16, 2015.



## **ZONE CHANGE PUBLIC HEARINGS**

**PZC 11-15 ZC.** A zone change request by Hitchens Associates Architects on behalf of Matthew Ritter and James and Janet Mannato to change the zoning on approximately .55 acres, located at the northeast corner of 3rd Street and Phoenix Street, from Neighborhood Multi-Family Zoning District (R2) to Highway Business Commercial Zoning District (B2). (APN 200-47-0250).

Additional information on the above case can be obtained Monday thru Friday from 8 AM to 5 PM at the Town of Florence Community Development Department located at 224 West 20th Street, Florence, Arizona 85132 or please call (520) 868-7542.

### **Public Hearing Dates:**

**Planning and Zoning Commission**  
Thursday, April 2, 2015 at 6:00 pm  
Florence Town Hall Council Chambers

### **Applicant:**

Gregory Hitchens  
480-844-8313

### **Town Council**

Monday, May 4th, 2015 at 6:00 pm  
Florence Town Hall Council Chambers

### **Town Contact**

Town of Florence  
520-868-7542

Florence Town Hall Council Chambers: 775 N. Main Street, Florence, AZ

Please contact the Town of Florence for more detailed information on this request and to confirm meeting dates, times and locations.

## OWNER'S PERMISSION FORM

This sheet must be completed if the applicant for an Annexation, General Plan Amendment, Planned Unit Development, Zone Change, Conditional Use Permit, Design Review and/or Preliminary/Final Plat, is not the owner of the property.

I/we, the Undersigned, do hereby grant permission to: Gregory L. Hitchens 

to act on my/our behalf for the purpose of obtaining one or more of the following: Annexation, General Plan Amendment, Planned Unit Development, Zone Change, Conditional Use Permit, Design Review and/or Preliminary/Final Plat on the following described property:

APN 200-47-023A , APN 200-47-025  
Owner(s) Janet R. Mannafo  
Signature

Janet R. Mannafo  
Print or Type Name

Address 6773 W. Olberg Rd.  
Queen Creek, AZ

Telephone 520-705-7749


STATE OF ARIZONA )  
County of Pinal ) ss

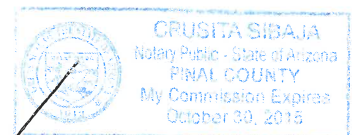
On this 4th day of March, 20 15, before me, the undersigned Notary Public, personally appeared Janet R. Mannafo, known to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged that Janet R. Mannafo executed the same.

IN WITNESS WHEREOF, I hereto set my hand and official seal.

My commission expires:


Oct 30, 2015

  
Notary Public



## OWNER'S PERMISSION FORM

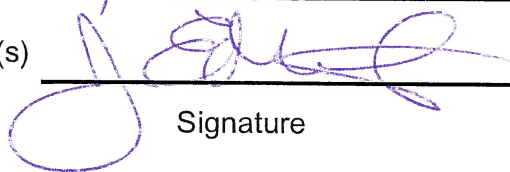
This sheet must be completed if the applicant for an Annexation, General Plan Amendment, Planned Unit Development, Zone Change, Conditional Use Permit, Design Review and/or Preliminary/Final Plat, is not the owner of the property.

I/we, the Undersigned, do hereby grant permission to: Gregory L. Hitzkens 

to act on my/our behalf for the purpose of obtaining one or more of the following: Annexation, General Plan Amendment, Planned Unit Development, Zone Change, Conditional Use Permit, Design Review and/or Preliminary/Final Plat on the following described property:

APN 200-47-023A APN 200-47-025

Owner(s)



Signature

James E. Mannato

Print or Type Name

Address

6773 W. Oibers Rd.  
Queen Creek AZ 85742

Telephone

480 987 6115

STATE OF ARIZONA

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County of Pinal

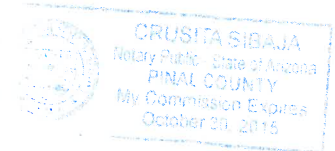
)

On this 4th day of March, 20 15, before me, the undersigned Notary Public, personally appeared James E. Mannato, known to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged that James E. Mannato executed the same.

IN WITNESS WHEREOF, I hereto set my hand and official seal.

My commission expires:

Oct 30, 2015



Notary Public

## OWNER'S PERMISSION FORM

This sheet must be completed if the applicant for an Annexation, General Plan Amendment, Planned Unit Development, Zone Change, Conditional Use Permit, Design Review and/or Preliminary/Final Plat, is not the owner of the property.

I/we, the Undersigned, do hereby grant permission to: GREGORY L HITCHENS

to act on my/our behalf for the purpose of obtaining one or more of the following: Annexation, General Plan Amendment, Planned Unit Development, Zone Change, Conditional Use Permit, Design Review and/or Preliminary/Final Plat on the following described property:

Owner(s)

Signature

Print or Type Name

Address

Telephone

STATE OF ARIZONA

County of Pinal

ss

On this 24<sup>th</sup> day of January, 2015, before me, the undersigned Notary Public, personally appeared Matthew A. Ritter, known to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged that Matthew A. Ritter executed the same.

IN WITNESS WHEREOF, I hereto set my hand and official seal.

My commission expires:

October 20, 2015

Deborah Kay Alston  
Notary Public  
DEBORAH KAY ALSTON  
Notary Public - Arizona  
Pinal County  
My Commission Expires  
October 20, 2015

Post Office Box 1383  
Florence, Arizona 85132  
11 May 2015

Mr. Gilbert Olgin  
Senior Planner, Community Development  
Town of Florence  
Post Office Box 2670  
Florence, Arizona 85132

Dear Mr. Olgin:

I am opposed to the Town of Florence allowing Taco Bell to demolish Mrs. Gladish's house on State Highway 79 (previously occupied by the Happy Adobe). In a recent article in the Florence Reminder, it was stated the house is not on the National Register, and of course, the owner does not want to register - he wants to tear it down. The house was built in the 1930s and could be listed on the National Register. It has been altered through the years, but these changes can be undone.

The Town of Florence needs to be more proactive in listing the many historic properties located throughout town. Many years ago 28 historic properties outside the Historic District, were listed individually in the multiple use area. Listing these properties can be done with sympathetic home owners and not affect the way they are living now. The benefit of listing historic buildings will be in the future. Today we have an example in the Ruiz Rehab Project, the Jennie Lopez Residence on Ruggles Street was listed in the 1970s as part of the Historic District. The house was altered by use by the family through the years and is now going to be rehabilitated. This is something of which the Town can be proud to support.

The small adobe on Highway 79 deserves the same consideration. I will not be able to attend the next Council meeting, but ask you to pass this letter on to the Town Council. Please reconsider allowing the demolition of this part of Florence's historic resources; do something to protect our town's history.

Respectfully,

  
Jerry E. Ravert

Jeffrey D. Wooley  
PO Box 2896  
Florence, Arizona 85132  
(520) 431-5710

May 5, 2015

Town of Florence  
Mayor and Town Council  
PO Box 2670  
Florence, Arizona 85132

To the Mayor and Town Council:

It is my understanding that one of your members recently left the council, creating a vacancy on the board. The purpose of this letter is to inform you of my interest in filling that position, should you choose to appoint a replacement. As some of you may know, I spent nearly fourteen years serving on the Planning and Zoning Commission for the Town of Florence. I have lived in this community for sixteen years and am actively involved in various civic and veteran organizations. I have a deep passion for community involvement and would love to serve this town and the people within it through a position on the Town Council. I would welcome the challenge of helping Florence grow in a positive manner, through my strong understanding of "Growing Arizona Smarter."

As a member of the Planning and Zoning Commission, I have always followed protocol and protected the integrity of the position. I feel that I would offer that same commitment and veracity to this position. Thank you for taking the time to consider my interest. I look forward to having an opportunity so speak with you on this matter soon.

Sincerely,

*Jeffrey D. Wooley*

Jeffrey D. Wooley



**JEFFREY DANIEL WOOLEY, RMA**

373 East Ashley Way, P.O. Box 2896

Florence, Arizona 85132

Phone: (520) 431-5710

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**EXPERIENCE:**

*07/10-Current*

*Central AZ Valley Institute Of Technology, 1789 W. Coolidge Ave., Coolidge, Az.*

**MEDICAL ASSISTANT INSTRUCTOR**

Classroom management, preparation and supervision of secondary education students. Instruct medical assisting classes to prepare students for employment and/or further education in a healthcare related occupation. These classes include but are not limited to: phlebotomy, pharmacology, administration of medication, medical terminology, anatomy and physiology, medical office procedures, computer applications, medical billing and coding, accounting and medical records. Supervision of the student-run community wellness clinic. Additional duties include creating course outlines and syllabus, presenting class lectures and educational demonstrations, and preparing course assessments. Currently serving as an advisor to the Allied Health students enrolled in HOSA.

*11/09-07/10*

*Urgent Care Express, 920 E. Williams Field Rd. Suite 101 Gilbert. Az.*

**MARKETING DIRECTOR**

Administration and supervision, Plans and sets directions, coordinates the marketing effort of the organization's Occupational Health Division's products and services. Monitored market changes and adjusted marketing strategies accordingly, in order to remain competitive within the changing market. Presented ideas and recommended changes to the marketing strategies and policies to the board. Planned and wrote policies and protocols for the organization's Occupational Health Department. Acted as a subject matter expert to the CEO and other departmental leaders on issues relating to Occupational Health Services.

*08/08-11/09*

*Urgent Care Express, 495 N Pinal Parkway #106 Florence, Az*

**CLINIC MANAGER**

Administration and supervision of the daily operations of an Urgent Care Center, OHS Clinic. Supervised staff of approximately 22, with 14 rotating medical care providers. Responsible for recruiting and hiring medical and office staff. Responsible for monitoring the financial aspects of the clinics, including budgeting, billing, monitoring accounts payable, buying and purchasing, as well as payroll. Responsible for staff management, scheduling and discipline. Additional responsibilities included front and back office duties such as taking vital signs, doctor assisting, phlebotomy, administration of medication, room prep, lab testing, billing and insurance, and other front desk tasks.

*09/05-03/08*

*Casa Grande Regional Medical Center, 1800 E Florence Blvd. Casa Grande, Az*

**DIRECTOR**

Administration and supervision of the daily operations of the hospital-based Urgent Care Center, OHS and Coumadin Clinic. Supervised staff of approximately 25, including 7 medical care providers. Responsible for recruiting and hiring of medical and office staff. Responsible for monitoring the financial aspects of the clinics, including budgeting, billing, monitoring accounts payable, buying and purchasing, as well as payroll. Responsible for staff management, scheduling and discipline. Managed all other facets of the business, including legal obligations, billing and recordkeeping. Additional responsibilities included front and back office duties such as taking vital signs, doctor assisting, phlebotomy, administration of medication, room prep, lab testing, billing and insurance, and other front desk tasks.

**JEFFREY DANIEL WOOLEY, RMA**

373 East Ashley Way, P.O. Box 2896

Florence, Arizona 85232

Phone: (520) 431-5710

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**EXPERIENCE (cont'd)**

04/05-07/05

*A-One Medical Group, 1600 W. Chandler Boulevard, Chandler, Az*

**OPERATIONS MANAGER**

Controlled and managed the daily operations of two medical offices; one in Chandler, and one in Casa Grande. Supervised staff of approximately 20, along with 7 medical care providers. Responsible for recruiting and hiring medical and office staff. Responsible for all financial aspects of both offices, including budgeting, billing, accounts payable, buying and purchasing, as well as payroll. Responsible for staff management, scheduling and discipline. Managed all other facets of the business, including legal obligations and recordkeeping. Additional responsibilities included front and back office duties such as taking vital signs, doctor assisting, phlebotomy, administration of medication, room prep, lab testing, billing and insurance, and other front desk tasks.

10/02-03/05

*Main Street Family Practice, 660 S. Main Street,, Florence, Az*

**BUSINESS MANAGER**

Controlled the day to day operations of a medical office. Responsible for all financial aspects of the business, including budgeting, billing, accounts payable, buying and purchasing, as well as payroll. Responsible for staff management, scheduling and discipline. Additional responsibilities included front and back office duties such as taking vital signs, doctor assisting, phlebotomy, administration of medication, room prep, lab testing, billing and insurance, and other front desk tasks.

08/98 – 10/02

*Corrections Corporation of America, PO Box 1048, Florence, Az*

**ASSISTANT BUSINESS MANAGER**

10/95-10/98

*United States Army*

**E-4/ SPECIALIST MILITARY POLICE**

02/90 -10/95

*Arizona National Guard/ United States Army*

**E-4/SPECIALIST MILITARY POLICE**

10/92-09/95

*Maricopa County Sheriff's Office, Phoenix, Az*

**DETENTION OFFICER**

06/90-10/92

*America West Airlines, Phoenix, Az*

**RAMP AGENT/CUSTOMER SERVICE REPRESENTATIVE**

06/85-06/89

*United States Navy*

**E-5/ PETTY OFFICER SECOND CLASS**

**JEFFREY DANIEL WOOLEY, RMA**

373 East Ashley Way, P.O. Box 2896

Florence, Arizona 85232

Phone: (520) 431-5710

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**EDUCATION:**

*December 2011*

*Northern Arizona University, Flagstaff, Az*  
**Bachelor's Degree in Education/CTE**

*May 1985*

*Marcos De Niza High School, Tempe, Az*  
**GENERAL DIPLOMA**

**CERTIFICATIONS/BOARD MEMBERSHIPS:**

**Town of Florence Planning and Zoning- Chairman/ Commissioner** (*July 2000- Oct 2014*)

**Project Centl Leadership Academy- Graduate** (*September 2011*)

**Registered Medical Assistant -American Medical Technologists** (*July 2012-present*)

**CPR and CPR Instructor -American Heart Association** (*2013- present*)

**Vice President -Arizona Health Careers Educators Association** (*July 2013-current*)

**President -Arizona State Society of American Medical Technologists** (*January 2015- current*)

**Vice Chairman -Sun Life Family Health Center Board of Directors** (*July 2015- current*)

**Distinguished Master of Advocacy- National Association of Community Health Centers** (*March 2015-Current*)

## Application for Position on Florence Town Council

Tom Smith

It is my wish to have Florence stay the course the town has taken and at the same time continue to move forward. Since I served on the council during the last twelve years, I have been involved in and am experienced with all that is still going on today. For these reasons, it would be my honor to be chosen to serve for the remainder of the vacated term.

I want to serve this council, our staff, and more importantly, the residents of Florence. I am committed to a good future for Florence.

- Graduate of Florence Union High School 1958
- Attended University of Arizona
- Worked mainly in the airline industry

Pacific Southwest Airlines which was bought by US Airways

Retired after 25 years

- I own four properties in the Historic District, including my home

Signed

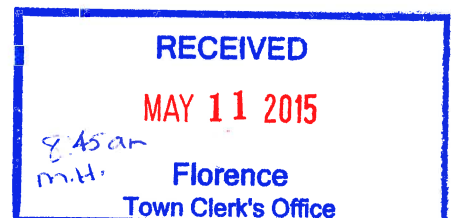


Tom Smith

520-705-1221

192 N. Bailey St.

Florence AZ 85132



3727 N. Monument Drive  
Florence, AZ 85132  
(520) 723-9229 (home)  
(916) 799-8194 (mobile)  
kandjwall@gmail.com

May 8, 2015

Town Clerk's Office  
Town of Florence  
P. O. Box 2670  
775 N. Main Street  
Florence, AZ 85132

Attention: Lisa Garcia

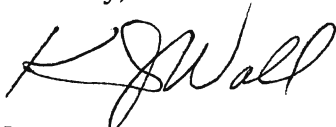
Dear Ms. Garcia:

Please consider this letter as my indication of interest in filling the Town Council vacancy created by the resignation of Ruben Montano.

I've attached a copy of my resume for inclusion with the agenda for the May 18, 2015 Town Council meeting at which time I understand interviews will be conducted. Please let me know if you would prefer to receive an electronic version of this letter and resume.

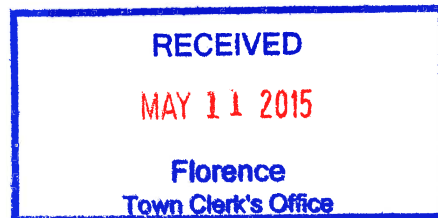
I look forward to the opportunity to discuss my qualifications.

Sincerely,



Karen J. Wall

Enclosure



## Karen J. Wall

3727 N. Monument Drive

Florence, AZ 85232

(520) 723-9229

kandjwall@gmail.com

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### Summary

- Excellent communication skills; detail- and results-oriented
- Motivated and business-focused professional
- Significant management and supervisory experience
- Human resources, training, quality assurance, and profitability management
- Computer proficiency, including Word, Excel and PowerPoint

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### Civic Participation

- Coordinator of 400+ member grassroots group opposing the Florence Copper Project - 2011-Present
- Elected Precinct Committeeman, Pinal County - 2012-Present
- 2014 Recipient of Outstanding Party Worker in State and PC of the Year
- Chairman of Sun City Anthem Neighborhood Representative Committee
- Coordinator of Volunteers, Sun City Anthem
- Advisory Board Member, Tierra del Oro Girl Scout Council
- Advisory Committee Member, San Juan Unified School District
- Board of Directors, Point West Area Business Association
- Member, Soroptimists International

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### Experience

8/03-12/04

#### **Support Services Manager, USAA, Sacramento, CA**

Planned, coordinated, scheduled, monitored and managed all support service activities for the western region. Accountable for implementation of USAA's initiatives, achievement of assigned goals and objectives in the regional operational plans and compliance with policies and procedures. Provided leadership for all regional clerical activities. Evaluated and defined problems, proposed alternatives, and applied judgment for day-to-day operations. Responsible for team building, managing conflict and continual staff coaching, mentoring and development. Supported and led change efforts while meeting customer service objectives.

8/02-4/03

#### **Manager, Cash Management Services Department, E\*Trade Clearing LLC, Rancho Cordova, CA**

Managed a team of 20 associates responsible for processing all customer deposits and disbursements, valued at over \$50 billion annually. Worked with the Product Development Department to refine existing products and develop new products to increase customer deposits. Reported daily activity and provided projections of cash flow on a rolling basis. Maintained business

relationships with financial institutions that provided banking services and monitored rates and charges in conjunction with E\*Trade's Treasury Department to insure that funds were consistently managed to the company's advantage. Developed a monitoring system to identify potential deposit and withdrawal fraud and worked with the Risk Services Department to reduce losses. Managed the department's transition to a new processing platform that led to outsourcing of all disbursement activities.

- 5/00-8/02     **Manager, Account Services Department, E\*Trade Clearing LLC, Rancho Cordova, CA**  
Managed teams that varied in size from 25 to 50, depending on volumes, that processed new account applications, changes to customer information, customer requests, and maintenance dictated by corporate and regulatory requirements. Provided daily, weekly, monthly and annual reports on a variety of metrics, including demographics, values, and activity. Insured compliance with regulations affecting customer accounts and devised methods for surveying and updating accounts as required. Negotiated and managed outsourcing contracts and developed a detailed quality assurance program with outsourcing vendors. Created a detailed training program for temporary employees hired to handle seasonal volumes and developed career path program for full-time associates. Coached team members on a regular basis and periodically evaluated performance.
- 8/99-5/00     **Training & Organizational Development Specialist, E\*Trade Securities, Rancho Cordova, CA**  
Participated in the establishment and organization of the department, which began as a three-person operation and grew to a team of 15. Developed and documented curriculum for new customer service associates, coordinated training schedules and materials, and delivered training to eight two-week new-hire classes consisting of 30 associates each. Trained a full-time trainer to assume these duties.
- 4/98-8/99     **Supervisor, Customer Service, E\*Trade Securities, Rancho Cordova, CA**  
Supervised a team of associates providing customer service and support to E\*Trade's OptionsLink and ShareData customers. OptionsLink and ShareData are proprietary, business-to-business products offered to large corporate customers who provide stock options and employee stock purchase plans to their employees as part of their compensation programs. Responsibilities included day-to-day management of the inbound employee contact queue, supervision of brokers taking stock exercise and stock purchase trade orders, handling escalated issues from company stock plan administrators, tracking and reporting call and trade volumes, resolving trade disputes, adjusting employee accounts, monitoring quality and service levels, coaching individual associates and reviewing team members' performance.
- 9/97-4/98     **Specialist, Customer Service, E\*Trade Securities, Rancho Cordova, CA**  
Served as mid-level supervisor of a team of customer service representatives (CSRs) and brokers. Responsibilities included managing the telephone queue,

resolving escalated customer issues, responding to complex CSR and broker trading questions, communicating time-sensitive information and trading updates, coaching CSRs and brokers, resolving customer trading inquiries, interfacing with back-office operational departments and monitoring productivity levels.

- 2/97-9/97     **Customer Service Representative, E\*Trade Securities, Rancho Cordova, CA**  
Entry-level customer service position in a fast-paced, online brokerage call center environment. Provided customers with account, product, procedural and systems information assistance. Primary assignment was as liaison between Trading Department and Customer Service Department to communicate outcome of trading inquiries to customers. Interpreted and evaluated appropriateness of resolutions, placed outbound calls to customers, sent system messages, and logged progress and completion information. Worked with other customer service associates, specialists and supervisors as they interacted with customers regarding inquiries. Secondary assignment as broker associate, taking inbound trading calls and placing equity and option orders.
- 10/95-2/97     **Financial Advisor, American Express Financial Advisors, Sacramento, CA**  
Contacted prospective clients by holding seminars, using company-provided leads, and accessing natural markets. Provided comprehensive financial planning services, including assessment of insurance, short-term and long-term investment goals, and individual savings goals. Conducted detailed client interviews to identify goals, then analyzed client data and prepared detailed, written recommendations for investments and insurance products. Implemented plans by completing applications and performing field underwriting tasks. Met with clients on a regular basis to monitor performance of investments and progress towards achieving goals.
- 5/95-9/95     **Consultant, HQ Business Centers of Silicon Valley, San Jose, CA**  
Evaluated operations of four business center locations and made recommendations for improvement. Prepared written documentation of new and existing policies and procedures. Assisted center owners with preparation of a five-year business plan.
- 1/93-4/95     **Vice President of Operations, HQ Network Systems, San Francisco, CA**  
HQNS is the franchiser of HQ Business Centers, the largest provider of executive office space and clerical/administrative support services in the world, with over 150 locations. The Vice President of Operations is the senior operational management professional of the company, providing leadership for the network in standards, consistency and cost effectiveness as it pertains to the operation of HQ Business Centers, developing and achieving measures of performance for high levels of profitability and customer satisfaction, and setting the highest standards of service and product excellence. Duties performed included coordination of pre-opening training for new centers and ongoing operations training for new center management and staff; development, implementation and monitoring of international standards for center operations; negotiation of bulk purchasing agreements for telecommunication, copying,

faxing and videoconferencing equipment; establishment of human resources policy and procedural guidelines; and development of new services and products to enhance existing offerings. Traveled extensively throughout the worldwide network, working directly with HQ Business Center Owners, management and staff. Responsible for insuring overall Network compliance with established standards and annual detailed budget and business plan preparation.

- 1987-1992     **Operations Manager, Xebec Management Services**, Sacramento, CA  
Xebec Management Services (dba HQ Business Centers and Executive Office Network) is the largest provider of executive suite office space and clerical/administrative support services in northern California. The Operations Manager is responsible for supervising operations at eight locations totaling 360 individual offices, projected (1992) revenue of over \$4.5 million, and a staff of 55, including managers, service providers and maintenance staff. Client relations, establishment and achievement of revenue/expense targets, personnel, facilities, and coordination of leasing activity with operations were major areas of responsibility.
- 1982-1987     **Owner/Operator, Executive Suites/Action Secretarial**, Sacramento, CA  
Owned and operated a 26-office executive suite and secretarial service. Responsible for all aspects of the business, including sales and marketing, personnel, clerical/administrative services, maintenance, client relations, accounts payable/receivable, and bottom-line profitability.
- 1977-1982     **Office Manager, Frederiksen, Kamine & Associates, Engineers and Carissimi-Rohrer-Associates, Architects**, Sacramento, CA
- 1974-1977     **Personnel Technician/Affirmative Action Officer, Butte Community College District, Oroville, CA**  
and 1969-1973
- 1973     **Multi-Clerical Skills & Basic Education Instructor, Yuba College, Marysville, CA**
- 1968-1969     **Secretary to Department Chairmen, CA State University, Chico, CA**
- 1961-1967     **Secretary to Extension Service Advisors, UC Extension, Hayward, CA**

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## **Education & Licenses**

- General Securities Representative, Series 7 License
- Uniform Securities Agent, California, Series 63 License
- General Securities Principal, Series 24 License
- Lifetime Instructor Credential, California Community Colleges
- Continuing education through participation in seminars, workshops and professional development courses
- Two years college (business major), with emphasis in accounting, business law, economics, and teaching techniques, 4.0 gpa

## Formal request for consideration, of appointment to seat on Florence Town Council

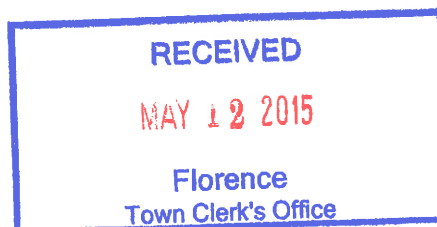
Please find a copy of a brief resume along with my answers to the Florence Reminder's questions to all candidates for this office. This was published prior to the election. My position remains the same. In the area of the aquatic center and road servicing the same, my position is that now that a majority of the Council has approved this project that I would endeavor to support the best possible use of these facilities for the benefit of the Town at large.

In the last Council election I received a total of 920 votes or 106 votes less than the lowest seated councilperson received. In the Poston Butte precinct I received 153 votes more than that person. In the North Florence precinct I received 142 votes less and therefore won those two precincts by 11 votes. In the old town precinct I lost by 107 votes. The point of this recap is to point out just how close this election was. The North Florence precinct is composed of Florence gardens and of course the northern part of Florence. The successful candidate is a long term resident of old town Florence, well known and respected in that community. Out of the total votes for candidates of 4,008 the outspoken candidates for more fiscal responsibility received 2,992. This would seem to me to be a general request from the voters for a more considered approach to spending. I believe this is what caused, in the primary vote, a defeat of the Home Rule Proposition 400.

We are now having a vote to partially rectify the negative vote on the Home Rule proposition. This election will be settled by the time that this appointment is made. The newly constituted Council will have the job, no matter which way the vote goes, to restore the Town of Florence citizens faith in their elected councils ability to handle their money. It should be noted that this vote is only a temporary fix, in order to reinstate home rule permanently other affirmative efforts and votes will be necessary. I would work diligently with the Town Council to solve this serious situation.

During the election process I have filled out as a candidate all necessary financial and disclosure ownership forms. There have been no changes since that time. It should be noted that these filings are public record.

  
Art Buckley



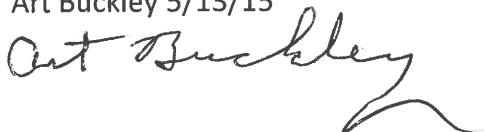
## **FLORENCE TOWN COUNCIL QUESTIONNAIRE**

1. My name is Arthur Buckley, I am more commonly known as Art. I am 80 years old, and am definitely not retired. From 1959 to 1963 I farmed & managed citrus groves in the Central Valley of California. From 1964 to 1989 I was general manager of 4 different large vertically integrated citrus operations in California and Arizona. These operations varied from 5,000 to 17,000 acres of farming supervision, and packing and selling responsibility. In 1992 a partner and I bought the undeveloped land and lots in Florence Gardens that existed at that time.
2. My life experience is in citrus packing house management in both California and Yuma Arizona, and as owner/developer of a number of residential developments during these same years. The developments varied from 29 duplex units, a 110 mobile home, gated, low cost lot development, 20 single-family stick built homes, and the development in Florence Gardens. In the Florence Gardens communities I sold and set up 70 homes and developed 48 new lots. In Caliente I bought and sold 79 lots and 14 park models. This background gives me experienced insight when being presented with staff recommendations. I believe that there are times the right questions should be asked by the council, especially in planning sessions. For example when the Town manager was stating (the now approved) aquatic center was going to bring foot traffic to downtown Florence. No one asked how there could be any foot traffic to down town when it's being built a mile away from down town. Note: The Bank and Grocery store at the corner of Main and Butte are the middle of Main Street and .6 of a mile from the aquatic center. Once there, one would either have to catch a ride or walk back to their car, total 1.2 miles.
3. I have two major concerns that the Town of Florence's Council has not effectively addressed. Impact fees assessed on the empty lots in Old Town Florence, and the empty lots in Florence Gardens. It has stopped growth and brought little or no income to the town of Florence. The condition of downtown Florence needs both immediate and long-term attention by the Town Council. As a Council member I would insist that the impact section of the State of Arizona (Rev Statute 9-463.05) is followed.
4. I will help to create and implement a strategic plan to develop Down Town. A new road north of town hall will have no impact on Down Town, it is designed to service the approved aquatic center and owners of land adjacent to said road. It would be costly and would attract nothing to the Town of Florence.

5. I am against the development of a mining operation of any kind in the Gila River aquifer. This aquifer supplies water to Florence residents, and there can be no circumstances of approval while there is the slightest chance of either water contamination or diminishment of water quality.
6. The major annexations the town is pursuing are soon to be finalized. The town strategy of bringing services to these new annexations is fully outlined in the varying development agreements that were approved prior to final annexation. In order to integrate the existing residents of these annexations and plan for future growth in these areas, it will require the town Council to both study, and plan for said integration.
7. I believe that the town Council has not thought about, or directed any study, as to an industrial park area. It is important for prospective industries to know what industrial space may be available in Florence. It is not sufficient to simply designate an area for industrial development. It is necessary to plan how development areas will be laid out, and have all utilities to the property. An industrial development must be "shovel ready".
8. The law on medical marijuana dispensaries is governed by state and federal law. Thus the question about whether we should take applications is governed by those laws. It is a different question whether not to approve said dispensaries. That would have to be handled on a case-by-case basis as to the merits.
9. The two major areas of necessary improvement for the town of Florence are (1) the revitalization of downtown Florence and (2) economic growth. Florence has a very rich history. The Council needs to focus on this, embrace Old Town and make it the showplace, and centerpiece it can once again become.
10. I would like to see the Town Council have more of a vision for our Beautiful Old Town of Florence and really encourage the owners of these properties to see the wonderful potential values of these properties. The council must have insight into the creative Historic place it can become. There are a number of questions that cannot be answered in the space allowed. I have participated in writing a position paper entitled, "A FRESH NEW VISION FOR FLORENCE" this paper will be delivered to voters in varying different ways.

The above published in Florence Reminder in May, 2014. The editor may or may not have quoted these answers in full, the sense of my comments were however, completely expressed.

Art Buckley 5/13/15

A handwritten signature in black ink that reads "Art Buckley". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

S. Dulaine Coleman

May 14, 2015

City Of Florence

775 N. Main Street

Florence, AZ. 85132

To The City Of Florence Council Members:

I have been informed city council members are seeking a qualified individual to fill an interim vacancy. My extensive educational background in Political Science, in conjunction with my professional expertise in community service and education policy, makes me ideal candidate for this appointment.

I have received numerous awards for my dedication to the community, teaching, and academic performance. As noted in my resume, I have excellent communication and managerial abilities. My academic achievements reflect a comprehensive knowledge of American Government which I am certain will be beneficial to function as a valuable member of city council.

Sincerely,



S. Dulaine Coleman

RECEIVED

MAY 14 2015

Florence  
Town Clerk's Office

**S. Dulaine Coleman**  
8011 West Trenton Way  
Florence, Arizona 85132  
Email: sdulainec@gmail.com  
Phone: (520) 723-4073

### **PROFESSIONAL ATTRIBUTES**

Management and Leadership skills, supervision of office personnel and obtaining student body support for change · Articulate communication, written and verbal skills · Experience with Bookkeeping, Accounting, Payroll, Taxes and Inventory Control · Innovative, Critical Thinker, successful application of unconventional methodologies in the field of education · Conscientious, Persistent, dedication to meticulously completing all tasks · Trustworthy, reliable and dependable meeting or exceeding all expectations · Experience with Email software, learning Microsoft Office software

### **EDUCATION & TRAINING**

**University of Southern California** · Los Angeles, CA  
Master's Degree in Political Science Law and Public Policy, American Government and Comparative Politics/ Ph.D. A.B.D.

Dissertation Topic:

Law and American Education Public Policy, with emphasis on urban education policy

**Temple University** · Philadelphia, PA  
Bachelor of Science in Political Science/Sociology-Graduated Cume Laude

### **WORK EXPERIENCE**

1993-1994 · City of Philadelphia Juvenile Justice Division, Philadelphia, PA

#### ***Counselor***

- Assess juvenile behavior and recommend the most appropriate way to assist the individual
- Counsel juveniles on how to manage problem situations that play a role in criminal behavior such as drug and alcohol abuse and anger management issues
- Arrange for complete medical treatment services according to individual needs or court orders
- Document and record information to assist the court in their final assessment of individuals' needs, including reports of individuals' progress
- Resolve conflicts and negotiate with all parties involved

1989-1990 & 1992-1994 · State of Pennsylvania Department of Education, Philadelphia, PA

#### ***Teacher***

- Instruct students individually and in groups, using various teaching methods such as group discussions and demonstrations
- Utilize nontraditional teaching methods to encourage full student participation and encourage enthusiasm (Recipient of an Innovative Teaching Award)
- Organize and create lesson plans while prioritizing student assessment and growth

**REFERENCES AVAILABLE UPON REQUEST**

# University of Southern California

The Trustees of the University by virtue of the authority vested  
in them and on the recommendation of the faculty of

The Graduate School

have conferred the degree of

Master of Arts

Political Science

on

S. Bulaine Coleman

Given at Los Angeles, California, on the eighth day of May, in the year  
one thousand nine hundred and ninety-two

*Steven P. Sample*  
President of the University

*Forest N. Shumway*  
Chairman of the Board of Trustees



*Bartholomew Solomon*  
Dean

# TEMPLE · UNIVERSITY

OF · THE · COMMONWEALTH · SYSTEM · OF · HIGHER · EDUCATION

BY · AUTHORITY · OF · THE · BOARD · OF · TRUSTEES · AND · UPON · RECOMMENDATION  
OF · THE · FACULTY · HEREBY · CONFERS · UPON

**S. Bulaine Coleman**

THE · DEGREE · OF  
**Bachelor of Arts**  
*Cum Laude*

TOGETHER · WITH · ALL · THE · RIGHTS · PRIVILEGES · AND · HONORS · APPERTAINING  
THERETO · IN · RECOGNITION · OF · THE · SATISFACTORY · COMPLETION  
OF · THE · COURSE · PRESCRIBED · BY · THE · FACULTY · OF · THE · UNIVERSITY  
IN · TESTIMONY · WHEREOF · THE · UNDERSIGNED · HAVE · SUBSCRIBED  
THEIR · NAMES · AND · AFFIXED · THE · SEAL · OF · THE · UNIVERSITY  
GIVEN · AT · PHILADELPHIA · PENNSYLVANIA · ON · THIS · EIGHTEENTH · DAY · OF  
MAY · NINETEEN · HUNDRED · AND · EIGHTY · NINE

*Michael M.*

CHAIRMAN · OF · THE · BOARD · OF · TRUSTEES

*William C. Seyler*

SECRETARY · OF · THE · UNIVERSITY



*Alte J. H. ...*

PRESIDENT · OF · THE · UNIVERSITY

*Lois S. Crenshaw*

DEAN

# The Academy of Political Science

New York, New York

*Founded 1880*

The Academy is Pleased to Enroll

S Dulaine Coleman

as a

## Member of the Academy

For the Year Beginning October 1, 2002



Witness the Seal of the Academy and  
the Signature of the President

Demetrios Caraley  
President

# The Academy of Political Science

New York, New York

*Founded 1880*

The Academy is Pleased to Enroll

S. Dulaine Coleman

as a

**Member of the Academy**

For the Year Beginning October 1, 2003



Witness the Seal of the Academy and  
the Signature of the President

Demetrios Caraley  
President

*The President and Trustees of  
The National Trust for Historic Preservation  
have the honor to announce the election*

*of*

**S. D. Coleman**

*to*

*full vested Membership in the  
National Trust with all its exclusive  
privileges and benefits.*



# The Chapel of Four Chaplains

1855 NORTH BROAD STREET  
PHILADELPHIA, PENNSYLVANIA 19122

JAMES ERIC PIERCE, PhD  
Senior Chaplain

(215) CE 6-6394 — CE 5-3020

Associate Chaplains  
REV. DONALD J. FIEDLER  
RABBI AARON LANDES, RADM, USNR  
REV. DONATO P. SILVERI  
DR. ANTHONY VASQUEZ

COL. ARCHIE T. ROBERTS  
Chaplain, U.S.A. (Ret.)  
Staff Associate Chaplain/  
Director of Development

Unity Without Uniformity

Dear Legion of Honor Member:

As a member of the Legion of Honor of The Chapel of Four Chaplains, you are one who has been recognized as a caring and valuable member of your community. Along with the Legion of Honor membership comes the Nominating Privilege. For the past year, we have been moving toward nomination by a member as the only way, short of direct action by our Awards Committee, that one can be nominated for Legion of Honor membership.

Many of you have been Legion of Honor members for years, and have frequently exercised the Nominating Privilege. Others, who are newer members, may not be aware of your right to serve as the eyes and ears of the Chapel. There is no way that our staff can be aware of the good works being done in communities all across Greater Philadelphia, and certainly not in communities throughout the nation. Therefore, we must rely on you.

Exercise the Nominating Privilege with great care. We rely upon our members to protect the integrity of our award. However, if you know of persons whose service to others should be recognized, please do not hesitate to nominate them. The enclosed form should be used in making nomination, and Legion of Honor members may receive copies of the nominating form on request.

God's peace,

James Eric Pierce, Ph.D.  
Chaplain

JEP:wh  
Enclosure

DR. DANIEL A. POLING  
1884-1968  
FOUNDER

WALTER H. WHITE  
1900-1984  
SENIOR CHAPLAIN, 1951-1984

CHAIRMAN  
DR. NORMAN KLAUDER  
VICE CHAIRMAN  
DANTE MATTIONI, ESQ.

SECRETARY  
LUCIEN KATZENBERG, JR.

TREASURER  
STANLEY MERVES

VICE-CHAIRMAN EMERITUS  
DR. DANIEL K. POLING

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MILTON J. FREIWALD, M.D.  
HON. ROBERT W. HANSEN  
CHAPLAIN JOHN N. HOLLIS  
COL. H.N. HOLT  
DR. FRED K. HONIGMAN  
CHARLES KAHN, JR.  
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DANTE MATTIONI, ESQ.  
STANLEY MERVES  
JAY MEYERS, ESQ.  
REV. H. LLOYD NORRIS, JR.  
THEODORE ROSEN PARRIS  
LT. GEN. WILLARD PEARSON  
DR. DANIEL K. POLING  
TERRY L. RULLI  
MRS. NORMA SCOTT  
HON. BERNARD G. SEGAL  
DOROTHEA W. SITLEY  
DR. MARVIN WACHMAN  
LT. GEN. ALEXANDER WEYAND

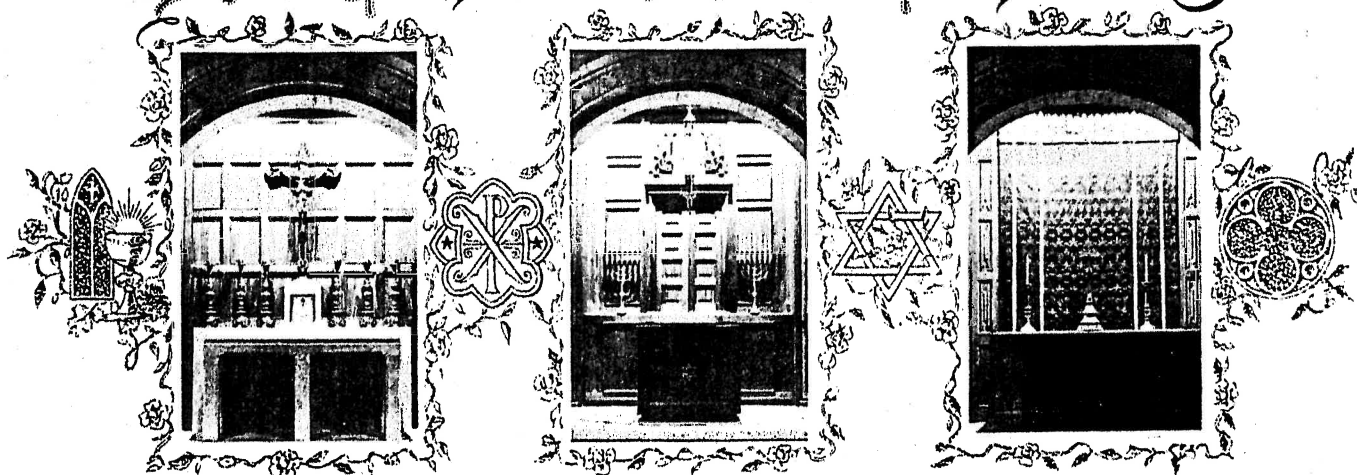
#### PROJECT SUNRISE COMMITTEE

MRS. DWIGHT D. EISENHOWER\*  
MRS. BETTY FORD  
MRS. LYNDON B. JOHNSON  
MRS. RONALD REAGAN  
MRS. HARRY S. TRUMAN\*

MISS MARIAN ANDERSON  
MRS. MORGAN DAVIS  
MRS. MARK O. HATFIELD  
MRS. NORMAN VINCENT PEALE  
MRS. ROY ROGERS  
MRS. RICHARD S. SCHWEIKER  
HON. MARGARET CHASE SMITH  
MRS. WALTER WHITE

\*Deceased

# The Chapel of Four Chaplains



## Four Chaplains Legion of Honor Membership Presented to

S. DULAIN COLEMAN

By the  
Chapel of Four Chaplains  
Philadelphia, Pennsylvania

in recognition of service to all people regardless of race or faith.  
This membership symbolizes for all Americans and for all time the  
unity of this Nation, founded upon the Fatherhood of One God.

September 18, 1988



*Archie T. Robert*

CHAPLAIN

# MEMORANDUM

To: Mayor and Town Council  
From: Charles Montoya, Town Manager  
Cc: Lisa Garcia, Deputy Town Manager/Town Clerk  
Department Heads  
Date: May 18, 2015  
Re: Bi-Weekly Update

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## Department Updates

### Administration

- Cuen Building: Title and keys have been turned over to Mr. Smallidge. Staff has met with Mr. Smallidge to explain the process in the Historic District.
- Election Information: Attached is the ballot issue report. 334 ballots were rejected by the post office. As of May 13, 2015, 32 percent of the ballots have been returned. Four people have contacted Pinal County because they did not receive a ballot in their packet. Three people contacted Pinal County to request a new ballot; all were reissued. Five ballots were reissued because of bad addresses. Election results will be announced May 19, 2015, on the front page of the Town website.

### Community Development

- Initiating work on annexation, General Plan and PUD process for the Bonnybrooke Solar Project, east of Florence.
- Design Review for Monterra Solar Project was approved. Commencing work on review of construction plans.
- Helping Happy Adobe with transition to new locations.
- Working on Main Street Extension Tree Project.
- Working on possible annexation and zoning of property along the Hunt Highway curve.
- Preparing for Town Engineering division's transfer to Community Development office.
- Assisting with many inquiries regarding buildings and real estate in Florence.

### Finance Department

- Budget Committee met to discuss the two Fiscal Year 2015/2016 budgets scenarios.
- Expansion of the customer service window completed and is now operational.
- Completed preparations for first bid on housing rehabilitation program.

## **Information Technology Department**

- Met with the contractor and special systems company to move forward with the final component phase of the library and aquatics project.
- Provided specifications to vendor to install an improved audio/video recording system for Channel 11.
- Completed the configuration of the Heritage Park, Town Hall and Police Department cameras and the cameras are now online. Fitness Center cameras will be online next week.
- Completed the activation of the fire alarm monitoring for the South Plant facility.
- Completed the installation and configuration of the Council Chambers sound system. The additional five microphones are now online.

## **Library**

- Rose Bebris consulted with the Director of the DeGrazia Foundation regarding the proper cleaning and display of the library's DeGrazia tapestry. With input from the project architect, an appropriate location in the new facility has identified to display the piece. The tapestry "El Burrito," crafted by German artisans from a print of Ted DeGrazia's original painting, was donated by the DeGrazia Art and Cultural Foundation to the Florence Community Library in 1994.
- The air conditioning in the library is currently out of service. Due to the age of the unit, replacement parts needed to be special ordered. FUSD staff expects to receive the parts the week of May 11, 2015.
- 1,995 total items were circulated between Saturday, May 2 2015 and Friday, May 8, 2015. 144 holds were placed. 276 computer users were recorded in the computer lab. The average computer use session was 50.254 minutes. For the week of April 26, 2015 – May 2, 2015, there were 365 wireless sessions.

## **Parks and Recreation**

- Staff attended the weekly meeting with the Territory Square – Library/Recreation Complex Project Team and Low Mountain Design-Build Team. At the Aquatic Center, carpentry, electrical and plumbing are ongoing and they are continuing the exterior fence around the pools. The pool deck continues to be poured in sections. At the Library and Community Center, interior carpentry continues and roofing is being installed. Site work also continues, with the majority of the parking lot asphalt scheduled to be installed next week. Fencing continues to be installed around the tennis and pickleball courts. Grading and installation of the SCIDD pipe in ongoing. APS, Southwest Gas, Cox Communications and Century Link work continues.
- Congratulations to Erasmo "Beebo" Mendivil and Alison Feliz, Recreation Programmers, for successfully completing the Certified Parks and Recreation Professional Exam. Attaining the CPRP designation shows that staff have met education and experience qualifications, and illustrates a commitment to the profession as well as knowledge and understanding of key concepts within parks and recreation.

## Police

- Officers worked “Cinco de Mayo”-Town of Florence event-no incidents to report.
- Officers will be working with the DUI Task Force in Casa Grande for Cinco de Mayo.
- Chief Hughes, Lt. Tryon, and Officers participated in the Law Enforcement Torch Run for Special Olympics.
- Sgt. Tatlock attended a meeting at Pinal County Emergency Operations Center in reference to a Multijurisdictional Hazard Mitigation Plan.
- Lt. Tryon attended the Pinal County Law Enforcement Memorial on Thursday, May 7, 2015.
- 2015 K-9 vehicle had decals installed.
- Certified officers completed daytime handgun qualifications.

## Utilities

- Replacement vacuum excavator has not been shipped to date.
- Timm Wainscott has obtained a Grade 2 Water Distribution Certification.
- Safety improvements have been competed at the Hunt Hwy Attaway Road intersection, including new signage, striping and guardrails.
- Projects updates:

Project	Completion of Work or Days	Status
Diversion Dam Road	240 days	Bonds & insurance documents have not been received from RK Sanders. Upon receipt a preconstruction meeting with be held.
North Florence Water Tank	June/July 2015	Work continuing.
Willow/Central/22 <sup>nd</sup> Streets	NA	Change Order No. 3 scheduled for Council approval on June 1, 2015.
SWWTP EPS/Chlorine Mods/Admin Bldg	June/July 2015	Work ongoing. Excavation has begun for the new vaults and pump station. Interior walls are being constructed in the old section of the building.
SWWTP Filter Project	January 2016	Work ongoing.
Water Tower Painting	35	No change.
PD Parking Lot	90	Work ongoing.
Well #2	65	Drilling has started. Well depth is approximately 400 feet. Southwest Groundwater is monitoring progress.
Main Street Extension	June 24, 2015	Visus is installing ABC. Staff talked to ADOT regarding approval of intersection work. Steve Mishler is checking on status. Steve will be leaving Tucson to work on a Phoenix project and is setting a meeting with his replacement.

Well #4 to #5 Transmission Main	60	Work ongoing.
SWWTP Lagoon Closure	20	Bonds & insurance requested. NTP should be given next week.
Fire Station #2 Traffic Signal	150	Bonds and insurance requested.