

ACTION MINUTES

MINUTES OF THE FLORENCE TOWN COUNCIL MEETING HELD ON MONDAY, JULY 7, 2014, AT 4:00 P.M., IN THE CHAMBERS OF TOWN HALL, LOCATED AT 775 NORTH MAIN STREET, FLORENCE, ARIZONA.

1. CALL TO ORDER

Vice-Mayor Smith called the meeting to order at 4:00 pm.

2. ROLL CALL:

Present: Rankin, Smith, Celaya, Hawkins, Montaña, Walter, Woolridge

3. ADJOURN TO EXECUTIVE SESSION

For the purpose of discussion of the public body to evaluate the Town Manager and Town Attorney and to receive legal advice from the Town Attorney regarding their contracts of employment in accordance with A.R.S. § 38-431.03(A)(1)&(3).

On motion of Councilmember Montaña, seconded by Councilmember Walter, and carried to adjourn to Executive Session.

On motion of councilmember Montaña, seconded by Councilmember Walter, and carried to recess from Executive Session.

4. ADJOURN FROM EXECUTIVE SESSION

Executive Session will reconvene at the end of the meeting.

5. INVOCATION

6. PLEDGE OF ALLEGIANCE

7. 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.

8. MOTION TO ADJOURN TO MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 1 BOARD.

On motion of Councilmember Walter, seconded by Councilmember Hawkins, and carried to adjourn to Merrill Ranch Community Facilities District 1 Board.

- a. Public hearing to receive public comment on the Merrill Ranch Community Facilities District No. 1 Budget; and for Discussion/Approval/Disapproval of Resolution No. MRCFD1 127-14: A RESOLUTION OF BOARD OF DIRECTORS OF MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 1, PINAL COUNTY, ARIZONA, ADOPTING THE BUDGET FOR FISCAL YEAR 2014-2015.

Chairman Rankin opened and closed the public hearing.

On motion of Boardmember Woolridge, seconded by Boardmember Montaña, and carried to adopt Resolution No. MRCFD1 127-14.

- b. Public hearing to receive public comment on Merrill Ranch Community Facilities District No. 1 Property Tax Levy; and second reading of Ordinance No. MRCFD1 111-14: AN ORDINANCE OF MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 1, PINAL COUNTY, ARIZONA, LEVYING THE ASSESSED VALUATION OF THE PROPERTY WITHIN THE COMMUNITY FACILITIES DISTRICT SUBJECT TO TAXATION OF CERTAIN SUM UPON EACH ONE HUNDRED DOLLARS (\$100.00) OF VALUATION SUFFICIENT TO RAISE THE AMOUNT ESTIMATED TO BE RECEIVED FROM FUNDS FOR COMMUNITY FACILITIES EXPENSES FOR THE FISCAL YEAR ENDING THE 30th DAY OF JUNE 2015. (First reading on June 16, 2014)

Chairman Rankin opened and closed the public hearing.

9. MOTION TO ADJOURN FROM MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 1 BOARD.

On motion of Boardmember Woolridge, seconded by Boardmember Hawkins, and carried to adjourn from Merrill Ranch Community Facilities District No. 1 Board.

10. MOTION TO ADJOURN TO MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 2 BOARD.

On motion of Councilmember Walter, seconded by Councilmember Montaña, and carried to adjourn to Merrill Ranch Community Facilities District No. 2 Board.

- a. Public hearing to receive public comment on the Merrill Ranch Community Facilities District No. 2 Budget; and for Discussion/Approval/Disapproval of Resolution No. MRCFD2 227-14: A RESOLUTION OF BOARD OF DIRECTORS OF MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 2, PINAL COUNTY, ARIZONA, ADOPTING THE BUDGET FOR FISCAL YEAR 2014-2015.

Chairman Rankin opened and closed the public hearing.

On motion of Boardmember Walter, seconded by Boardmember Hawkins, and carried to adopt Resolution No. MRCFD2 227-14.

- b. Public hearing to receive public comment on Merrill Ranch Community Facilities District No. 2 Property Tax Levy; and second reading of Ordinance No. MRCFD2 210-14: AN ORDINANCE OF MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 2, PINAL COUNTY, ARIZONA, LEVYING THE ASSESSED VALUATION OF THE PROPERTY WITHIN THE COMMUNITY FACILITIES DISTRICT SUBJECT TO TAXATION OF CERTAIN SUM UPON EACH ONE HUNDRED DOLLARS (\$100.00) OF VALUATION SUFFICIENT TO RAISE THE AMOUNT ESTIMATED TO BE RECEIVED FROM FUNDS FOR COMMUNITY FACILITIES EXPENSES FOR THE FISCAL YEAR ENDING THE 30th DAY OF JUNE 2015. (First Reading on June 16, 2014)**

Chairman Rankin opened and closed the public hearing.

11. MOTION TO ADJOURN FROM MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 2 BOARD.

On motion of Boardmember Woolridge, seconded by Boardmember Hawkins, and carried to adjourn from Merrill Ranch Community Facilities District No. 2.

12. PUBLIC HEARINGS

- a. Public hearing to receive citizen comments on the property tax levy; and second reading of Ordinance No. 612-14: AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, LEVYING THE ASSESSED VALUATION OF THE PROPERTY WITHIN THE TOWN OF FLORENCE SUBJECT TO TAXATION OF CERTAIN SUM UPON EACH ONE HUNDRED DOLLARS (\$100.00) OF VALUATION SUFFICIENT TO RAISE THE AMOUNT ESTIMATED TO BE RECEIVED FROM FUNDS FOR GENERAL MUNICIPAL EXPENSES FOR THE FISCAL YEAR ENDING THE 30th DAY OF JUNE 2015. (First Reading June 16, 2014)**

Mayor Rankin opened and closed the public hearing.

- b. Public hearing to receive citizen comments on increasing water and wastewater utility rates and fees; and Discussion/Approval/Disapproval of Resolution No. 1452-14: A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, PROVIDING INCREASES IN RATES AND FEES FOR WATER AND WASTEWATER SERVICES, EFFECTIVE SEPTEMBER 1, 2014.**

Mayor Rankin opened and closed the public hearing.

On motion of Councilmember Celaya, seconded by Councilmember Woolridge, to adopt Resolution No. 1452-14.

Roll Call Vote:

**Councilmember Celaya: Yes
Councilmember Woolridge: Yes
Councilmember Walter: Yes
Councilmember Montaña: No
Mayor Hawkins: Yes
Vice-Mayor Smith: No
Mayor Rankin: Yes**

Motion passed: Yes: 5; No: 2

13. ADJOURN TO A SPECIAL MEETING

On motion of Councilmember Woolridge, seconded by Councilmember Hawkins, and carried to adjourn to a Special Meeting.

- a. Public hearing to receive citizen comments on the Fiscal Year 2014-2015 Budget; and for Discussion/Approval/Disapproval of Resolution No. 1450-14: A RESOLUTION OF THE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, ADOPTING THE BUDGET FOR THE FISCAL YEAR 2014-2015.**

Mayor Rankin opened and closed the public hearing.

On motion of Councilmember Woolridge, seconded by Councilmember Celaya, to adopt Resolution No. 1450-14.

Roll Call Vote:

**Councilmember Woolridge: Yes
Councilmember Celaya: Yes
Councilmember Walter: Yes
Councilmember Montaña: Yes
Mayor Hawkins: Yes
Vice-Mayor Smith: Yes
Mayor Rankin: Yes**

Motion passed: Yes: 7; No: 0

14. ADJOURN FROM A SPECIAL MEETING

On motion of Councilmember Celaya, seconded by Councilmember Montaña, and carried to adjourn from a Special meeting.

15. CONSENT: All items indicated by an (*) 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. ***Resolution No. 1451-14: Adoption of A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, ACCEPTING THE TERMS AND CONDITION OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN PINAL COUNTY AND THE TOWN OF FLORENCE FOR ROADWAY IMPROVEMENTS, CONSTRUCTION AND MAINTENANCE OF COOPER ROAD, CHRISTENSEN ROAD, AND OLD FLORENCE KELVIN HIGHWAY AND AUTHORIZING EXECUTION BY THE TOWN MANAGER.**
- b. ***Approval of acceptance of grant funds awarded for High Intensity Drug Trafficking Area (HIDTA).**
- c. ***Approval of applying for a grant in the amount of \$125,000, to the U.S. Department of Justice Community Oriented Policing Services (COPS) program to be used to add a crime prevention/school resource police officer position.**
- d. ***Approval of accepting the register of demands ending May 31, 2014, in the amount of \$3,126,867.86.**
- e. ***Approval of the May 5, May 14, May 19, June 2 and June 16, 2014 Town Council Minutes.**
- f. ***Receive and file the following board and commission minutes:**
 - i. **March 20, 2014 Planning and Zoning Commission minutes**
- g. ***Johnson Utilities ratification of the following expenditures made while conducting due diligence in consideration of the Johnson Utilities acquisition:**
 - i. **Ratification of work completed by Water Works Engineer, LLC, in an amount not to exceed \$53,604.57.**
 - ii. **Ratification of work completed by Economist.com, LLC, in an amount not to exceed \$50,896.88.**
 - iii. **Ratification of work completed by Greenburg Traurig, LLP, in an amount not to exceed \$28,015.55.**
 - iv. **Ratification of work completed by Henry & Horne, PLC, in an amount not to exceed \$21,664.00.**
 - v. **Ratification of work completed by Dickinson Wright PLLC, in an amount not to exceed \$20,819.66.**
 - vi. **Ratification of work completed by Sims Murray, LTD, in an amount not to exceed \$7,306.80.**

On motion of Councilmember Montaña, seconded by Walter, and carried to approve the Consent Agenda, as written with the exception of Item a and Item g.

- a. *Resolution No. 1451-14: Adoption of A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, ACCEPTING THE TERMS AND CONDITION OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN PINAL COUNTY AND THE TOWN OF FLORENCE FOR ROADWAY IMPROVEMENTS, CONSTRUCTION AND MAINTENANCE OF COOPER ROAD, CHRISTENSEN ROAD, AND OLD FLORENCE KELVIN HIGHWAY AND AUTHORIZING EXECUTION BY THE TOWN MANAGER.

On motion of Councilmember Walter, seconded by Councilmember Montaña, and carried to adopt Resolution No. 1451-14.

- g. *Johnson Utilities ratification of the following expenditures made while conducting due diligence in consideration of the Johnson Utilities acquisition:
 - vii. Ratification of work completed by Water Works Engineer, LLC, in an amount not to exceed \$53,604.57.
 - viii. Ratification of work completed by Economist.com, LLC, in an amount not to exceed \$50,896.88.
 - ix. Ratification of work completed by Greenburg Traurig, LLP, in an amount not to exceed \$28,015.55.
 - x. Ratification of work completed by Henry & Horne, PLC, in an amount not to exceed \$21,664.00.
 - xi. Ratification of work completed by Dickinson Wright PLLC, in an amount not to exceed \$20,819.66.
 - xii. Ratification of work completed by Sims Murray, LTD, in an amount not to exceed \$7,306.80.

On motion of Councilmember Walter, seconded by Councilmember Montaña, and carried to approve the ratification of the expenditures made while conducting due diligence in consideration of the Johnson Utilities acquisition in an amount not to exceed \$182,308.00.

16. NEW BUSINESS

- a. Resolution No. 1453-14: Discussion/Approval/Disapproval of A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING THE PRE-ANNEXATION AND DEVELOPMENT AGREEMENT WITH PALMS-MAGIC LAKE 80, LLC., AN ARIZONA LIMITED LIABILITY COMPANY, AND AUTHORIZING EXECUTION OF SUCH PRE-ANNEXATION AND DEVELOPMENT AGREEMENT (ANNEXATION NO. 2013-01 – “MAGIC RANCH 80” PROPERTY).

On motion of Councilmember Hawkins, seconded by Councilmember Walter, and carried to adopt Resolution No. 1453-14.

- b. Resolution No. 1454-14: Discussion/Approval/Disapproval of A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING THE PRE-ANNEXATION AND DEVELOPMENT AGREEMENT WITH SFD MAGIC RANCH, LLC., AN ARIZONA LIMITED LIABILITY COMPANY, AND AUTHORIZING EXECUTION OF SUCH PRE-ANNEXATION AND DEVELOPMENT AGREEMENT (ANNEXATION NO. 2013-01 – “PROMONTORY AT MAGIC RANCH” PROPERTY).

On motion of Councilmember Montaña, seconded by Vice-Mayor Smith, and carried to adopt Resolution No. 1454-14.

- c. Resolution No. 1458-14: Discussion/Approval/Disapproval of A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING THE PRE-ANNEXATION AND DEVELOPMENT AGREEMENT WITH GEM LAND & CATTLE, LLC, AN ARIZONA LIMITED LIABILITY COMPANY AND EMPIRE WEST TITLE AGENCY, LLC., AN ARIZONA LIMITED LIABILITY COMPANY, AND AUTHORIZING EXECUTION OF SUCH PRE-ANNEXATION AND DEVELOPMENT AGREEMENT (ANNEXATION NO. 2013-01 – “VILLAGE AT MAGIC RANCH” PROPERTY).

On motion of Councilmember Montaña, seconded by Councilmember Woolridge, and carried to adopt Resolution No. 1458-14.

- d. Resolution No. 1459-14: Discussion/Approval/Disapproval of A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING THE PRE-ANNEXATION AND DEVELOPMENT AGREEMENT WITH RMG ARIZONA PROPERTIES HOLDING XVII, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, AND AUTHORIZING EXECUTION OF SUCH PRE-ANNEXATION AND DEVELOPMENT AGREEMENT (ANNEXATION NO. 2013-01 – “HERITAGE AT MAGIC RANCH” PROPERTY).

On motion of Councilmember Walter, seconded by Councilmember Montaña, and carried to adopt Resolution No. 1459-14.

- e. Resolution No. 1460-14: Discussion/Approval/Disapproval of A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA APPROVING THE PRE-ANNEXATION AND DEVELOPMENT AGREEMENT WITH RMG RESIDENTIAL 2010, LLLP, AN ARIZONA LIMITED LIABILITY LIMITED PARTNERSHIP, AND AUTHORIZING EXECUTION OF SUCH PRE-ANNEXATION AND DEVELOPMENT AGREEMENT (ANNEXATION NO. 2013-01 – “MAGIC RANCH 50” PROPERTY).

On motion of Councilmember Walter, seconded by Councilmember Montaña, and carried to adopt Resolution No. 1460-14.

17. DEPARTMENT REPORT

- a. **Manager's Report**
- b. **Department Reports**
 - i. **Community Development**
 - ii. **Courts**
 - iii. **Finance**
 - iv. **Fire**
 - v. **Library**
 - vi. **Parks and Recreation**
 - vii. **Police**
 - viii. **Public Works**
 - ix. **Utilities**

18. CALL TO THE PUBLIC

19. CALL TO THE COUNCIL

On motion of Councilmember Walter, seconded by Councilmember Montaña, and carried to reconvene the Executive Session.

20. ADJOURN FROM EXECUTIVE SESSION

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

21. ADJOURNMENT

On motion of Councilmember Walter, seconded by Councilmember Montaña, and carried to adjourn at 9:40 pm.

Posted this 8th day of July, 2014, on the Town of Florence website at www.florenceaz.gov by Maria Hernandez, Deputy Town Clerk.