

**TOWN OF FLORENCE  
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 19, 2014, AT 5:00 P.M., IN THE CHAMBERS OF TOWN HALL, LOCATED AT 775 NORTH MAIN STREET, FLORENCE, ARIZONA.

**1. CALL TO ORDER**

- 2. ROLL CALL:** Mayor Rankin\_\_\_; Vice-Mayor Smith\_\_\_;  
Councilmembers: Tom Celaya\_\_\_; Bill Hawkins\_\_\_;  
Ruben Montaña\_\_\_; Tara Walter\_\_\_; Vallarie Woolridge\_\_\_;

**3. WORK SESSION REGARDING CHANGES TO THE TOWN OF FLORENCE CODE OF ORDINANCES: ADAPTIVE REUSE AND SIGN CODE.**

**4. INVOCATION**

**5. PLEDGE OF ALLEGIANCE**

**6. 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.

**7. PUBLIC HEARING AND PRESENTATION**

- a. **Public Hearing on an** application received from Linda Parviainen, Florence Gardens Mobile Home Association, 3830 Florence Boulevard, Florence, Arizona, for a new Class A bingo license, and for Council recommendation for approval or disapproval of said license to the Arizona Department of Revenue.
- b. Presentation by Greater Florence Chamber of Commerce recognizing the Business of the Month.

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

- a. **Discussion/Approval/Disapproval** to authorize the Merrill Ranch Facilities District No. 1 Board Manager to secure General Obligation Bonds (GO Bonds) for purposes of financing public improvements within Merrill Ranch

Community Facilities District No. 1, in an amount not to exceed \$1,500,000, plus costs of issuance.

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

10. 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. **\*Adoption of Resolution** No. 1437-14: A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, SUPPORTING THE AMERICAN LEGION'S APPLICATION TO THE GILA RIVER INDIAN COMMUNITY FOR \$60,378.
- b. **\*Adoption of Resolution** No. 1438-14: A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, SUPPORTING PROJECT BRIDGE'S APPLICATION TO THE GILA RIVER INDIAN COMMUNITY FOR \$100,000.
- c. **\*Adoption of Resolution** No. 1439-14: A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, SUPPORTING PROJECT BRIDGE'S APPLICATION TO THE GILA RIVER INDIAN COMMUNITY FOR \$225,000.
- d. **\*Adoption of Resolution** No. 1440-14: A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, SUPPORTING THE TOWN OF FLORENCE'S APPLICATION TO THE GILA RIVER INDIAN COMMUNITY FOR \$40,000.
- e. **\*Adoption of Resolution** No. 1441-14: A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, SUPPORTING THE TOWN OF FLORENCE'S APPLICATION TO THE GILA RIVER INDIAN COMMUNITY FOR \$20,854.
- f. **\*Adoption of Resolution** No. 1442-14: A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, SUPPORTING THE TOWN OF FLORENCE'S APPLICATION TO THE GILA RIVER INDIAN COMMUNITY FOR \$59,000.
- g. **\*Acceptance of funds** from the Maricopa Association of Governments in the amount of \$177,496 to purchase a PM-10 street sweeper.
- h. **\*Approval of the** April 7, April 14, April 21, and April 23, 2014 Town Council Minutes.
- i. **\*Receive and file the following board and commission minutes:**
  - i. February 26, 2014 Historic District Advisory Commission minutes.
  - ii. March 19, 2014 Joint-Use Library Advisory Board Minutes.
  - iii. February 12, and February 20, 2014, Planning and Zoning Commission minutes.

## 11. UNFINISHED BUSINESS

- a. **Ordinance No. 606-13:** Discussion/Approval/Disapproval of AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, AMENDING THE TOWN OF FLORENCE CODE OF ORDINANCES, TITLE XV LAND USAGE, CHAPTER 150 DEVELOPMENT CODE, SECTION 150.047 DISTRICT USE REGULATIONS TABLES (A) AND ESTABLISHING A NEW RURAL RESIDENTIAL EQUESTRIAN SUBDIVISION (RRES) ZONING DISTRICT SECTION (PZC-34-13-ORD).
- b. **ORDINANCE NO. 610-14:** Discussion/Approval/Disapproval of AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING THE DOWNTOWN COMMERCIAL (DC) ZONE CHANGE LOCATED IN AN AREA GENERALLY BOUND BY RUGGLES STREET TO THE NORTH, BUTTE AVENUE TO THE SOUTH, BAILEY STREET TO THE WEST AND PINAL STREET TO THE EAST; AND INCLUDING PROPERTY LOCATED AT THE SOUTHEAST CORNER OF PINAL STREET AND 8TH STREET (PZC-11-14-ZC).

## 12. NEW BUSINESS

- a. **Discussion/Approval/Disapproval** of appointing Billie Jo Garcia to the Planning and Zoning Commission, with a term to expire on December 31, 2014; and appointing Gary Pranzo to the Planning and Zoning Commission, with a term to expire on December 31, 2015; and appointing Lee Olson to the Planning and Zoning Commission as Alternate
- b. **Resolution No. 1443-14:** Discussion/Approval/Disapproval of A RESOLUTION APPROVING THE PRE-ANNEXATION AND DEVELOPMENT AGREEMENT WITH MP FLORENCE, LLC., AN OREGON LIMITED LIABILITY COMPANY, AND AUTHORIZING EXECUTION OF SUCH PRE-ANNEXATION AND DEVELOPMENT AGREEMENT (ANNEXATION NO. 2013-02 – “CRESTFIELD MANOR MP FLORENCE” PROPERTY).

## 13. MANAGER’S REPORT

## 14. CALL TO THE PUBLIC

## 15. CALL TO THE COUNCIL

## 16. ADJOURNMENT

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 MAY 16, 2014, 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.\*\*\***

**MERRILL RANCH COMMUNITY FACILITY DISTRICT NO. 1  
SPECIAL MEETING  
AGENDA**

**PURSUANT TO A.R.S. § 38-431.02, NOTICE IS HEREBY GIVEN TO THE MEMBERS OF THE MERRILL RANCH COMMUNITY FACILITY DISTRICT BOARD AND TO THE GENERAL PUBLIC THAT THE MERRILL RANCH COMMUNITY FACILITY DISTRICT BOARD WILL HOLD A SPECIAL MEETING OPEN TO THE PUBLIC ON MONDAY, MAY 19, 2014, AT APPROXIMATELY 6:00 P.M. (IMMEDIATELY FOLLOWING THE OPENING OF THE FLORENCE TOWN COUNCIL MEETING) IN THE CHAMBERS OF TOWN HALL, LOCATED AT 775 N. MAIN STREET, FLORENCE, ARIZONA.**

**1. CALL TO ORDER**

- 2. ROLL CALL** Chair Tom Rankin\_\_\_, Vice-Chair Tom Smith\_\_\_,  
Board Members: Vallarie Woolridge\_\_\_, Tom Celaya\_\_\_,  
Ruben Montaña\_\_\_, Bill Hawkins\_\_\_, and Tara Walter\_\_\_.

**3. NEW BUSINESS**


- a. **Discussion/Approval/Disapproval** to authorize the Merrill Ranch Facilities District No. 1 Board Manager to secure General Obligation Bonds (GO Bonds) for purposes of financing public improvements within Merrill Ranch Community Facilities District No. 1, in an amount not to exceed \$1,500,000, plus costs of issuance.

**4. ADJOURNMENT**

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

POSTED MAY 16, 2014, BY LISA GARCIA, BOARD CLERK, AT 775 NORTH MAIN STREET, 1000 SOUTH WILLOW STREET, FLORENCE, ARIZONA, AND AT [WWW.FLORENCEAZ.GOV](http://WWW.FLORENCEAZ.GOV).

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	<b>TOWN OF FLORENCE COUNCIL ACTION FORM</b>	<b><u>AGENDA ITEM</u> 3.</b>
<b>MEETING DATE:</b> May 19, 2014  <b>DEPARTMENT:</b> Community Development  <b>STAFF PRESENTER:</b> Mark Eckhoff, AICP Community Development Director  <b>SUBJECT:</b> First Work Session: Adaptive Reuse Code and Sign Code		<input type="checkbox"/> Action <input type="checkbox"/> Information Only <input type="checkbox"/> Public Hearing <input type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input type="checkbox"/> Regulatory <input type="checkbox"/> 1 <sup>st</sup> Reading <input type="checkbox"/> 2 <sup>nd</sup> Reading <input checked="" type="checkbox"/> <b>Other Work Session</b>

**RECOMMENDED MOTION/ACTION:**

No motion or action is required. This is an introductory first of two (or more) work sessions planned on the subject topics. The second work session is being planned for June 16, 2014, and staff suggests this may be a joint work session with the Planning and Zoning Commission and the Historic District Advisory Commission.

**BACKGROUND/DISCUSSION:**

**Adaptive Reuse Policy**

A draft Adaptive Reuse Program is provided along with this RCA. Staff has reached out to communities throughout the State, building officials, specialists in economic development and the International Code Council to seek ideas for facilitating development within the Town core.

The draft program expands beyond options currently available, and quite frankly, would be one of the most robust, business-friendly reuse programs in the State. 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.

If there is support for this program, staff will continue to seek comment on this draft document and bring back for more discussion at the June 16, 2014 work session. The goal would then be to come back with an action item to adopt the program as a tool under the Town Core Infill Incentive Plan, which staff has also attached to this RCA to demonstrate where the authority to implement this program would be derived from. It will be beneficial to have the support of the Planning and Zoning Commission, and Historic District Advisory Commission for this program.

## Sign Code

The Town has a relatively current sign code in place that was adopted by the Mayor and Town Council in 2006. Staff has brought forth amendments to this code since adoption, most notably to propose more business-friendly regulations for promotional and temporary signs, including A-Frame signs and banners.

Recently, there have been suggestions that our sign code needed to be revisited. This is not unexpected as development codes should be looked at as evolving tools that can be regularly updated to achieve the results desired by the community. In the case of sign codes, those results are largely tied to the community's aesthetic expectations. The current sign code has permitted many attractive signs since the code was adopted, including signs for: Safeway Shopping Center, Mt. Athos Restaurant, Holiday Inn and Express, National Bank of Arizona, Sonic, Florence Hospital at Anthem, Shell Super-Stop and many more. The A-Frame provisions have also proved to be very successful.

Again, there is always room for improvement; so staff has reviewed the effectiveness and usability of the current code, compared our code with the codes of other jurisdictions and consulted with the Arizona and International Sign Associations, which help jurisdictions and business across the country and beyond with various sign related matters. These organizations also work to protect First Amendment rights that are afforded in this form of communication and expression.

With that, staff would like direction to work towards improving and updating the sign code in the following areas:

1. Overall streamlining of the code to reduce pages and make the code more user friendly.
2. Provide new code language pertaining to electronic message signs (EMCs), which have become more and more popular over the past few years.
3. Review illumination guidelines for signs, including the possible use of neon in some districts.
4. Update code language for directional signs.
5. Update code language for sign areas, including how sign area is measured.
6. Update code language for sign heights. For example, the Sign Association has suggested that some monument signs for multi-tenant developments be raised from 8 feet to 15 feet.
7. Update language to make the sign code content neutral (First Amendment issues).
8. Ensure that the sign code reflects updated language for political signs.

This is the initial discussion on this matter. If there is support for these types of changes, as well as other changes, staff will continue to seek input and bring this item back for more discussion at the June 16, 2014 work session. The goal would then be to come back with an ordinance detailing the code changes accompanied by an official vote of support from the Planning and Zoning Commission.

**FINANCIAL IMPACT:**

Adoption of an Adaptive Reuse Program would have a financial impact as it would lower plan review, permitting and potentially development impact fee revenues. However, the intent of this Adaptive Reuse Program is to encourage redevelopment; which in turn could off-set the aforementioned revenue losses.

The sign codes changes are not expected to have a financial impact.

**RECOMMENDATION:**

No motion or action is required. This is an introductory first of two (or more) work sessions planned on the subject topics. The second work session is being planned for June 16, 2014, and staff suggests this may be a joint work session with the Planning and Zoning Commission, and the Historic District Advisory Commission.

**ATTACHMENTS:**

Draft of Adaptive Reuse Program  
Adopted Town Core Infill Incentive Plan



**TOWN OF FLORENCE  
ADAPTIVE REUSE PROGRAM  
Rules, Guidelines and Procedures**

The adaptive reuse of existing buildings for new development and the greater utilization of infill sites for new development is a priority of the Town of Florence. Redevelopment of buildings, whether they are historic, dated or located in older areas of the Town, promotes a more vibrant and healthy community. Strict adherence to adopted codes for new construction and development standards under the aforementioned conditions may cause practical and financial challenges to prospective investors, businesses, builders and developers.

This proposed Adaptive Reuse Program is established in order to respond to the issues and challenges related to development and redevelopment within the core area of Florence. Buildings eligible for the Adaptive Reuse Program are those that were constructed before 1990 and have 10,000 square feet or less in usable area. The *planned* use of the building is open to Assembly, Business, Mercantile, Residential and Mixed Use occupancies, such as Live/Work units. In certain cases, the Adaptive Reuse Program might only be necessary to facilitate non-building site improvements on a developed or undeveloped infill parcel, e.g., special accommodations for parking on a constrained site.

In addition to aforementioned limitations, the Adaptive Reuse Program is limited to the Town's Infill Incentive District area, excluding any portion of Territory Square, undeveloped parcels larger than one acre and/or undeveloped subdivisions platted after 1990. In general, this area represents the downtown core of Florence and includes the Historic District. The following information is intended as a guideline for development/redevelopment and provides interpretations to facilitate consistent application of the Adaptive Reuse Program by Town staff.

**BUILDING CODES**

The Town has adopted the International Existing Building Code (IEBC) to provide flexibility to permit the use of alternative approaches to achieve compliance with the minimum requirements needed to safeguard the public health, safety and welfare insofar as they are affected by the repair, change of occupancy, addition and relocation of existing buildings. Chapter 4 of the IEBC determines the level of work to be completed for any alterations. The often referred to 50% improvement 'rule of thumb' is not applicable to the IEBC.

All applicants intending to reuse (hereafter can be interpreted to include repair, change of occupancy, addition or relocation) an existing building or buildings constructed before 1990 within the Adaptive Reuse Program area are permitted

to use Chapter 13 of the International Existing Building Code. Permit applications and construction documents should specify the use of the International Existing Building Code and the use of the Adaptive Reuse Program upon submittal. Chapter 13, as utilized with this Adaptive Reuse Program, will provide increased flexibility over the prescriptive approach within the IEBC or Chapter 34 of the International Building Code. Undoubtedly, code flexibility is significantly increased over the usage of the IBC for new construction. Thus, the intent of this Adaptive Reuse Program is to establish the least restrictive tier of code choices available for alternations to existing buildings, while not compromising life safety.

### **CHANGE OF OCCUPANCY**

The International Building Code, Section 202, defines change of occupancy as follows: *“A change in the purpose or level of activity within a building that involves a change in application of the requirements of this code.”*

The International Building Code (IBC) requirements for a change of occupancy pertain only to those items that are required to be added or altered by the new occupancy. Therefore, care must be taken to correctly identify the purpose or level of activity in the existing building when determining the occupancy classification to minimize the application of new code requirements. An applicant should clearly outline the intended use and occupancy of the building on permit descriptions and plan documentation.

Within the Adaptive Reuse Program area, the Town will not consider it a Change of Occupancy if there is ample evidence that the same or more restrictive occupancy/use existed in the subject building within the past ten years. This would even apply if the building has been unoccupied for some portion of the ten year period, however, an updated Certificate of Occupancy is required and the building will be subject to an inspection for applicable life safety issues.

### **LIFE SAFETY ISSUES**

The intent of the IEBC and the Adaptive Reuse Program is to provide flexibility to permit the use of alternative approaches to achieve compliance with minimum requirements to safeguard the health, safety and welfare of the public as affected by the reuse of existing buildings. Chapter 9, Change of Occupancy Chapter, provides relief in building elements and materials, fire protection and means of egress based on the relative hazard level associated with each occupancy classification. Change of Occupancy is also addressed within this Adaptive Reuse Program for increased flexibility.

The life safety issues that must be addressed are always dependent upon the use of the building. Different life safety issues are associated with each occupancy classification. The primary areas of focus for the adaptive reuse of buildings include structural integrity, electrical safety, exiting and accessibility.

## **FIRE SAFETY**

The need for fire protection systems, such as sprinkler systems, new fire insulation and/or fire separation walls will be evaluated on a case by case basis. Fire insulation will be required where open flame is present. In mixed-use occupancies, a fire wall may be required for the separation of the work space and residential areas. The type of occupancy or building size may require a fire sprinkler system. Electrical capacities should meet the various needs of the property owner. This Adaptive Reuse Program allows for limited administrative relief of fire codes at the complete and sole discretion of the Town Fire Marshall where it is apparent that there are no known life safety concerns. The Fire Marshall will provide courtesy consultation on the requirements for individual properties.

## **OPTIONS TO REQUIRED PLUMBING FACILITIES**

All occupied buildings require toilet rooms and fixtures. The number of toilet fixtures is based on the number of occupants associated with the designated occupancy. The occupant load is calculated based on the occupant load factors outlined in the International Building Code (IBC) Table 1004.1.1. This calculation consists of determining the floor area for a function within an area of a building and dividing that area by the appropriate occupant load factor. The IEBC and Adaptive Reuse Program provides for options that will facilitate the reuse of older buildings.

**Option 1:** A single unisex toilet room may be used where the occupant load is 20 people or less and in mercantile occupancies where the occupant load is 60 or fewer people.

**Option 2:** An exception to the calculation method is to provide the actual number of occupants using the space and as approved by the Building Official. In order to use this exception, statistical data must be submitted by the owner of the space. This option may eliminate the need for additional fixtures. An example of this would be a 'women's only' dance studio where the requirement for separate male fixtures would be eliminated.

**Option 3:** Provide a bank of toilet fixtures to provide the minimum number of fixtures in a campus setting. The number of fixtures required would serve a group (or campus) of separate buildings as long as the travel distance to the fixtures is less than 600 feet. This scenario is similar to where there is a single common restroom facility for a mall food court.

The building and plumbing codes allow for many alternatives and exceptions to required plumbing fixtures. The above stated options provide added flexibility. For example a row of suites may have shared facilities as long as the number of fixtures required are met and the travel distance is not exceeded. At least one toilet room must be made accessible, unless technically (structurally) infeasible per IEBC Section 912.8, item 7 and IBC Section 3409.4 item 7. Applications

should outline any alternate plumbing requests in the submittal of plan documentations for permits

### **CLARIFICATION FOR SPECIAL OCCUPANCIES**

An Artist Gallery, used to display the artist's work for sale, shall be viewed as a Mercantile Occupancy with an occupant load factor of 30 square feet per occupant. Occupant loads shall be posted in the space and noted in the body of the permit.

An Artist's Studio, used to produce the artist's work in various stages of completion, as well as dance studios, may be viewed as a Business Occupancy with an occupant load factor of 100 square feet per occupant.

A building or portion of a building, used for the viewing of performing arts even on an occasional basis will be regarded as an Assembly occupancy to determine exiting requirements.

Some businesses that require ovens, kilns, or open flames for the production of articles for sale may require the addition of fire-rated walls and ceilings. This will be of particular consideration in the cases of mixed use occupancies.

### **ACCESSIBILITY REQUIREMENTS**

Existing buildings that have a change of occupancy that allows public use of any part of the space shall provide the following basic accessibility features:

- At least one accessible entrance into the building.
- At least one accessible route to the primary function areas from the accessible entrance.
- ADA signage for exits, parking (where required) and accessible (or non-accessible) areas.
- Accessible parking, where parking is provided.
- An accessible route between the parking and the accessible entrance.
- See information under Plumbing Facilities for ADA restroom requirements.

It is noted that the Town cannot override Federal ADA requirements and thus, existing buildings that undergo alterations or additions may be required to comply with ADA requirements to a greater degree than the Adaptive Reuse Program can allow. The Building Official will provide consultation on proposed changes to a structure provide added direction in instances where accessibility features are technically or structurally not feasible.

### **PERMITS**

The Town will waive permitting requirements for the following within the Adaptive Reuse Program area: All cosmetic improvements (flooring, paint, etc.);

replacement of like equipment involving no new electrical/plumbing/gas work; changing of existing doors or windows with like windows and doors; changing of light fixtures with like fixtures; and/or any work that is expressly not subject to plan reviews and permitting per any adopted Town codes.

However, visible exterior improvements within a property located within the Historic District shall remain subject to the Town's Design Review procedures. Furthermore, it shall be the responsibility of the property owners, businesses, developers, building owners, contractors, handyman, etc. to ensure that all work is performed to applicable codes. If this work is part of a larger project requiring permitting, these improvements shall be included on such plans. It is also noted that this Adaptive Reuse Program cannot override the requirements of external agencies and applicable business license requirements.

### **PLAN REVIEW AND PERMIT FEES**

Plan review and permit fees shall be adjusted by using a ratio of 50 percent of the project valuation according to the most current ICC Valuation Tables. Furthermore, any project having a modified valuation of less than \$10,000 shall not be charged any Building, Engineering or Fire Plan Review or Inspection Fees.

### **DEVELOPMENT IMPACT FEES**

Development Impact Fees are not applicable to any building addition or remodel or to any once previously developed lot within the Adaptive Reuse Program area. Furthermore, per the addition provisions of the Town Core Infill Incentive Plan, Development Impact Fees, the Town Council may consider waiving or reducing Development Impact Fees within the Adaptive Reuse Program area.

### **EXISTING BUILDINGS ACROSS PROPERTY LINES**

Many existing buildings are built across property lines. The Pinal County Assessor can typically combine properties of a single owner through a simple process that does not require the use of land surveys. For information about this process, contact the Pinal County Assessor's office.

The general rule of thumb is to combine lots where buildings cross property lines. In adaptive reuse cases, official lot combinations will not be required. However, the following statement shall be entered into the body of the permit on adaptive reuse projects and be shown on the Certificate of Occupancy to express the implied and effective unity of the lots: "The development built across a recorded property line precludes the selling of the lots individually permitted".

### **PARKING REQUIREMENTS**

Certain occupancies and/or certain zoning districts will require parking areas to be provided in excess of available street parking. These occupancies will be

dealt with on an individual basis by Town staff with the submittal of a site plan. In many cases, zoning relaxes on-site parking requirements, such as within the DC Zoning District. Where the site precludes providing the number of parking spaces required per the occupancy, a parking study can be conducted to show alternative means of meeting parking needs, such as the use of on-street parking, the use of public parking lots, recorded shared parking agreements/easements or other viable means.

Parking surfaces must comply with Pinal County Air Quality/Dust Control policies. This does allow for the use of alternate materials that meet dust control standards, such as stabilized decomposed granite, compacted ABC, decorative stone, pavers, gravel, recycled paving material, etc. Parking surfaces are required to be maintained and handicap accessible parking spaces must meet ADA requirements.

### **PAVING AND GRADING REQUIREMENTS**

Paving and grading requirements are typically required on new construction. In Adaptive Reuse Program areas, this requirement will be waived in all cases, residential or commercial, where the footprint of the building to be reused is not enlarged regardless of the size of the property. However, in no case will properties be allowed to drain onto neighboring properties.

### **LANDSCAPING REQUIREMENTS**

Landscaping requirements for all zones are stated in the Town's Development Code. The following provisions can be used to lessen the provisions for landscaping on qualifying properties within the Adaptive Reuse Program area.

Landscaping for residential areas will be required on all street frontages of any lot as follows:

- One 15 gallon or larger tree for every 30' of frontage.
- Shrubs shall be included at a rate of three shrubs for each tree.
- Inorganic ground cover such as decomposed granite or crushed rock shall be the preferred material for ground cover.

Non-residential or mixed-use properties will be required to provide landscaping along all street frontages as follows:

- Minimum 10 foot wide landscaping along frontages.
- Any part of the property not used for parking, building, driveways and walkways shall be landscaped.
- One 15 gallon or larger tree for every 30' of frontage.
- Shrubs shall be included at a rate of three shrubs for each tree.

Where existing conditions prohibit the required amount of landscaping, alternate methods of providing an attractive and welcoming setting will be considered. Such scenarios include where buildings or other hardscape improvements extend or nearly extend to property lines. In all cases, a backflow preventer shall be installed on supply lines.

### **CONFLICTS**

Where the Adaptive Reuse Program conflicts with other codes, the more lenient requirements shall apply, except that nothing contained herein shall override applicable requirements pertaining to the Town's Historic District.



# Town Core Infill Incentive Plan





# TOWN OF FLORENCE

## TOWN CORE INFILL INCENTIVE DISTRICT PLAN

### **Purpose**

The Town Core Infill Incentive District is designed to further the goal of redevelopment and to encourage both infill residential and new commercial opportunities within the historic town core of Florence. The infill incentive district creation is dictated by Arizona Revised Statutes §9.499.10 and appears as Exhibit "A."

### **Creation**

The Town of Florence Council approved Resolution #1282-11 on January 3, 2011 thereby approving the district and the Town Core Infill Incentive Plan. The Resolution is in the plan marked as Exhibit "B."

Pursuant to the enabling ARS §9.499.10 a series of findings must be made to warrant the creation of an infill incentive district. The key findings supporting the creation of the district are at the end of this document and marked as Exhibit "C."

### **Boundary**

The boundary of the Town Core Infill Incentive District is an irregular shape and is shown as Exhibit "D." The district is generally bound by the Gila River to the north, State Route 287 and Florence Heights Road to the south, State Route 79 to the east, and Plant Road to the west.

### **Goals and Objectives**

The primary documents that guide the Town Core Infill Incentive District are the Florence 2020 General Plan, the Downtown Redevelopment Plan and the Historic District Preservation Design Guidelines. The following goals and objectives in the Town Core Infill Incentive District Plan are established to ensure that investment is made in the, district, the area retains its character, and the commercial areas of the district remain viable.

#### **Goal 1: *Increase the number of developed parcels and revitalize and redevelop existing buildings within the district.***

- Objective 1.1: Encourage the development of both residential and commercial lots.
- Objective 1.2: Support increased density within the district and thereby increasing the number of people that will live and shop in the area.

**Goal 2: *Create an environment that encourages investment within the district.***

Objective 2.1: Create an incentive policy that reduces the cost of development and encourages building and design that is complementary to the existing architecture types.

Objective 2.2: Build an understand that an increase in density will assist businesses within the district grow that more people living in the area will enhance the community.

**Goal 3: *Encourage more commercial enterprises within the district.***

**Incentive Parameters**

The following are a list of potential incentives that a developer can receive if they build or revitalize a building within the Town Core Infill Incentive District:

**Public Right-of-Way**

Possible right-of-way dedication deferrals may be granted subject to the approval of a development agreement or approved by the Town Manager or designee.

**Parking**

On street parking or public parking facilities may count toward parking requirements.

Reduce the number of spaces required if:

- Undo expense can be demonstrated
- Traffic study shows project will not generate parking demand

Demonstrate a similar type project parking history in determining parking demand.

Any parking related subsidy can be approved by the Town Manager or negotiated into a development agreement.

**Fee Waivers**

An applicant may write a letter requesting a complete, partial, or deferment of fees. Any fee waiver over ten thousand dollars (\$10,000) must be in a legally binding contract and approved by Town Council. Any amount less than ten thousand dollars (\$10,000) can be approved administratively at the discretion Town Manager.

**Expedited Action of Documents**

The Town of Florence Planning and Zoning Department is committed to an expeditious review of all documents. The applicant may request an

expedited review of zoning, permits, site plan or application. This incentive may either be approved by Town Council in the binding document or approved by the Town Manager or designee.

### **Landscaping**

The Town will consider the reduction of landscaping or the phasing in of the landscaping requirements. The Town may also waive any landscaping improvements at the discretion of the Town Manager or designee.

### **Relief from Code not specifically identified**

Town Council, upon recommendation from the Town Manager, may consider relief from other provisions of the Development Code. This may include, increased height or density, allowing of mixed uses on a property, storm water control relief, site access, off set improvements etc. Any relief from the Development Code that is not outlined in this plan must be codified into a development agreement and approved by Town Council.

### **North End Framework Area**

Any development in the North End Framework Area will be able to take advantage of the Town Core Infill Incentive District provided the project participates in the flood mitigation and overall development outlined in the North End Framework Area Master Plan.. Any deal in this area must accompany a development agreement that is recommended by the Town Manager and approved by the Town Council.

### **Administration:**

The Town Manager or designee will administer the Town Core Infill Incentive District. Recommendations regarding applications to utilize the Town Core Infill Incentive District will be referred to one or more of the following bodies and referred to the Town Council for final approval: Planning and Zoning Commission, Redevelopment Commission and Historic District Advisory Commission. Any item listed above that can be approved by the Town Manager must be in writing and filed with the Office of the Town Clerk. If a development agreement is required then the final document must be approved by Town Council at a regularly scheduled meeting.

### **Developers Responsibilities:**

In return for granting an incentive within the District, the Town requires that at least one component of the following is satisfied:

1. Adherence to the Historic District Preservation Design Guidelines (if the property is in the district or is designated historic.)
2. Meets the goals and objectives as outlined in one or more of the following plans:
  - a. 2020 Florence General Plan
  - b. Downtown Redevelopment Plan

- c. North End Framework Plan
- d. Any update to the above documents or subsequent planning or other documents related to the Town Core Infill Incentive District.

Any benefit derived from the District requires the project to add to the quality of life and the overall social, economic, and general well being of the community. While affordable housing is not an issue currently, the Town reserves the right to make this a priority in the future.

**Other Points:**

The Town Core Infill Incentive District is not a promise of any waivers or inducements but is an option to encourage development within the town boundaries.

## **LIST OF EXHIBITS**

EXHIBIT A – ARS 9-499.10 Infill Incentives Districts

EXHIBIT B – RESOLUTION # 1282-11

EXHIBIT C – DISTRICT CREATION CRITERION AND FINDINGS

EXHIBIT D – TOWN CORE INFILL INCENTIVE DISTRICT MAP

## Exhibit A

### 9-499.10. Infill incentive districts

- A. The governing body of a city or town may designate an infill incentive district in an area in the city or town that meets at least three of the following requirements:
  1. There is a large number of vacant older or dilapidated buildings or structures.
  2. There is a large number of vacant or underused parcels of property, obsolete or inappropriate lot or parcel sizes or environmentally contaminated sites.
  3. There is a large number of buildings or other places where nuisances exist or occur.
  4. There is an absence of development and investment activity compared to other areas in the city or town.
  5. There is a high occurrence of crime.
  6. There is a continuing decline in population.
- B. If the governing body establishes an infill incentive district, it shall adopt an infill incentive plan to encourage redevelopment in the district. The plan may include:
  1. Expedited zoning or rezoning procedures.
  2. Expedited processing of plans and proposals.
  3. Waivers of municipal fees for development activities as long as the waivers are not funded by other development fees.
  4. Relief from development standards.

**RESOLUTION NO. 1282-11**

**A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, ESTABLISHING THE TOWN CORE INFILL INCENTIVE DISTRICT AND ADOPTING THE FLORENCE TOWN CORE INFILL INCENTIVE DISTRICT PLAN.**

**WHEREAS**, the Town is authorized by A.R.S. § 9-499.10 to establish an Infill Incentive District within the Town, where specific criteria are satisfied for the purpose of providing expedited zoning requests or rezoning procedures, expedited processing of plans, waiver of municipal fees for development activities as long as they are not funded by other development fees and relief from development standards; and

**WHEREAS**, the Town has drafted the boundaries for the Town Core Infill Incentive District that will encompass the Central Business District, Redevelopment Area, Townsite Historic District and certain traffic corridors leading to the Town's downtown area; and

**WHEREAS**, the Town Core is the historic center of the community. It is a place of unique character, atmosphere, and is dominated by historic structures used both for residential and commercial purposes; and

**WHEREAS**, the Town has determined that there is a large number of vacant and underused parcels of property; a large number of buildings; an absence of development and investment activity in the Town Core compared to other areas of Town; and a high occurrence of crime compared to other parts of the Town; and

**WHEREAS**, the establishment of the Town Core Infill Incentive District and the adoption of the Florence Town Core Infill Incentive District Plan will encourage investment and thereby spur redevelopment in the District.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF FLORENCE AS FOLLOWS:**

**SECTION 1.** The Town Core Infill Incentive District attached hereto as Exhibit A and incorporated herein by this reference is established as the Town Core Infill Incentive District.

**SECTION 2.** The Town Core Infill Incentive Plan attached hereto as Exhibit B and incorporated herein by this reference is hereby adopted and approved.

**Section 3.** The Town Council finds that the proposed Infill Incentive District meets the requirements of A.R.S. 9-499.10(A)(1), (4) and (5) as further described in Exhibit C of the Town Core Infill Incentive District Plan attached hereto.


**PASSED AND ADOPTED** by the Mayor and Council of the Town of Florence this 3 day of January 2011.

  
\_\_\_\_\_  
Tom Smith, Vice-Mayor

**ATTEST:**

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

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
James E. Mannato, Town Attorney



## Exhibit C

### District Creation Criterion and Findings

The Town Core Infill Incentive District is designed to further the goal of redevelopment and to encourage both infill residential and new commercial opportunities within the historic town core of Florence, Arizona. The infill incentive district creation is dictated by Arizona Revised Statutes §9.499.10. Per this section, at least three findings must be made by resolution. Below are the three findings listed as criterions. Each criteria is from the ARS §9.499.10.

**Criterion 2: There are a large number of vacant or underused parcels or property, obsolete, or inappropriate lot or parcel sizes or environmentally contaminated sites.**

The attached map calls out the number of vacant parcels within the established district.

Figure 1: Infill Incentive District Map of Vacant Properties (*map provided by Town of Florence GIS*)

**Criterion 4: There is an absence of development and investment activity compared to other areas in the town.**

Table 1: Residential and Commercial and Industrial Building Permits Issued for 2009 (*Information compiled by the Town of Florence Planning and Zoning Department*)

Table 1			
Residential and Commercial/Industrial Building Permits Issued for 2009			
Residential	Town Core Infill Incentive District	Rest of Florence	Total Residential Permits Issued
	0	201	201
Commercial and Industrial	Town Core Infill Incentive District	Rest of Florence	Total Commercial and Industrial Permits Issued
	2	21	23

As Table 1 demonstrates the overwhelming amount of investment occurred outside the Town Core Infill Incentive District Boundary. For the calendar year of

2009, 100% of the residential construction and over 90% of the commercial and industrial activity occurred in other parts of the community. From this table, it is apparent that most of the investment in Florence occurs in other parts of the community.

**Criterion 5: There is a high occurrence of crime.**

Table 2: Crime Statistics for major crime categories<sup>1</sup> for 2009 (Compiled by the Florence Police Department)

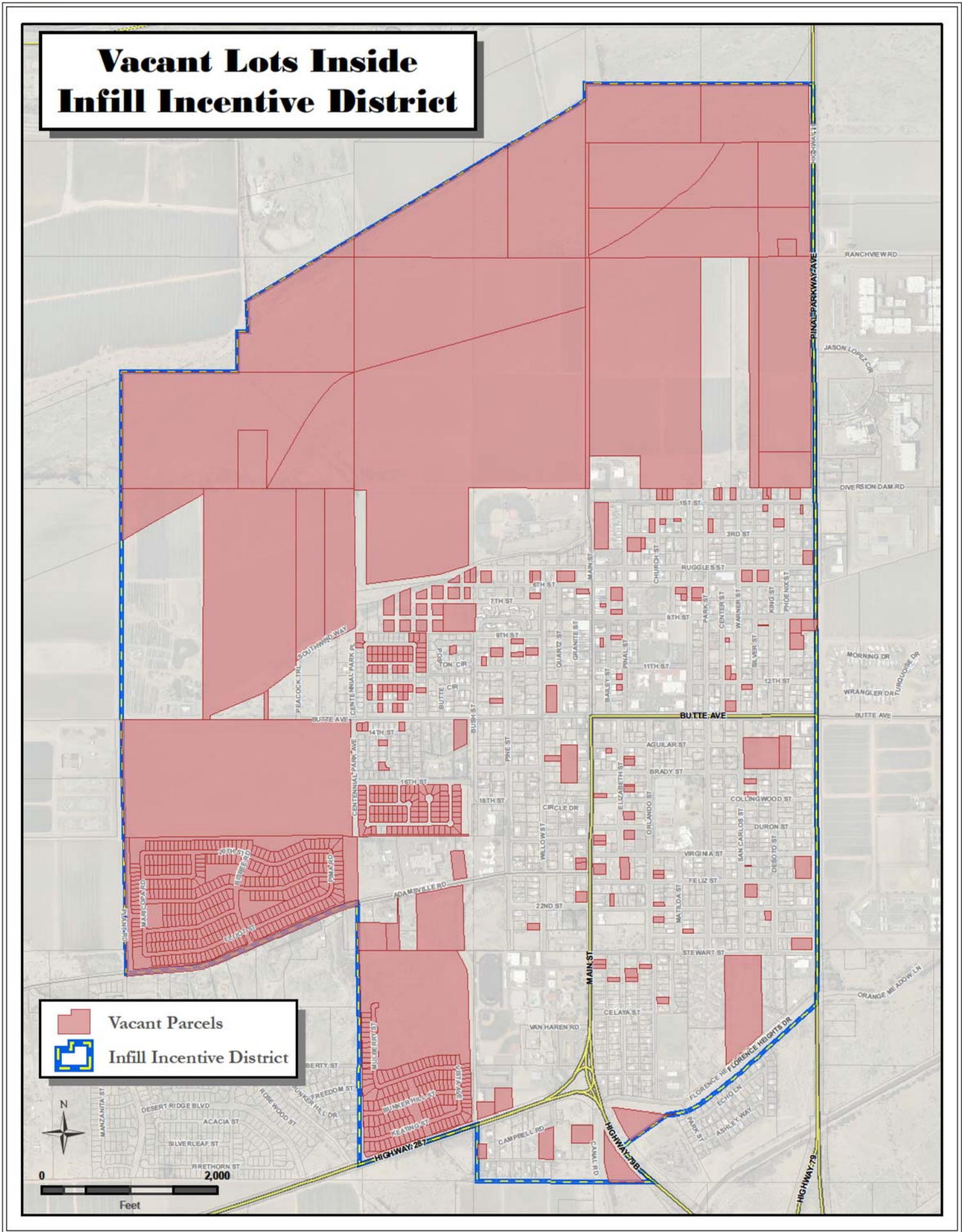
<b>Table 2</b>			
<b>Crime Statistics for Florence 2009</b>			
	<b>Total</b>	<b>Infill Incentive District</b>	<b>Balance of the Town</b>
<b>Assaults</b>	41	41	0
<b>Rape</b>	0	0	0
<b>Robbery</b>	4	4	0
<b>Arson</b>	1	1	0
<b>Homicide</b>	0	0	0
<b>Vehicle Theft</b>	16	14	2
<b>Burglary</b>	64	56	8
<b>Larceny</b>	106	77	29
<b>Total</b>	232	193	39

Of the 232 crimes committed, 193 or 83% of them occurred within the Town Core Infill Incentive District boundaries. There is sufficient evidence to determine that a high number of crimes committed as it relates to overall crime within the Town occur within the district boundaries.

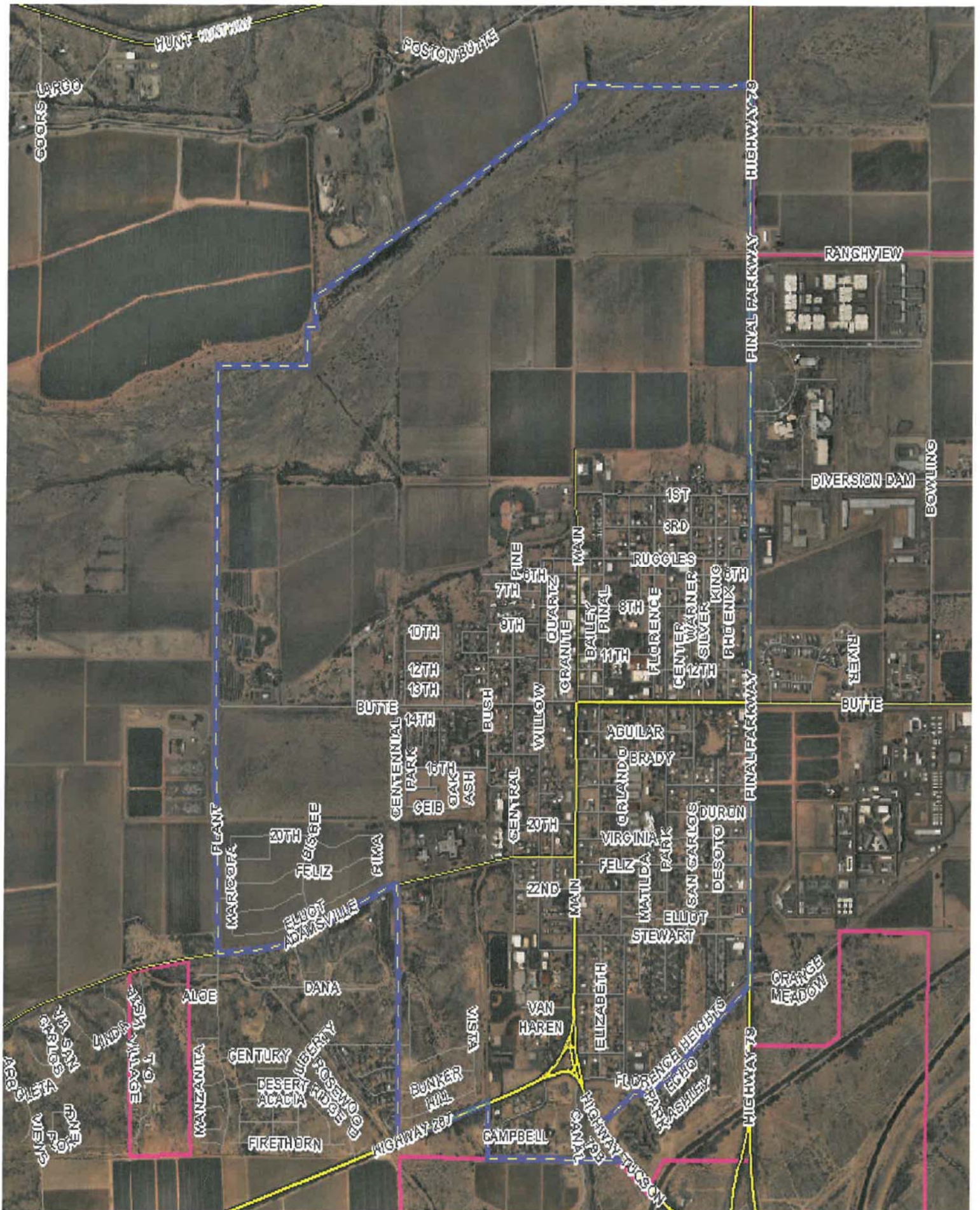
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<sup>1</sup> Major Crimes is defined as the 8 categories used by the Arizona Department of Public Safety to measure crime throughout the State of Arizona.

Figure 1

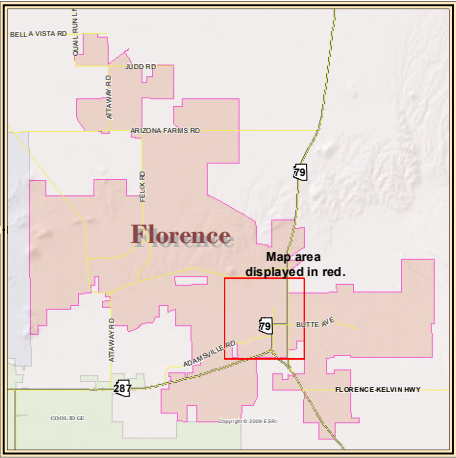


# Exhibit D

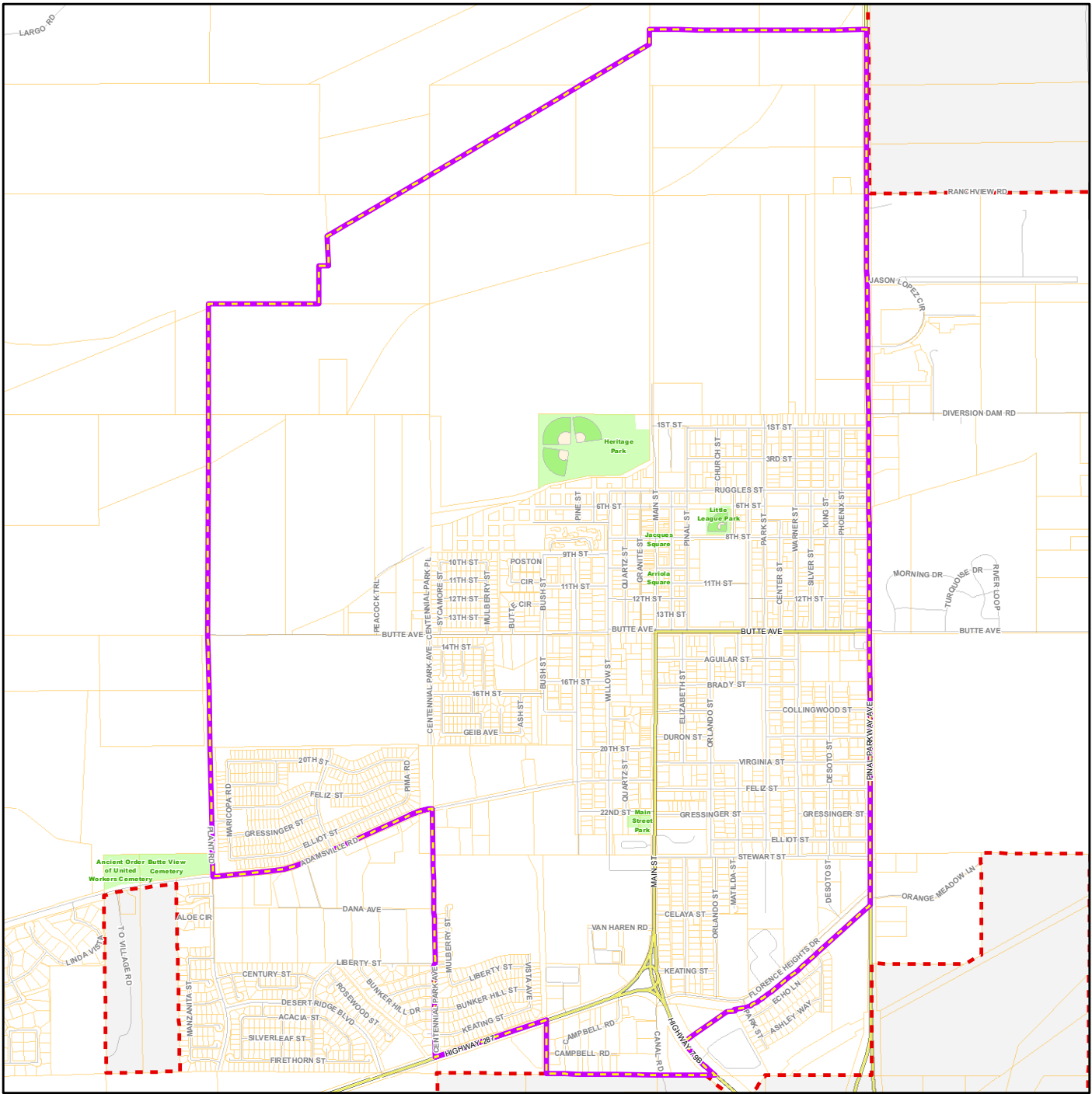



# Town of Florence Infill Incentive District

 Infill Incentive District



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.



	<b>TOWN OF FLORENCE COUNCIL ACTION FORM</b>	<b><u>AGENDA ITEM</u></b> <b>7a.</b>
<b>MEETING DATE:</b> May 19, 2014  <b>DEPARTMENT:</b> Administration  <b>STAFF PRESENTER:</b> Lisa Garcia Deputy Town Manager/Town Clerk  <b>SUBJECT:</b> Florence Gardens Mobile Home Association Class A Bingo License Application		<input checked="" type="checkbox"/> <b>Action</b> <input type="checkbox"/> <b>Information Only</b> <input checked="" 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:**

Public hearing and recommendation to the Arizona Department of Revenue on Florence Gardens Mobile Home Association’s application for a Class A Bingo License.

**BACKGROUND/DISCUSSION:**

Florence Gardens Mobile Home Association has submitted applications for a Class A Bingo License.

Bingo is legal in the State of Arizona for recreational purposes or to allow certain types of nonprofit organizations to generate funds to support their activities. Special laws govern the way bingo is to be conducted. These laws are enforced by the Arizona Department of Revenue Bingo Section.

The Bingo Class A License is restricted to gross sales of \$15,600 per year or less. They also have no membership or organizational requirements and may not be conducted with rented bingo equipment. The annual license fee, payable to the Arizona Department of Revenue is \$10.00; and one-time fee, payable to the local governing body, is \$5.00. The Town of Florence is holding checks totaling \$15.00; and will forward to the Arizona Department of Revenue their fee upon Council approval, and will deposit the Town’s portion into its coffers.

**FINANCIAL IMPACT:**

None

**STAFF RECOMMENDATION:**

Staff requests that a public hearing be held and that Council forward a favorable recommendation to the Arizona Department of Revenue for the Florence Gardens Mobile Home Association Class A Bingo License.

**ATTACHMENTS:**

Application

- Type or print in black ink and complete all information requested on this form. If you do not, your application will be returned. All information is subject to verification. If you need more space, attach additional sheets.
- **All bingo licenses expire one year from the date of issue.** To continue conducting bingo games, you must renew your license prior to the expiration date.

1 Applicant's Name <i>Florence Gardens Mobile Home Association / Linda Parviainen</i>		
2a Mailing Address <i>3830 Florence Boulevard</i>		
2b City <i>Florence</i>	State <i>AZ</i>	ZIP Code <i>85132</i>
3a Administrative Office Location <i>3830 Florence Boulevard</i>		
3b City <i>Florence</i>	State <i>AZ</i>	ZIP Code <i>85132</i>
4a Name of Contact Person <i>Linda Parviainen</i>	4b Telephone No. <i>520-868-8701</i>	
4c E-mail Address <i>lparve@gmail.com</i>	4c Fax No.	

**Falsification of information contained in this application constitutes a Class 6 felony.**

REVENUE USE ONLY. DO NOT MARK IN THIS AREA.

88

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81 PM                       80 RCVD

- 5 ~~Class B and Class C~~ **Class A** license applicants only: If applying as a qualified organization, check one box to indicate the type of organization:
- Charitable                       Social                       Religious                       Veterans  
 Fraternal                       Volunteer Fire Department                       Homeowners Association                       Nonprofit Ambulance Service

6 **Class B and Class C license applicants only** applying as a qualified organization, provide parent or auxiliary information:

6a Parent Name	6b Auxiliary Name
Address – Number and Street, Rural Rt., Apt. No.	Address – Number and Street, Rural Rt., Apt. No.
City                                      State                      ZIP Code	City                                      State                      ZIP Code

- 7 **Class B and Class C license applicants only** applying as a qualified organization, provide the date the organization was established in Arizona:

8 **Class B and Class C license applicants only** applying as a qualified organization, list the current officers of the organization:

8a Name	8b Name
Title	Title
Address – Number and Street, Rural Rt., Apt. No.	Address – Number and Street, Rural Rt., Apt. No.
City                                      State                      ZIP Code	City                                      State                      ZIP Code
8c Name	8d Name
Title	Title
Address – Number and Street, Rural Rt., Apt. No.	Address – Number and Street, Rural Rt., Apt. No.
City                                      State                      ZIP Code	City                                      State                      ZIP Code

Continued on page 2 →

REVENUE USE ONLY. DO NOT MARK IN THIS AREA.

<input type="checkbox"/> Approved	<input type="checkbox"/> Disapproved	<input type="checkbox"/> Class A License	<input type="checkbox"/> Class B License	<input type="checkbox"/> Class C License
Reviewer's Name (please print)	Date	License Number	Effective Date	Expiration Date



Florence Gardens Mobile Home Association / Linda Parviainen

**9 Class B and Class C license applicants only:** Bingo checking account information:

Checking Account Number	Bank Name	Bank Branch
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**10 Class B and Class C license applicants only:** Bingo interest-bearing account information:

Account Number	Bank Name	Bank Branch
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**11 Class B and Class C license applicants only:** List all **officers and/or supervisors** authorized to sign checks from the accounts listed above. If applying as a qualified organization, all **supervisors must be members** of the applicant:

<b>11a Name</b>	<b>11b Name</b>
Title	Title
Address – Number and Street, Rural Rt., Apt. No.	Address – Number and Street, Rural Rt., Apt. No.
City State ZIP Code	City State ZIP Code

**12 List the name(s) of the one or two persons who will serve as managers.** If applying as a qualified organization, these persons **must be members** of the applicant. *Each person must submit an affidavit.*

<b>12a Name</b> Linda Parviainen	<b>12b Name</b>
Title Manager	Title
Address – Number and Street, Rural Rt., Apt. No. 3613 N. Kansas Avenue	Address – Number and Street, Rural Rt., Apt. No.
City State ZIP Code Florence AZ 85132	City State ZIP Code

**13 List the name of the one person designated as proceeds coordinator.** If applying as a qualified organization, this person **must be an officer or director and a member** of the applicant. *Each person must submit an affidavit.*

Name Cecelia Long	Address – Number and Street, Rural Rt., Apt. No. 3830 Florence Boulevard
Title FGMHA Book Keeper	City State ZIP Code Florence AZ 85132

**14 List the name(s) of the person(s) who will serve as supervisor.** If applying as a qualified organization, each person **must be a member** of the applicant. *Each person must submit an affidavit.*

<b>14a Name</b> Linda Parviainen	<b>14b Name</b> Donna Pete
Title	Title
Address – Number and Street, Rural Rt., Apt. No. 3613 N. Kansas Avenue	Address – Number and Street, Rural Rt., Apt. No. 3711 Minnesota Avenue
City State ZIP Code Florence AZ 85132	City State ZIP Code Florence AZ 85132
<b>14c Name</b> Candy Yetka	<b>14d Name</b>
Title	Title
Address – Number and Street, Rural Rt., Apt. No. 3808 Colorado Avenue	Address – Number and Street, Rural Rt., Apt. No.
City State ZIP Code Florence AZ 85132	City State ZIP Code

Florence Gardens Mobile Home Association / Linda Paviacion

15 List the name(s) of the person(s) who will serve as assistants. If applying as a qualified organization, each person **must be a member or new member** of the applicant. Except for "Class A" licensees, each person must submit an affidavit.

15a Name <u>Barbara Alley</u>	15b Name <u>Cassandra Allen</u>
15c Name <u>Donna Studer</u>	15d Name <u>Jewel Armstrong</u>
15e Name <u>Nancy Stanton</u>	15f Name <u>Roberta Kenwood</u>
15g Name <u>Betty Swedberg</u>	15h Name <u>Jackie Hoagland</u>

16 Street address of the physical location where bingo will be played: 3830 Florence Boulevard

17 Indicate the time on each respective day that bingo will be played:

SUN	MON	TUE	WED	THUR	FRI	SAT
<input type="checkbox"/> a.m.	<input type="checkbox"/> a.m.	<input type="checkbox"/> a.m.	<input type="checkbox"/> a.m.	<input type="checkbox"/> a.m.	<input type="checkbox"/> a.m.	<input type="checkbox"/> a.m.
<input type="checkbox"/> p.m.	<input type="checkbox"/> p.m.	<input type="checkbox"/> p.m.	<input type="checkbox"/> p.m.	<input type="checkbox"/> p.m.	<u>7:00</u> <input checked="" type="checkbox"/> p.m.	<input type="checkbox"/> p.m.

18 List dates of proposed game cancellation if any: N/A

19 Indicate the type of premises where bingo will be played. Check one box:

a  Neither rent nor mortgage will be paid from bingo funds.

b  Rented or leased. Attach rental affidavit and copy of rental agreement.

Landlord's Name	Address – Number and Street, Rural Rt., Apt. No.		
Telephone Number (with area code)	City	State	ZIP Code

c  Owned solely by the organization. Attach copy of mortgage, deed of trust, purchase agreement, escrow agreement, or other related document: FGMHA Clubhouse

Holder of Mortgage	Address – Number and Street, Rural Rt., Apt. No.		
Telephone Number (with area code)	City	State	ZIP Code

d  Owned jointly with other organization. Attach copy of mortgage, deed of trust, purchase agreement, escrow agreement, or other related document:

1) Holder of Mortgage	Address – Number and Street, Rural Rt., Apt. No.		
Telephone Number (with area code)	City	State	ZIP Code
2) Co-Owner Holder:	Address – Number and Street, Rural Rt., Apt. No.		
Telephone Number (with area code)	City	State	ZIP Code
3) Co-Owner Holder:	Address – Number and Street, Rural Rt., Apt. No.		
Telephone Number (with area code)	City	State	ZIP Code

Continued on page 4 →

*Florence Gardens Mobile Home Association / Linda Parviainen*

20 List bingo licensees who are or will be conducting bingo in the same premises as you and those licensees located within 1,000 feet of your premises:

20a Name	20b Name
Address – Number and Street, Rural Rt., Apt. No.	Address – Number and Street, Rural Rt., Apt. No.
City State ZIP Code	City State ZIP Code

21 Expected bingo expenses:

a Mortgage: *N/A* \$ \_\_\_\_\_ per month

Payable to	Address – Number and Street, Rural Rt., Apt. No.
Telephone number (with area code)	City State ZIP Code

b Rent: *N/A* \$ \_\_\_\_\_ per  month  hour  occasion

Payable to	Address – Number and Street, Rural Rt., Apt. No.
Telephone number (with area code)	City State ZIP Code

c Janitorial Services: *N/A* \$ \_\_\_\_\_ per  month  hour  occasion

Payable to	Address – Number and Street, Rural Rt., Apt. No.
Telephone number (with area code)	City State ZIP Code

d Accounting Services: *N/A* \$ \_\_\_\_\_ per  month  hour  occasion

Payable to	Address – Number and Street, Rural Rt., Apt. No.
Telephone number (with area code)	City State ZIP Code

e Security Services: *N/A* \$ \_\_\_\_\_ per  month  hour  occasion

Payable to	Address – Number and Street, Rural Rt., Apt. No.
Telephone number (with area code)	City State ZIP Code

f Bingo Supplies: *@ \$ 1500<sup>00</sup>* per *year (paper cards + daubers)*

Payable to	Address – Number and Street, Rural Rt., Apt. No.
Telephone number (with area code)	City State ZIP Code

Line 21 continues on page 5 →

Applicant's Name (as shown on page 1)  
*Florence Gardens Mobile Home Association / Linda Parviainen*

APPLICATION FOR BINGO LICENSE

21 Expected Bingo Expenses, continued... *N/A*

g Maximum prize payout per occasion: \$\_\_\_\_\_. Attach game schedule that lists individual prize amounts.

Paid to		Address – Number and Street, Rural Rt., Apt. No.		
Telephone number (with area code)		City	State	ZIP Code

h Utility Expenses: *N/A*

Electric (payable to)		Address – Number and Street, Rural Rt., Apt. No.		
Account Number	Monthly Amount	City	State	ZIP Code
	\$			

Gas (payable to)		Address – Number and Street, Rural Rt., Apt. No.		
Account Number	Monthly Amount	City	State	ZIP Code
	\$			

Water (payable to)		Address – Number and Street, Rural Rt., Apt. No.		
Account Number	Monthly Amount	City	State	ZIP Code
	\$			

Trash Removal (payable to)		Address – Number and Street, Rural Rt., Apt. No.		
Account Number	Monthly Amount	City	State	ZIP Code
	\$			

22 Briefly state the specific projected use of net proceeds from games of bingo:

*Net proceeds used to complete payment of purchased equipment.*

I, *Linda Parviainen*, under penalty of perjury and upon oath, declare that I am duly authorized to sign and file this application. I hereby swear or confirm that I have read the foregoing application and know the contents thereof and that all information provided has been fully, accurately, and truthfully completed to the best of my knowledge.

*Linda J. Parviainen*      *4/24/2014*      *Bingo Manager (FGMHA)*  
 APPLICANT'S SIGNATURE      DATE      TITLE

Please mail to: Arizona Department of Revenue, PO Box 29019, Phoenix, AZ 85038-9019  
 ☎ (602) 716-7801

This affidavit must be completed by each person who wishes to assist in the conduct of any game of bingo. If any information is blank or incorrect, the affidavit will be returned to you. All information is subject to verification. Disclosure of your Social Security Number (SSN) is voluntary. This information may be used to establish positive identification for purposes of criminal background checks pursuant to Arizona Revised Statutes § 5-404.

Licensee's Name <i>Florence Gardens Mobile Home Association</i>		License Number	
Position (check the appropriate boxes): <input checked="" type="checkbox"/> Manager <input type="checkbox"/> Supervisor <input type="checkbox"/> Proceed Coordinator <input type="checkbox"/> Assistant			
REVENUE USE ONLY. DO NOT MARK IN THIS AREA.			
Affiant's Name <i>Linda J. Parviainen</i>		88	
Social Security Number <i>018-40-6909</i>	Date of Birth <i>11.30.1948</i>		
Address <i>3613 Kansas Avenue</i>			
City <i>Florence</i>	State <i>AZ</i>	ZIP Code <i>85132</i>	
Home Phone No. (with area code) <i>520-868-8701</i>	Work Phone No. (with area code) <i>N/A</i>	81 PM	80 RCVD

If licensee is a qualified organization, complete the following section:

Member? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Date Joined Organization <i>11.30.1948</i>
Officers? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Officer Title
Do you have an affidavit on file for any other licensee? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No   If "Yes", list license number(s):	

I, *Linda J. Parviainen*, the above-named affiant, under penalty of perjury, upon oath, depose and say that I will conduct or assist in conducting all bingo games in compliance with the terms of the license, Arizona Revised Statutes, Title 5, Chapter 4, and the rules of the licensing authority. I am of good moral character and have never been convicted of any misdemeanor involving moral turpitude or felony. I have not and shall not receive any reward, compensation or recompense for my participation in the conduct of bingo games except as provided for by law. I hereby swear or confirm that I have read and understand the foregoing and verify that the information and statements made herein are true and correct to the best of my knowledge.

*Linda J. Parviainen*  
Signature of Affiant

*4/24/2014*  
Date

Please mail to: Arizona Department of Revenue, PO Box 29019, Phoenix, AZ 85038-9019

☎ (602) 716-7801

This affidavit must be completed by each person who wishes to assist in the conduct of any game of bingo. If any information is blank or incorrect, the affidavit will be returned to you. All information is subject to verification. Disclosure of your Social Security Number (SSN) is voluntary. This information may be used to establish positive identification for purposes of criminal background checks pursuant to Arizona Revised Statutes § 5-404.

Licensee's Name <b>FLORENCE GARDEN'S Mobile Home Assn</b>	License Number
Position (check the appropriate boxes): <input type="checkbox"/> Manager <input type="checkbox"/> Supervisor <input checked="" type="checkbox"/> Proceed Coordinator <input type="checkbox"/> Assistant	REVENUE USE ONLY. DO NOT MARK IN THIS AREA. 88

Affiant's Name <b>Cecelia A. LONG</b>		
Social Security Number <b>517-70-0502</b>	Date of Birth <b>07/15/1955</b>	
Address <b>1576 E Cottonwood Lane #1107</b>		
City <b>Casa Grande</b>	State <b>AZ</b>	ZIP Code <b>85122</b>
Home Phone No. (with area code) <b>520-840-7244</b>	Work Phone No. (with area code) <b>520-868-4770</b>	
81 PM	80 RCVD	

If licensee is a qualified organization, complete the following section:

Member? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Date Joined Organization <b>N/A</b>
Officers? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Officer Title
Do you have an affidavit on file for any other licensee? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes", list license number(s):	

I, Cecelia A. LONG, the above-named affiant, under penalty of perjury, upon oath, depose and say that I will conduct or assist in conducting all bingo games in compliance with the terms of the license, Arizona Revised Statutes, Title 5, Chapter 4, and the rules of the licensing authority. I am of good moral character and have never been convicted of any misdemeanor involving moral turpitude or felony. I have not and shall not receive any reward, compensation or recompense for my participation in the conduct of bingo games except as provided for by law. I hereby swear or confirm that I have read and understand the foregoing and verify that the information and statements made herein are true and correct to the best of my knowledge.

Cecelia A. Long  
Signature of Affiant

4/23/2014  
Date

Please mail to: Arizona Department of Revenue, PO Box 29019, Phoenix, AZ 85038-9019

(602) 716-7801



Arizona Department of Revenue • Bingo Section

1600 West Monroe, Phoenix, AZ 85007 • (602) 716-7801

AFFIDAVIT

This affidavit must be completed by each person who wishes to assist in the conduct of any game of bingo. If any information is blank or incorrect, the affidavit will be returned to you. All information is subject to verification. Disclosure of your Social Security Number is voluntary. This information may be used to establish positive identification for purposes of criminal background checks pursuant to Arizona Revised Statutes, §5-404.

Please type or print in black ink.

LICENSEE'S NAME: Florence Gardens Mobile Home Assn; LICENSE NUMBER: 11.006-A; POSITION: Assistant

AFFIANT'S NAME: CANDY YETKA; ADDRESS: 3808 N. Colorado Ave; CITY: Florence; STATE: AZ; ZIP CODE: 85132; HOME PHONE NO.: 5208680326; WORK PHONE NO.: 5099891532

If licensee is a qualified organization, complete the following section:

MEMBER? [ ] Yes [ ] No; OFFICERS? [ ] Yes [ ] No; DO YOU HAVE AN AFFIDAVIT ON FILE FOR ANY OTHER LICENSEE? [ ] Yes [ ] No

I, CANDY YETKA, the above named affiant, under penalty of perjury, upon oath, depose and say that I will conduct or assist in conducting all bingo games in compliance with the terms of the license, Arizona Revised Statutes, Title 5, Chapter 4, and the rules of the licensing authority. I am of good moral character and have never been convicted of any misdemeanor involving moral turpitude or felony. I have not and shall not receive any reward, compensation or recompense for my participation in the conduct of bingo games except as provided for by law. I hereby swear or confirm that I have read and understand the foregoing and verify that the information and statements made herein are true and correct to the best of my knowledge. Signature: Candy Yetka; Date: 9-5-12



Arizona Department of Revenue • Bingo Section

1600 West Monroe, Phoenix, AZ 85007 • (602) 716-7801
400 West Congress, Tucson, AZ 85701 • (520) 628-6438

AFFIDAVIT

This affidavit must be completed by each person who wishes to assist in the conduct of any game of bingo. If any information is blank or incorrect, the affidavit will be returned to you. All information is subject to verification. Disclosure of your Social Security Number is voluntary. This information may be used to establish positive identification for purposes of criminal background checks pursuant to Arizona Revised Statutes, §5-404.

Please type or print in black ink.

LICENSEE'S NAME: FGMHA, LICENSE NUMBER:
POSITION:
Check the appropriate boxes: [ ] Manager [ ] Supervisor [ ] Proceed Coordinator [X] Assistant

AFFIANT'S NAME: Donna Pete
ADDRESS: 3711 N. Minnesota Ave AZ 85133
CITY: STATE: ZIP CODE:
HOME PHONE NO.: (253) 961 5658, WORK PHONE NO.: SOCIAL SECURITY NO.: DATE OF BIRTH:

If licensee is a qualified organization, complete the following section:

MEMBER? [ ] Yes [ ] No, DATE JOINED ORGANIZATION:
OFFICERS? [ ] Yes [ ] No, OFFICER TITLE:
DO YOU HAVE AN AFFIDAVIT ON FILE FOR ANY OTHER LICENSEE? [ ] Yes [ ] No If "Yes", list license number(s):

I, Donna Pete, the above named affiant, under penalty of perjury, upon oath, depose and say that I will conduct or assist in conducting all bingo games in compliance with the terms of the license, Arizona Revised Statutes, Title 5, Chapter 4, and the rules of the licensing authority. I am of good moral character and have never been convicted of any misdemeanor involving moral turpitude or felony. I have not and shall not receive any reward, compensation or recompense for my participation in the conduct of bingo games except as provided for by law. I hereby swear or confirm that I have read and understand the foregoing and verify that the information and statements made herein are true and correct to the best of my knowledge.
Signature: Donna Pete
DATE: 10-19-12



FOR OFFICIAL USE ONLY PURSUANT TO A.R.S. § 5-404.A

- **License Applicants:** Complete lines 2, 3, and 4. Submit with entire license package to local governing body.
- **Local Governing Body:** Complete and return with license package to the Department of Revenue Bingo Section.

New Application       Change of Location      Date: MM/DD/YYYY      License Number: \_\_\_\_\_

From (Name of local governing body) \_\_\_\_\_

Address (number and street, PO Box) \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ ZIP Code \_\_\_\_\_

Phone No. (with area code) \_\_\_\_\_

REVENUE USE ONLY. DO NOT MARK IN THIS AREA.

88

81 PM       80 RCVD

- 1 This is to certify that on MM/DD/YYYY a hearing was conducted pursuant to Arizona Revised Statute, Title 5, Chapter 4, in the matter of:
- Application for a bingo license by the following applicant.
  - Application for a bingo license location transfer.

2 Applicant's Name Florence Gardens Mobile Home Association / Linda Parvainen

3 Location/Address where games will be conducted: 3830 Florence Boulevard      City: Florence      State: AZ      ZIP Code: 85132

4 Fill in the time on the days games will be played:

SUN	MON	TUE	WED	THUR	FRI	SAT
<input type="checkbox"/> a.m.	<input type="checkbox"/> a.m.	<input type="checkbox"/> a.m.	<input type="checkbox"/> a.m.	<input type="checkbox"/> a.m.	<input type="checkbox"/> a.m.	<input type="checkbox"/> a.m.
<input type="checkbox"/> p.m.	<input type="checkbox"/> p.m.	<input type="checkbox"/> p.m.	<input type="checkbox"/> p.m.	<input type="checkbox"/> p.m.	<u>7:00</u> <input checked="" type="checkbox"/> p.m.	<input type="checkbox"/> p.m.

5 Background investigations:

- have       have not been conducted on all individuals listed in the Bingo License Application.

6 Recommendation for the application:  Approved       Disapproved

7 Specific reasons for disapproval are hereby listed pursuant to A.R.S. § 5-404.1:

This endorsement must be signed by a delegated authority of the local governing body.

PRINTED NAME \_\_\_\_\_

SIGNATURE \_\_\_\_\_

DATE \_\_\_\_\_

TITLE \_\_\_\_\_

Please mail to: Arizona Department of Revenue, PO Box 29019, Phoenix, AZ 85038-9019



This Application for Bingo License Packet includes:

- Arizona Form 833 — Application for Bingo License
- Arizona Form 830 — Affidavit
- Arizona Form 832 — Endorsement by Local Governing Body

It is advisable that you obtain and review a copy of the Arizona Revised Statutes on "Games of Bingo" and the Administrative Rules prior to initiating an application. These documents outline qualifications and requirements for obtaining a bingo license and may be obtained from:

- www.azleg.gov/ and
- www.azsos.gov/public\_services/table\_of\_contents.htm

All forms must be complete and legible. Please type or print using black ink only. Forms are available in a fillable pdf format at Arizona Department of Revenue (ADOR) web site www.azdor.gov. Be sure to include on your application a telephone number where you (or another party responsible for the games) can be reached during the day.

The bingo license package for new license and appropriate fees must be sent to and approved by the local governing body (the city council for incorporated cities or the county board of supervisors for unincorporated areas) prior to submission to the ADOR Bingo Section. Upon their approval or disapproval, the local governing body will forward the license package to the ADOR Bingo Section.

Endorsement By Local Governing Body Form

Complete lines 2, 3, and 4 of Arizona Form 832, Endorsement by Local Governing Body and submit to your local governing body with the bingo license package. A bingo license cannot be issued until this form is received by the ADOR Bingo Section.

As part of the review of your application for a bingo license, the ADOR Bingo Section will conduct an analysis of any purchase agreement for either equipment and/or real property to determine that such agreement is bona fide. This analysis is conducted pursuant to A.R.S. 5-406.F. The Bingo Section does not "approve" these agreements as to content or other legal ramifications. You are strongly advised to consult with independent legal counsel to determine your rights and obligations under these agreements.

If you need additional forms or have any questions, please call the ADOR Bingo Section in Phoenix at (602) 716-7801.

CHECKLIST:

Send copies of all documents listed below unless otherwise noted. Before mailing, check to make sure that you have included the following:


- Original completed Application for Bingo License (Arizona Form 833).
- Original completed affidavits (Arizona Form 830). Class B and Class C applicants must include a completed affidavit for each person participating in the conduct of your games. Class A applicants must include a complete affidavit for each person participating as a manager, proceeds coordinator and supervisors.
- Rental agreement if more than one licensee is using the same rented premises in which to hold bingo.
- Application for Special Bonus Game (Arizona Form 831) available at www.azdor.gov. If you do not conduct special bonus games do not complete the application.
- License fee payable to the Arizona Department of Revenue:

License Type	Fee
Class A	\$10.00
Class B	\$50.00
Class C	\$200.00

- The local governing body fee will be payable to the appropriate local governing entity:

License Type	Fee
Class A	\$5.00
Class B	\$25.00
Class C	\$50.00

- If applying as a qualified organization, a current membership list must be submitted and must indicate initial membership dates for all members of the applicant organization. Any person from any branch of the applicant who will be participating in the operation of bingo games must be included on the membership list.
- If applying as a qualified organization, the following must be submitted: charter documents, articles of incorporation, corporate bylaws, articles of association, minutes of the establishment meeting, and minutes of meetings for two years (two months of each year) immediately prior to the date of application for the applicant, parent and auxiliary.
- Purchase agreement for real property (where applicable).
- Purchase agreement/bill of sale for bingo equipment and supplies.
- Original local governing body endorsement.

	<b>Community Facilities District No. 1 ACTION FORM</b>	<b><u>AGENDA ITEM</u> 8a.</b>
<b>MEETING DATE:</b> May 19, 2014  <b>DEPARTMENT:</b> Finance  <b>STAFF PRESENTER:</b> Mike Farina, District Treasurer  <b>SUBJECT:</b> Issuance of General Obligation Bonds		<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 authorize the District Manager to secure General Obligation Bonds (GO Bonds) for purposes of financing public improvements within Merrill Ranch Community Facilities District No. 1, in an amount not to exceed \$1,500,000, plus costs of issuance.

**BACKGROUND/DISCUSSION:**

The District currently has authorization up to \$1,300,000,000 (pursuant to an election held in and for the District on February 21, 2006), in principal amount of GO Bonds. To date, the District has issued \$4,584,000 in GO Bonds, of which \$3,955,000 principal remains outstanding. The 2014 issue will be in addition to this amount.

A Feasibility Report will be prepared and will include a description of the public infrastructure to be financed by the GO Bonds, a location map, the cost of the infrastructure and the plan for financing the infrastructure. In addition, a Preliminary Official Statement and other various documents relating to the 2014 GO Bonds will be prepared.

A resolution will then be brought forward to approve the Feasibility Report, authorize the sale and issuance of GO Bonds, in an amount not to exceed \$1,500,000 aggregate principal amount, approve the Preliminary Official Statement, authorize the preparation of the final Official Statement, authorize the subsequent levying of an ad valorem property tax sufficient to pay debt service and to approve the form and authorize the execution of delivery of the various documents relating to the 2014 GO Bonds.

**FINANCIAL IMPACT:**

It is expected that the total bonds outstanding, including this issue, will be repaid with the District's current ad valorem tax levy of \$3.25 per \$100 of secondary assessed valuation. Operation expenses of the District will continue to be funded by the District's


operation and maintenance ad valorem property tax levy of \$0.30 per \$100 of secondary assessed valuation, for a total tax rate target of \$3.55.

**STAFF RECOMMENDATION:**

Motion to authorize the District Manager to secure General Obligation Bonds (GO Bonds) for purposes of financing public improvements within Merrill Ranch Community Facilities District No. 1, in an amount not to exceed \$1,500,000, plus costs of issuance.

**ATTACHMENTS:**

None

	<b>TOWN OF FLORENCE COUNCIL ACTION FORM</b>	<b><u>AGENDA ITEM</u> 10a.</b>
<b>MEETING DATE:</b> May 19, 2014  <b>DEPARTMENT:</b> Finance/Grants  <b>STAFF PRESENTER:</b> Ernest Feliz Grants and Assessment Manager  <b>SUBJECT:</b> Resolution No. 1437-14: Gila River Indian Community Tribal Gaming Fund Application		<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. 1437-14, as required in order to submit an application for Gila River Indian Community Tribal Gaming Funds.

**BACKGROUND/DISCUSSION:**

This is a pass-through grant application. American Legion Post #9 has requested permission from the Town of Florence to submit an application to the Gila River Indian Community for tribal gaming funds in the amount of \$60,378. The application is due June 6, 2014. These funds will be used to repair the roof of the historic American Legion building in downtown Florence. In 2012, the American Legion submitted and was granted approximately \$47,000, to repair and repaint exterior walls and repair signage. Before and after photos are attached.

**FINANCIAL IMPACT:**

The application will be for \$60,378 in grant funds.

**STAFF RECOMMENDATION:**

Staff recommends the Council adopt Resolution No. 1437-14, authorizing the submission of the application.

**ATTACHMENTS:**

Resolution No. 1437-14  
Letter from American Legion Post #9  
Grant Summary Form  
Budget  
Cost Estimate from Swan Architects  
Gila River Indian Community Application Signature Page

**RESOLUTION NO. 1437-14**

**A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, SUPPORTING THE AMERICAN LEGION APPLICATION TO THE GILA RIVER INDIAN COMMUNITY FOR \$60,378.**

**WHEREAS**, the Gila River Indian Community is accepting applications for the distribution of gaming revenues through their State Shared Revenue Program; and

**WHEREAS**, the Town of Florence wishes to sponsor an application for American Legion Post #9, which has an immediate need to repair the roof of its historic building which was constructed in 1874; and

**WHEREAS**, the Town of Florence wishes to assist whenever possible to preserve buildings like the one used by American Legion Post #9, which exists in Florence's historic downtown; and

**WHEREAS**, the citizens of the Town of Florence will realize the benefit of this preservation effort because it will enhance the quality of life in the community.

**THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Town of Florence, Arizona, as follows:

Support for the American Legion application to the Gila River Indian Community for \$60,378.00 in Shared Revenue Funds is granted.

**PASSED AND ADOPTED** by the Mayor and Council of the Town of Florence, Arizona, on this 19<sup>th</sup> day of May 2014.

\_\_\_\_\_  
Tom J. Rankin, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

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

\_\_\_\_\_  
James E. Mannato, Town Attorney

I, the undersigned, being the duly appointed and qualified Town Clerk of the Town of Florence, Arizona, certify that the foregoing Resolution No. 1437-14 is a true, correct and accurate copy as passed and adopted at a regular meeting of the Florence Town Council, held on the 19<sup>th</sup> day of May, 2014, at which a quorum was present and voted in favor of said Resolution No. 1437-14.

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



# AMERICAN LEGION POST NO. 9

*P. O. Box 1585*

*441 N. Main St.*

*Florence, AZ 85132*

*520-868-5576*

April 28, 2014

Mayor Tom Rankin  
Town of Florence  
P.O. Box 2670  
Florence, AZ 85132

Dear Mayor Rankin

Please consider this request for approval of an application by McClellan-Parsons American Legion Post No. 9 to the Gila River Indian Community. The American Legion is requesting approval of the Florence Town Council to allow the Post to submit an application for tribal gaming funds to the Community. This funding request would be for approximately \$60,000 to repair the roof of the American Legion building, also known as the Second E.N. Fish Company store.

We are very grateful for the assistance recently provided by the Town to perform repairs to the building. We have received numerous compliments on the improved appearance of the structure. The Town was very instrumental in recently obtaining funding and organizing recent repairs to the building. However, there was only enough money to effect minor repairs to the roof, which is in severe need of major repairs.

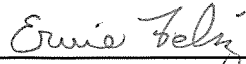



Attached you will find a tentative budget for the roof repairs. We are willing to assist in any manner necessary to submit an application. As you know, this building is on the National Register of Historic Place and is a key component of the Florence Townsite Historic District. We would very much appreciate your assistance in submitting a funding application.

Sincerely,

William Wood  
Commander, American Legion Post #9

## GRANT APPLICATION SUMMARY FORM

<b>Project Title:</b> Gila River Indian Community 2014 Tribal Gaming Fund Application	
<b>Funding Source:</b> Gila River Indian Community	
<b>Department Submitting/Project Manager:</b> Grants, Ernie Feliz on behalf of American Legion Post #9	
<b>Application Deadline:</b> June 6, 2014	
<b><u>ATTACHMENTS</u></b>	
1) Project Budget (must be attached)	
2) Other <u>Cost Estimate from Swan Architects, Letter from Legion Post Commander, Photos</u>	
<b><u>FINANCIALS</u></b>	
1) Cost of the Project: \$60,378.00	2) Amount of Grant Request: \$60,378.00
3) Are Matching Funds Required? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
4) Amount and/or Value of Match: Cash <u>N/A</u> In Kind <u>N/A</u>	
5) Is the Project Budgeted? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	C.I.P. Number: _____
6) Source of Matching Funds: _____	(Obtain from <u>Finance Director</u> )
<b>Project Summary:</b>	
<p>American Legion Post #9 is requesting the Town of Florence support its application for tribal gaming funds to repair the roof of its building, known historically as the Second E.N. Fish Store (constructed 1874). The building received Tohono O'odham Nation tribal gaming funds in 2012 to repair other exterior features of the building, but there was not enough money available to effectively repair the roof. A protective roof coating was applied and it was estimated it would last approximately two years.</p>	
Approximate Start Date: March 1, 2015	
Period of Performance: April 1, 2015 to November 1, 2015	

 Department Head	<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Declined	4/29/14 Date
 Grants Manager	<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Declined	4/29/14 Date
 Finance Director	<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Declined	5/1/14 Date
 Town Manager	<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Declined	5/2 Date







April 24, 2014

Ernie Feliz,  
Grants and assessments Manager  
Town of Florence  
P.O. Box 2670  
Florence, AZ 85132

Re: **American Legion Probable Roof Replacement Costs**

Task	Cost
Selective demolition – 7,000 s.f. @ \$1.00/s.f. *	\$ 7,000.00
Miscellaneous rough carpentry – 3,000 s.f. @ \$1.50/s.f.	\$ 4,500.00
Repair/replace fascia/soffits – allowance	\$ 10,000.00
Plywood sheathing – 7,000 s.f. @ \$1.50/s.f.	\$ 10,500.00
Felt underlayment – 7,000 s.f. @ \$.50/s.f.	\$ 3,500.00
Architectural shingles – 7,000 s.f. @ \$1.75/s.f.	\$ 12,250.00
<b>Subtotal:</b>	\$ 47,750.00
Contractor Overhead/Profit (15%)	\$ 7,162.50
Bonds/Insurance (3%)	\$ 1,647.38
Taxes (6.75%)	\$ 3,817.79
<b>Total Probable Construction Costs:</b>	<b>\$ 60,377.67</b>

\* Does not include removal of hazardous materials.



## Gila River Indian Community Grant Application

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### Municipality Information

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Date of Application: June 2, 2014

Name of City, Town or County: Town of Florence

Mayor or Board of Supervisor's Chairman: Tom J. Rankin, Mayor

Mailing Address: P.O. Box 2670

City: Florence State: AZ Zip Code: 85132

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### Department/Non-Profit Information

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Department or Organization Name: American Legion Post #9/ Town of Florence Grants

Mailing Address: P.O. Box 2670 City: Florence State: AZ Zip Code: 85132

Contact Person\*: Ernest Feliz Title: Grants Manager

Phone Number: 520 868-8300 E-mail Address: ernie.feliz@florenceaz.gov

\*The individual listed here will be our direct point of contact for grant-related questions or requests for information. Duplicates of all grant correspondence will be sent to the contact person.

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### Grant Information

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Program or Project Name: Roof Repair of Historic American Legion Post #9 Building

Purpose of Grant: To repair the roof of the American Legion building. The building was constructed in 1874 and is listed on the National Register of Historic Places.

Beginning and ending dates of Program or Project: 10/1/2014 to 10/1/2015

Amount Requested: \$60,378.00

Total Project Cost: \$60,378.00

Multi-year Request – If checked, # of years requested: \_\_\_\_\_ Amount/year: \_\_\_\_\_

Priority Funding Area:

Economic Development  Education  Healthcare  Public Safety  Transportation


Geographic Area Served: Town of Florence and surrounding area

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Signature:

Mayor OR Chairman BOS: \_\_\_\_\_ Date: \_\_\_\_\_

Typed Name and Title: **Tom J. Rankin, Mayor**

	<b>TOWN OF FLORENCE COUNCIL ACTION FORM</b>	<b><u>AGENDA ITEM</u> 10b.</b>
<b>MEETING DATE:</b> May 19, 2014  <b>DEPARTMENT:</b> Finance/Grants  <b>STAFF PRESENTER:</b> Ernest Feliz Grants and Assessment Manager  <b>SUBJECT:</b> Resolution No. 1438-14: Gila River Indian Community Tribal Gaming Fund Application		<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> <ul style="list-style-type: none"> <li><input type="checkbox"/> Regulatory</li> <li><input type="checkbox"/> 1<sup>st</sup> Reading</li> <li><input type="checkbox"/> 2<sup>nd</sup> Reading</li> </ul> <input type="checkbox"/> <b>Other</b>

**RECOMMENDED MOTION/ACTION:**

Motion to adopt Resolution No. 1438-14 as required in order to submit an application for Gila River Indian Community Tribal Gaming Funds.

**BACKGROUND/DISCUSSION:**

This is a pass-through grant application. Project Bridge has requested permission from the Town of Florence to submit an application to the Gila River Indian Community for tribal gaming funds in the amount of \$100,000. The application is due June 6, 2014. These funds will be used to provide Florence area students in need with clothing and supplies at the beginning of the 2014 school year.

**FINANCIAL IMPACT:**

The application will be for \$100,000 in grant funds. The organization will provide another \$66,000, in matching funds for this project.

**STAFF RECOMMENDATION:**

Staff recommends the Council adopt Resolution No. 1438-14, authorizing the submission of the application.

**ATTACHMENTS:**

- Resolution No. 1438-14
- Grant Summary Form
- Budget
- Project Bridge Budget Breakdown
- Gila River Indian Community Application Signature Page

**RESOLUTION NO. 1438-14**

**A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, SUPPORTING PROJECT BRIDGE'S APPLICATION TO THE GILA RIVER INDIAN COMMUNITY FOR \$100,000.**

**WHEREAS**, the Gila River Indian Community is accepting applications for the distribution of gaming revenues through their State Shared Revenue Program; and

**WHEREAS**, the Town of Florence wishes to sponsor an application for Project Bridge, which serves school children in need in the Florence area; and

**WHEREAS**, the Town of Florence wishes to assist organizations such as Project Bridge, which is dedicated to providing assistance to Florence area students and families; and

**WHEREAS**, the citizens of the Town of Florence will realize the benefit of the effort by Project Bridge because it will improve educational outcomes for young people.

**THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Town of Florence, Arizona, as follows:

Support for the Project Bridge application to the Gila River Indian Community for \$100,000 in Shared Revenue Funds is granted.

**PASSED AND ADOPTED** by the Mayor and Council of the Town of Florence, Arizona, on this 19<sup>th</sup> day of May 2014.

\_\_\_\_\_  
Tom J. Rankin, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

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

\_\_\_\_\_  
James E. Mannato, Town Attorney

I, the undersigned, being the duly appointed and qualified Town Clerk of the Town of Florence, Arizona, certify that the foregoing Resolution No. 1438-14 is a true, correct and accurate copy as passed and adopted at a regular meeting of the Florence Town Council, held on the 19<sup>th</sup> day of May, 2014, at which a quorum was present and voted in favor of said Resolution No. 1438-14.

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

## GRANT APPLICATION SUMMARY FORM

<b>Project Title:</b> Back To School Program, Project Bridge Family Assistance Program, Inc.	
<b>Funding Source:</b> Gila River Indian Community Tribal Gaming Grant	
<b>Department Submitting/Project Manager:</b> Project Bridge Family Assistance Program, Inc. / Tonya Thompson Executive Director.	
<b>Application Deadline:</b> This grant application is due June 6, 2014	
<b><u>ATTACHMENTS</u></b>	
1) <b>Project Budget (must be attached)</b>	
2) <b>Other</b> _____	
<b><u>FINANCIALS</u></b>	
1) <b>Cost of the Project:</b> \$166,000	2) <b>Amount of Grant Request:</b> \$100,000
3) <b>Are Matching Funds Required?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
4) <b>Amount and/or Value of Match:</b> Cash <u>\$22,000</u> In Kind <u>\$44,000</u>	
5) <b>Is the Project Budgeted?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <b>C.I.P. Number:</b> _____	
6) <b>Source of Matching Funds:</b> <u>Donations &amp; Fund Raisers obtained or organized by Project Bridge</u> <b>(Obtain from <u>Finance Director</u>)</b>	
<b>Project Summary:</b> The Back To School Program will serve 600 children who are on the free and reduce lunch program, or a child whose family is in a crisis. Each child will receive 3 new outfits, a new pair of shoes, 7 pairs of underwear and 7 pairs of socks. Also each child will be given a new back pack along with school supplies. This program helps children to be able to be successful in learning and receiving an education. Thus being able to move onto a higher education level and becoming a productive member of society.	
<b>Approximate Start Date:</b> This program began in 2012, if awarded this grant we will not receive the money until October 2014, therefore the money will be used for the start of 2015 school year.	
<b>Period of Performance:</b> These funds will be used during the 2015-16 school year	

\_\_\_\_\_  
**Department Head**  Approved  Declined **Date** \_\_\_\_\_

\_\_\_\_\_  
**Grants Manager**  Approved  Declined **Date** \_\_\_\_\_

\_\_\_\_\_  
**Finance Director**  Approved  Declined **Date** \_\_\_\_\_

\_\_\_\_\_  
**Town Manager**  Approved  Declined **Date** \_\_\_\_\_

# GRANT REQUEST PROPOSED BUDGET

## EXPENDITURES

Item Description	Cost Each	Quantity	Total Cost
<b>Personnel:</b>			
Salary for Program Director	\$21,000.00	1	\$ 21,000.00
<b>Contractual</b>			
<b>Equipment:</b>			
<b>Other Charges</b>			
Clothing & shoes for students in need (see attached)	\$200.00	600	\$120,000.00
Backpacks for students in need	\$20.00	600	\$ 12,000.00
School supplies for students in need	\$20.00	600	\$ 12,000.00
Printing for 8,000 flyers and 150 applications	\$500.00	1	\$ 500.00
Mileage (travel to family homes and schools	.50	1,000	\$ 500.00
<b>Capital Outlay:</b>			
Total Expenditures:			<b>\$166,000.00</b>

## REVENUE

Source of Revenue	Amount
Grant from Funding Agency	\$100,000
Cash Match	\$ 22,000
In-Kind Labor	\$ 44,000
Other (describe)	
Total Revenue:	
<b>\$166,000</b>	

**NOTE: Total Revenue must equal Total Expenditures**

## Project Bridge Back To School Program Budget

Revenue: Grant Funding- \$100,000

Donations- \$ 44,000

Fund Raisers- \$ 22,000

Total \_\_\_\_\_

\$166,000

Expenses: 600 kids 3 new outfits and a new pair of shoes- \$120,000

600 back packs at \$20 each- \$ 12,000

600 kids school supplies \$20 each- \$ 12,000

Worker salary for program- \$ 21,000

Printing cost- \$ 500

Mileage- \$ 500

Total \_\_\_\_\_

\$166,000





## Gila River Indian Community Grant Application

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### Municipality Information

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Date of Application: June 2, 2014

Name of City, Town or County: Town of Florence

Mayor or Board of Supervisor's Chairman: Tom J. Rankin, Mayor

Mailing Address: P.O. Box 2670

City: Florence State: AZ Zip Code: 85132

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### Department/Non-Profit Information

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Department or Organization Name: Project Bridge/ Town of Florence Grants

Mailing Address: P.O. Box 2670 City: Florence State: AZ Zip Code: 85132

Contact Person\*: Ernest Feliz Title: Grants Manager

Phone Number: 520 868-8300 E-mail Address: ernie.feliz@florenceaz.gov

\*The individual listed here will be our direct point of contact for grant-related questions or requests for information. Duplicates of all grant correspondence will be sent to the contact person.

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### Grant Information

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Program or Project Name: Project Bridge Back to School Program

Purpose of Grant: To provide clothing and supplies to 600 students in need

Beginning and ending dates of Program or Project: 7/1/2015 to 6/1/2016

Amount Requested: \$100,000.00 Total Project Cost: \$166,000.00

Multi-year Request – If checked, # of years requested: \_\_\_\_\_ Amount/year: \_\_\_\_\_

Priority Funding Area:

Economic Development  Education  Healthcare  Public Safety  Transportation


Geographic Area Served: Town of Florence and surrounding area

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Signature:

Mayor OR Chairman BOS: \_\_\_\_\_ Date: \_\_\_\_\_

Typed Name and Title: **Tom J. Rankin, Mayor**

	<b>TOWN OF FLORENCE COUNCIL ACTION FORM</b>	<b><u>AGENDA ITEM</u></b> <b>10c.</b>
<b>MEETING DATE:</b> May 19, 2014  <b>DEPARTMENT:</b> Finance/Grants  <b>STAFF PRESENTER:</b> Ernest Feliz Grants and Assessment Manager  <b>SUBJECT:</b> Resolution No. 1439-14: Gila River Indian Community Tribal Gaming Fund Application		<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. 1439-14, as required in order to submit an application for Gila River Indian Community Tribal Gaming Funds.

**BACKGROUND/DISCUSSION:**

This is a pass-through grant application. Project Bridge has requested permission from the Town of Florence to submit an application to the Gila River Indian Community for tribal gaming funds in the amount of \$225,000. The application is due June 6, 2014. These funds will be used to provide Florence area students in need with groceries for breakfast and lunch during the summer of 2015.

**FINANCIAL IMPACT:**

The application will be for \$225,000 in grant funds. The organization will provide another \$221,000 in matching funds for this project.

**STAFF RECOMMENDATION:**

Staff recommends the Council adopt Resolution No. 1439-14, authorizing the submission of the application.

**ATTACHMENTS:**

- Resolution No. 1439-14
- Grant Summary Form
- Budget
- Project Bridge Budget Breakdown
- Gila River Indian Community Application Signature Page

**RESOLUTION NO. 1439-14**

**A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, SUPPORTING PROJECT BRIDGE'S APPLICATION TO THE GILA RIVER INDIAN COMMUNITY FOR \$225,000.**

**WHEREAS**, the Gila River Indian Community is accepting applications for the distribution of gaming revenues through their State Shared Revenue Program; and

**WHEREAS**, the Town of Florence wishes to sponsor an application for Project Bridge, which wants to provide food for families with school children in need in the Florence area; and

**WHEREAS**, the Town of Florence wishes to assist organizations such as Project Bridge, which is dedicated to providing assistance to Florence area students and families; and

**WHEREAS**, the citizens of the Town of Florence will realize the benefit of the effort by Project Bridge because it will improve educational outcomes for young people.

**THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Town of Florence, Arizona, as follows:

Support for the Project Bridge application to the Gila River Indian Community for \$225,000 in Shared Revenue Funds is granted.

**PASSED AND ADOPTED** by the Town Council of the Town of Florence, Arizona, on this 19<sup>th</sup> day of May 2014.

\_\_\_\_\_  
Tom J. Rankin, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

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

\_\_\_\_\_  
James E. Mannato, Town Attorney

I, the undersigned, being the duly appointed and qualified Town Clerk of the Town of Florence, Arizona, certify that the foregoing Resolution No. 1439-14 is a true, correct and accurate copy as passed and adopted at a regular meeting of the Florence Town Council, held on the 19<sup>th</sup> day of May, 2014, at which a quorum was present and voted in favor of said Resolution No. 1439-14.

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

# GRANT APPLICATION SUMMARY FORM

**Project Title:** Summer Breakfast and Lunch Program

**Funding Source:** Gila River Indian Community Tribal Gaming Funds

**Department Submitting/Project Manager:** Project Bridge Family Assistance Program, Tonya Thompson Executive Director.

**Application Deadline:** This grant application is due June 6, 2014

## ATTACHMENTS

1) **Project Budget (must be attached)**

2) **Other** \_\_\_\_\_

## FINANCIALS

1) **Cost of the Project:** \$516,000

2) **Amount of Grant Request:** \$225,000

3) **Are Matching Funds Required?**  Yes  No

4) **Amount and/or Value of Match:** Cash \$291,000 In Kind \_\_\_\_\_

5) **Is the Project Budgeted?**  Yes  No **C.I.P. Number:** \_\_\_\_\_

6) **Source of Matching Funds:** \_\_\_\_\_  
(Obtain from Finance Director)

### **Project Summary:**

The Summer breakfast and lunch program will serve children who are on the federal free and reduce lunch program. These children are from low income families that struggle to have enough money to buy food and the SNAP food stamps have lowered what a family receives now. Therefore this program will serve children during the week they are off school for breakfast and lunch. The budget is for 1000 families to be helped. Families who qualify will receive healthy food item for breakfast and lunch.

**Approximate Start Date:** If awarded this grant we will not receive money until October therefore this program money will start in 2015

**Period of Performance:** 2015-2016 school year

\_\_\_\_\_  
**Department Head**  Approved  Declined **Date** \_\_\_\_\_

\_\_\_\_\_  
**Grants Manager**  Approved  Declined **Date** \_\_\_\_\_

\_\_\_\_\_  
**Finance Director**  Approved  Declined **Date** \_\_\_\_\_

\_\_\_\_\_  
**Town Manager**  Approved  Declined **Date** \_\_\_\_\_

# GRANT REQUEST PROPOSED BUDGET

## EXPENDITURES

Item Description	Cost Each	Quantity	Total Cost
<b>Personnel:</b>			
Salary for Social Worker	\$20,000.00	1	\$ 20,000.00
<b>Contractual</b>			
<b>Equipment:</b>			
<b>Other Charges</b>			
10 weeks of breakfast items for 1,000 families	\$310.00	1,000	\$310,000.00
10 weeks of lunch items for 1,000 families	\$185.00	1,000	\$185,000.00
School supplies for students in need	\$20.00	600	\$ 12,000.00
Printing for 8,000 flyers and 150 applications	\$500.00	1	\$ 500.00
Mileage (travel to family homes and schools	.50	1,000	\$ 500.00
<b>Capital Outlay:</b>			
Total Expenditures:			<b>\$516,000.00</b>

## REVENUE

Source of Revenue	Amount
Grant from Funding Agency	\$225,000
Cash Match (Other Grants & Donations)	\$291,000
In-Kind r	
Other (describe)	
Total Revenue:	
	<b>\$516,000</b>

**NOTE: Total Revenue must equal Total Expenditures**

## Summer Breakfast and Lunch Program Breakout of Costs

### Breakfast Food Items Expenses

Pancake mixes - \$2.00 a box - 1 box per family= for 1,000 families at \$2.00 =	\$ 2,000
Syrup - \$ 2.00 a bottle - 1 per family = for 1,000 families at \$2.00 =	\$ 2,000
1 pkg. of bacon per family = for 1,000 families at \$2.00 =	\$ 2,000
18 ct. carton of eggs 1 per family = for 1,000 families at \$2.50 =	\$ 2,500
1 box of oatmeal pkgs. 1 per family = for 1,000 families at \$2.00 =	\$ 2,000
1 box of cereal 1 per family = for 1,000 families at \$2.50 =	\$ 2,500
1 pkg. of saugues 1 per family = for 1,000 families at \$2.00 =	\$ 2,000
1 gallon of milk 1 per family = for 1,000 families at \$ 2.00 =	\$ 2,000
2 bottles of juice per family = for 1,000 families at \$2.50 a bottle = \$5.00	\$ 5,000
2 bags of fresh fruit per family = for 1,000 families at \$ 4.50 a bag = \$9.00	\$ 9,000

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\$31,000 = 1 week of food x 10 weeks children are out of school = \$310,000

### Lunch Food Items Expenses

1 loaf of bread per family = for a 1,000 families at a \$1.00 =	\$1,000
1 pkg. of lunch meat per family = for a 1,000 families at \$3.00 =	\$3,000
1 pkg of spag noodles and a jar of sauce= for a 1,000 families at \$2.50	\$2,500
1 bag of frozen veggies per family = for a 1,000 families at \$1.00 =	\$1,000
1 can of veggie per family = for a 1,000 families at \$1.00 =	\$1,000
1bag of pasta noodles, 1 can of tuna, 1 can of cream of celery= \$3.50	\$3,500
1 pkg. of hot dog and 1 pkg of buns= for a 1,000 families at\$2.50	\$2,500
2 boxes of Mac and Cheese = for a 1,000 families at \$2.00	\$2,000
2 cans of fruit = for a 1,000 families at \$2.00 =	\$2,000

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\$ 18,500 = 1 week of food x 10 weeks children are out of school = \$185,000



## Gila River Indian Community Grant Application

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### Municipality Information

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Date of Application: June 2, 2014

Name of City, Town or County: Town of Florence

Mayor or Board of Supervisor's Chairman: Tom J. Rankin, Mayor

Mailing Address: P.O. Box 2670

City: Florence State: AZ Zip Code: 85132

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### Department/Non-Profit Information

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Department or Organization Name: Project Bridge/ Town of Florence Grants

Mailing Address: P.O. Box 2670 City: Florence State: AZ Zip Code: 85132

Contact Person\*: Ernest Feliz Title: Grants Manager

Phone Number: 520 868-8300 E-mail Address: ernie.feliz@florenceaz.gov

\*The individual listed here will be our direct point of contact for grant-related questions or requests for information. Duplicates of all grant correspondence will be sent to the contact person.

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### Grant Information

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Program or Project Name: Project Bridge Summer Meal Program

Purpose of Grant: To provide food for 1,000 families in need

Beginning and ending dates of Program or Project: 6/1/2015 to 8/15/2015

Amount Requested: \$225,000.00 Total Project Cost: \$516,000.00

Multi-year Request – If checked, # of years requested: \_\_\_\_\_ Amount/year: \_\_\_\_\_

Priority Funding Area:

Economic Development  Education  Healthcare  Public Safety  Transportation


Geographic Area Served: Town of Florence and surrounding area

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Signature:

Mayor OR Chairman BOS: \_\_\_\_\_ Date: \_\_\_\_\_

Typed Name and Title: **Tom J. Rankin, Mayor**

	<b>TOWN OF FLORENCE COUNCIL ACTION FORM</b>	<b><u>AGENDA ITEM</u> 10d.</b>
<b>MEETING DATE:</b> May 19, 2014  <b>DEPARTMENT:</b> Finance/Grants  <b>STAFF PRESENTER:</b> Ernest Feliz Grants and Assessment Manager  <b>SUBJECT:</b> Resolution No. 1440-14: Gila River Indian Community Tribal Gaming Fund Application		<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. 1440-14, as required in order to submit an application for Gila River Indian Community Tribal Gaming Funds.

**BACKGROUND/DISCUSSION:**

The funds for this application will be used to purchase a booking workstation for the Police Department. This equipment will produce a high resolution image that will enhance the quality and reliability of fingerprints and palm prints.

**FINANCIAL IMPACT:**

This application is for \$40,000 in grant funds.

**STAFF RECOMMENDATION:**

Staff recommends the Council adopt Resolution No. 1440-14, authorizing the submission of the application.

**ATTACHMENTS:**

- Resolution No. 1440-14
- Grant Summary Form
- Budget
- Gila River Indian Community Application Signature Page



**RESOLUTION NO. 1440-14**

**A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, SUPPORTING TOWN OF FLORENCE'S APPLICATION TO THE GILA RIVER INDIAN COMMUNITY FOR \$40,000.**

**WHEREAS**, the Gila River Indian Community is accepting applications for the distribution of gaming revenues through their State Shared Revenue Program; and

**WHEREAS**, the Town of Florence has an immediate need to purchase and install a booking workstation; and

**WHEREAS**, the citizens of the Town of Florence will realize the benefit of this equipment because it will enhance the quality and reliability of fingerprints and palm prints; and

**WHEREAS**, the Town of Florence endeavors to continue to employ the latest technology being used to enhance the activities of its public safety departments.

**THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Town of Florence, Arizona, as follows:

That an application to the Gila River Indian Community for Shared Revenue Funds in the amount of \$40,000 is supported, and if funds are awarded, such funds will be accepted

**PASSED AND ADOPTED** by the Mayor and Council of the Town of Florence, Arizona, on this 19<sup>th</sup> day of May, 2014.

\_\_\_\_\_  
Tom J. Rankin, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

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

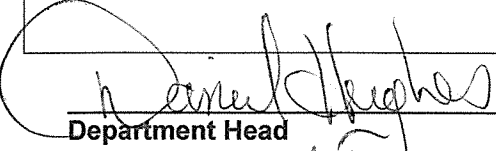
\_\_\_\_\_  
James E. Mannato, Town Attorney

I, the undersigned, being the duly appointed and qualified Town Clerk of the Town of Florence, Arizona, certify that the foregoing Resolution No. 1440-14 is a true, correct and accurate copy as passed and adopted at a regular meeting of the Florence Town Council, held on the 19<sup>th</sup> day of May, 2014, at which a quorum was present and voted in favor of said Resolution No. 1440-14.

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

# GRANT APPLICATION SUMMARY FORM

Project Title: 2014 Spring Tribal Gaming Funds	
Funding Source: Tribal Gaming Funds	
Department Submitting/Project Manager: Police Department/Chief Hughes	
Application Deadline: June 6, 2014	
<b><u>ATTACHMENTS</u></b>	
1) Project Budget (must be attached)	
2) Other:	
<b><u>FINANCIALS</u></b>	
1) Cost of the Project: \$40,000	2) Amount of Grant Request: \$40,000
3) Are Matching Funds Required?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
4) Amount and/or Value of Match:	Cash _____ In Kind _____
5) Is the Project Budgeted?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No    C.I.P. Number: _____
6) Source of Matching Funds:	_____
(Obtain from <u>Finance Director</u> )	
Project Summary:	
<p>The Florence Police Department would like to request funds from the Tribal Gaming Revenue for the purchase a LiveScan Booking Workstation (3 trays and a 2 year service warranty). The LiveScan is designed for use in police stations and correctional facilities. The high resolution image capture enables the operators to check with the utmost precision the quality and reliability of all fingerprints and palm prints prior to their entry in the AFIS database.</p>	

	<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Declined	Date <u>05/02/14</u>
Ernie Foley	<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Declined	Date <u>5/2/14</u>
_____	<input type="checkbox"/> Approved <input type="checkbox"/> Declined	Date _____
_____	<input type="checkbox"/> Approved <input type="checkbox"/> Declined	Date _____

# GRANT REQUEST PROPOSED BUDGET

## EXPENDITURES

Item Description	Cost Each	Quantity	Total Cost
Personnel: Overtime Costs			
Contractual			
Equipment: LiveScan Booking Station	\$36,000	1	\$36,000
Other Charges: 2 year Maint. Services	\$4,000	1	\$4,000
Capital Outlay:			
Total Expenditures:			<u>\$40,000</u>

## REVENUE

Source of Revenue	Amount
Grant from Funding Agency	\$40,000
Cash Match	
In-Kind Labor	
Other (describe)	
Total Revenue:	
	<u>\$40,000</u>

**NOTE: Total Revenue must equal Total Expenditures**



## Gila River Indian Community Grant Application

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### Municipality Information

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Date of Application: June 2, 2014

Name of City, Town or County: Town of Florence

Mayor or Board of Supervisor's Chairman: Tom J. Rankin, Mayor

Mailing Address: P.O. Box 2670

City: Florence State: AZ Zip Code: 85132

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### Department/Non-Profit Information

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Department or Organization Name: Town of Florence Grants

Mailing Address: P.O. Box 2670 City: Florence State: AZ Zip Code: 85132

Contact Person\*: Ernest Feliz Title: Grants Manager

Phone Number: 520 868-8300 E-mail Address: ernie.feliz@florenceaz.gov

\*The individual listed here will be our direct point of contact for grant-related questions or requests for information. Duplicates of all grant correspondence will be sent to the contact person.

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### Grant Information

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Program or Project Name: Town of Florence Police Booking Station

Purpose of Grant: To enhance precision and reliability of fingerprints and palm prints

Beginning and ending dates of Program or Project: 10/1/2014 to 1/1/2015

Amount Requested: \$40,000.00 Total Project Cost: \$40,000.00

Multi-year Request – If checked, # of years requested: \_\_\_\_\_ Amount/year: \_\_\_\_\_

Priority Funding Area:

Economic Development  Education  Healthcare  Public Safety  Transportation


Geographic Area Served: Town of Florence

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Signature:

Mayor OR Chairman BOS: \_\_\_\_\_ Date: \_\_\_\_\_

Typed Name and Title: **Tom J. Rankin, Mayor**

	<b>TOWN OF FLORENCE COUNCIL ACTION FORM</b>	<b><u>AGENDA ITEM</u> 10e.</b>
<b>MEETING DATE:</b> May 19, 2014  <b>DEPARTMENT:</b> Finance/Grants  <b>STAFF PRESENTER:</b> Ernest Feliz Grants and Assessment Manager  <b>SUBJECT:</b> Resolution No. 1441-14: Gila River Indian Community Tribal Gaming Fund Application		<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. 1441-14, as required in order to submit an application for Gila River Indian Community Tribal Gaming Funds.

**BACKGROUND/DISCUSSION:**

The funds for this application will be used to purchase Axon Flex kits, controllers and assorted equipment that will provide a point-of-view video system for officers. This will enhance transparency between the department and the community and protect officers from false claims.

**FINANCIAL IMPACT:**

This application is for \$20,854.03 in grant funds.

**STAFF RECOMMENDATION:**

Staff recommends the Council adopt Resolution No. 1441-14, authorizing the submission of the application.

**ATTACHMENTS:**

- Resolution No. 1441-14
- Grant Summary Form
- Budget
- Gila River Indian Community Application Signature Page

**RESOLUTION NO. 1441-14**

**A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, SUPPORTING THE TOWN OF FLORENCE'S APPLICATION TO THE GILA RIVER INDIAN COMMUNITY FOR \$20,854.**

**WHEREAS**, the Gila River Indian Community is accepting applications for the distribution of gaming revenues through their State Shared Revenue Program; and

**WHEREAS**, the Town of Florence is dedicated to promoting public safety, as well as transparency for its citizens and local businesses, and

**WHEREAS**, the Town of Florence has an immediate need to improve transparency between its law enforcement officers and the community; and

**WHEREAS**, the Town of Florence has identified the need to purchase a point of view video system for use by Town of Florence law enforcement officers.

**THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Town of Florence, Arizona, as follows:

That an application to the Gila River Indian Community for Shared Revenue Funds in the amount of \$20,854.03 is supported, and if funds are awarded, such funds will be accepted

**PASSED AND ADOPTED** by the Mayor and Council of the Town of Florence, Arizona, on this 19<sup>th</sup> day of May 2014.

\_\_\_\_\_  
Tom J. Rankin, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

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

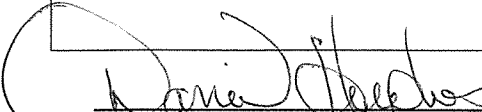
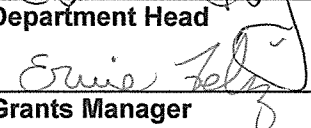
\_\_\_\_\_  
James E. Mannato, Town Attorney

I, the undersigned, being the duly appointed and qualified Town Clerk of the Town of Florence, Arizona, certify that the foregoing Resolution No. 1441-14 is a true, correct and accurate copy as passed and adopted at a regular meeting of the Florence Town Council, held on the 19<sup>th</sup> day of May, 2014, at which a quorum was present and voted in favor of said Resolution No. 1441-14.

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

# GRANT APPLICATION SUMMARY FORM

Project Title: <b>Protecting the Truth</b>	
Funding Source: <b>Tribal Gaming Funds</b>	
Department Submitting/Project Manager: <b>Police Department/Chief Hughes</b>	
Application Deadline: <b>June 6, 2014</b>	
<b><u>ATTACHMENTS</u></b>	
1) Project Budget (must be attached)	
2) Other:	
<b><u>FINANCIALS</u></b>	
1) Cost of the Project: <b>\$20,854.03</b>	2) Amount of Grant Request: <b>\$20,854.03</b>
3) Are Matching Funds Required? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
4) Amount and/or Value of Match:                      Cash _____                      In Kind _____	
5) Is the Project Budgeted? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No                      C.I.P. Number: _____	
6) Source of Matching Funds: _____	
(Obtain from <u>Finance Director</u> )	
Project Summary:	
<p>The Florence Police Department would like to request funds from the Tribal Gaming Revenue for the purchase of (23) Axon Flex kits, controllers, and holsters; (2) Evidence.com docks and six camera bay hubs; (2) professional Evidence.com 1 year license, (30) Evidence.com storage, (21) Basic Evidence.com licenses, and Evidence.com storage.</p> <p>Axon Flex is a breakthrough point-of-view video system that improves transparency between law enforcement agencies and their communities, while protecting officers from false claims.</p>	

 Donnie Hughes	<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Declined	05/02/14 Date
 Ernie Felts	<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Declined	5/2/14 Date
Finance Director	<input type="checkbox"/> Approved <input type="checkbox"/> Declined	Date
Town Manager	<input type="checkbox"/> Approved <input type="checkbox"/> Declined	Date

# GRANT REQUEST PROPOSED BUDGET

## EXPENDITURES

Item Description	Cost Each	Quantity	Total Cost
Personnel: Overtime Costs			
Contractual			
Equipment: Axon Flex Kits w/evidence.com	\$14,888.85	23	\$14,888.85
Other Charges: evidence.com license/storage	\$5,965.18	23	\$5,965.18
Capital Outlay:			
Total Expenditures:			\$20,854.03

## REVENUE

Source of Revenue	Amount
Grant from Funding Agency	\$20,854.03
Cash Match	
In-Kind Labor	
Other (describe)	
Total Revenue:	
	\$20,854.03

**NOTE: Total Revenue must equal Total Expenditures**





## Gila River Indian Community Grant Application

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### Municipality Information

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Date of Application: June 2, 2014

Name of City, Town or County: Town of Florence

Mayor or Board of Supervisor's Chairman: Tom J. Rankin, Mayor

Mailing Address: P.O. Box 2670

City: Florence State: AZ Zip Code: 85132

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### Department/Non-Profit Information

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Department or Organization Name: Town of Florence Grants

Mailing Address: P.O. Box 2670 City: Florence State: AZ Zip Code: 85132

Contact Person\*: Ernest Feliz Title: Grants Manager

Phone Number: 520 868-8300 E-mail Address: ernie.feliz@florenceaz.gov

\*The individual listed here will be our direct point of contact for grant-related questions or requests for information. Duplicates of all grant correspondence will be sent to the contact person.

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### Grant Information

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Program or Project Name: Town of Florence Police Point of View Video

Purpose of Grant: To improve transparency between officers and the public

Beginning and ending dates of Program or Project: 10/1/2014 to 1/1/2015

Amount Requested: \$20,854.03 Total Project Cost: \$20,854.03

Multi-year Request – If checked, # of years requested: \_\_\_\_\_ Amount/year: \_\_\_\_\_

Priority Funding Area:

Economic Development  Education  Healthcare  Public Safety  Transportation


Geographic Area Served: Town of Florence

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Signature:

Mayor OR Chairman BOS: \_\_\_\_\_ Date: \_\_\_\_\_

Typed Name and Title: **Tom J. Rankin, Mayor**

	<b>TOWN OF FLORENCE COUNCIL ACTION FORM</b>	<b><u>AGENDA ITEM</u> 10f.</b>
<b>MEETING DATE:</b> May 19, 2014  <b>DEPARTMENT:</b> Finance/Grants  <b>STAFF PRESENTER:</b> Ernest Feliz Grants and Assessment Manager  <b>SUBJECT:</b> Resolution No. 1442-14: Gila River Indian Community Tribal Gaming Fund Application		<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. 1442-14, as required in order to submit an application for Gila River Indian Community Tribal Gaming Funds.

**BACKGROUND/DISCUSSION:**

The funds for this application will be used to purchase a training simulator and additional software for officers. This simulator is designed to improve judgment in “Shoot, Don’t Shoot” scenarios.

**FINANCIAL IMPACT:**

This application is for \$59,000 in grant funds.

**STAFF RECOMMENDATION:**

Staff recommends the Council adopt Resolution No. 1442-14, authorizing the submission of the application.

**ATTACHMENTS:**

- Resolution No. 1442-14
- Grant Summary Form
- Budget
- Gila River Indian Community Application Signature Page

**RESOLUTION NO. 1442-14**

**A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, SUPPORTING THE TOWN OF FLORENCE'S APPLICATION TO THE GILA RIVER INDIAN COMMUNITY FOR. \$59,000.**

**WHEREAS**, the Gila River Indian Community is accepting applications for the distribution of gaming revenues through their State Shared Revenue Program; and

**WHEREAS**, the Town of Florence is dedicated to promoting public safety for its citizens and local businesses, and

**WHEREAS**, the Town of Florence has an immediate need to improve the availability of training for its officers and those of other area agencies, and

**WHEREAS**, the Town of Florence has identified the need to purchase a training simulator for shoot, don't shoot scenarios that will be available for use by Town of Florence officers as well as other area law enforcement officers.

**THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Town of Florence, Arizona, as follows:

That an application to the Gila River Indian Community for Shared Revenue Funds in the amount of \$59,000 is supported, and if funds are awarded, such funds will be accepted.

**PASSED AND ADOPTED** by the Mayor and Council of the Town of Florence, Arizona, on this 19<sup>th</sup> day of May 2014.

\_\_\_\_\_  
Tom J. Rankin, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

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

\_\_\_\_\_  
James E. Mannato, Town Attorney

I, the undersigned, being the duly appointed and qualified Town Clerk of the Town of Florence, Arizona, certify that the foregoing Resolution No. 1442-14 is a true, correct and accurate copy as passed and adopted at a regular meeting of the Florence Town Council, held on the 19<sup>th</sup> day of May, 2014, at which a quorum was present and voted in favor of said Resolution No. 1442-14.

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

## GRANT APPLICATION SUMMARY FORM

Project Title: 2014 Spring Tribal Gaming Funds	
Funding Source: Tribal Gaming Funds	
Department Submitting/Project Manager: Police Department/Chief Hughes	
Application Deadline: June 6, 2014	
<b><u>ATTACHMENTS</u></b>	
1) Project Budget (must be attached)	
2) Other:	
<b><u>FINANCIALS</u></b>	
1) Cost of the Project: \$59,000	2) Amount of Grant Request: \$59,000
3) Are Matching Funds Required? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
4) Amount and/or Value of Match: Cash _____ In Kind _____	
5) Is the Project Budgeted? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	C.I.P. Number: _____
6) Source of Matching Funds: _____	
(Obtain from <u>Finance Director</u> )	
Project Summary:	
<p>The Florence Police Department would like to request funds from the Tribal Gaming Revenue for the purchase of a MILO RANGE PRO SYSTEM with the needed additional software. This system will allow the trainer to assist with improving the officers' ability to make sound judgment calls in scenario-based training. This system is successfully used by law enforcement for officers "Shoot, Don't Shoot" scenarios. This system is also compliant with AZPOST Standards and Training.</p>	

*Daniel Hughes*

Department Head

Approved  Declined

05/02/14  
Date

*Ernie Felix*  
Grants Manager

Approved  Declined

5/2/14  
Date

Finance Director

Approved  Declined

\_\_\_\_\_  
Date

Town Manager

Approved  Declined

\_\_\_\_\_  
Date

# GRANT REQUEST PROPOSED BUDGET

## EXPENDITURES

Item Description	Cost Each	Quantity	Total Cost
Personnel: Overtime Costs			
Contractual			
Equipment: MILO PRO RANGE SYSTEM	\$59,000	1	\$59,000
Other Charges:			
Capital Outlay:			
Total Expenditures:			\$59,000

## REVENUE

Source of Revenue	Amount
Grant from Funding Agency	\$59,000
Cash Match	
In-Kind Labor	
Other (describe)	
Total Revenue:	
	\$59,000

**NOTE: Total Revenue must equal Total Expenditures**



## Gila River Indian Community Grant Application

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### Municipality Information

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Date of Application: June 2, 2014

Name of City, Town or County: Town of Florence

Mayor or Board of Supervisor's Chairman: Tom J. Rankin, Mayor

Mailing Address: P.O. Box 2670

City: Florence State: AZ Zip Code: 85132

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### Department/Non-Profit Information

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Department or Organization Name: Town of Florence Grants

Mailing Address: P.O. Box 2670 City: Florence State: AZ Zip Code: 85132

Contact Person\*: Ernest Feliz Title: Grants Manager

Phone Number: 520 868-8300 E-mail Address: ernie.feliz@florenceaz.gov

\*The individual listed here will be our direct point of contact for grant-related questions or requests for information. Duplicates of all grant correspondence will be sent to the contact person.

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### Grant Information

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Program or Project Name: Town of Florence Police Training Simulator

Purpose of Grant: To train officers in shoot/don't shoot scenarios

Beginning and ending dates of Program or Project: 10/1/2014 to 1/1/2015

Amount Requested: \$59,000.00 Total Project Cost: \$59,000.00

Multi-year Request – If checked, # of years requested: \_\_\_\_\_ Amount/year: \_\_\_\_\_

Priority Funding Area:

Economic Development  Education  Healthcare  Public Safety  Transportation


Geographic Area Served: Town of Florence

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Signature:

Mayor OR Chairman BOS: \_\_\_\_\_ Date: \_\_\_\_\_

Typed Name and Title: **Tom J. Rankin, Mayor**

	<b>TOWN OF FLORENCE COUNCIL ACTION FORM</b>	<b><u>AGENDA ITEM</u></b> <b>10g.</b>
<b>MEETING DATE:</b> May 19, 2014  <b>DEPARTMENT:</b> Finance/Grants  <b>STAFF PRESENTER:</b> Ernest Feliz Grants and Assessment Manager  <b>SUBJECT:</b> Acceptance of grant funds awarded for street sweeper		<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 accept funds from the Maricopa Association of Governments (MAG) in the amount of \$177,496, to purchase a PM-10 street sweeper.

**BACKGROUND/DISCUSSION:**

This application was submitted in November 2013. The Town was informed in February 2014 that its PM-10 levels were not high enough to prioritize it for funding of a street sweeper. In April 2014, the Town was informed that additional funding had been made available and the award was made. The street sweeper cost is estimated at \$188,225. The Town will have to provide a match of \$10,729 from its own funds (5.7%), per the agreement with the MAG. The street sweeper must be purchased by March 26, 2015.

**FINANCIAL IMPACT:**

MAG is awarding \$177,496 to the Town. The Town match is \$10,729. The street sweeper's estimated cost is \$188,225.

**STAFF RECOMMENDATION:**

Staff recommends the Council accept the funds from the MAG.

**ATTACHMENTS:**

Street Sweeper award letter  
Application

*Ernie*

April 7, 2014

Mr. Charles Montoya, Manager  
Town of Florence  
775 North Main Street  
Post Office Box 2670  
Florence, Arizona 85132

*Charles*  
Dear Mr. Montoya:

On February 26, 2014, the MAG Regional Council approved the prioritized list of proposed PM-10 certified street sweeper projects for FY 2014 Congestion Mitigation and Air Quality Improvement (CMAQ) funding (Attachment One) with initial funding of \$1,230,599. Also, on March 26, 2014, the MAG Regional Council approved an additional \$640,169.97 in CMAQ funding for street sweepers through the approval of the Evaluation of Federal Fiscal Year 2014 Funding Levels, and Tier II and Tier III Proposals. This additional funding, together with \$647,262.02 in carryforward funds, will allow for the purchase of the remaining street sweeper projects on the prioritized list. We are pleased to inform you that a PM-10 certified street sweeper project requested by the Town of Florence has been authorized for FY 2014 CMAQ funding in the amount of \$177,496. In the project proposal, the Town of Florence agreed to provide a 5.7 percent cash match. To address new Federal Highway Administration procedures to minimize inactive obligations, we are requesting that the sweeper be purchased and reimbursement request be submitted to MAG by March 26, 2015.

Details concerning street sweeper requirements are listed below.

1. Eligibility - Eligible street sweepers are defined as those which have been certified by the South Coast Air Quality Management District (SCAQMD) as meeting the SCAQMD Rule 1186 certification standards. The most recent list of Certified Street Sweepers Under SCAQMD Rule 1186 is dated August 30, 2012 (see Attachment Two). It is assumed that, at a minimum, the CMAQ-funded street sweeper will be used in accordance with the lane miles and sweeping cycle submitted with the project application.
2. Procurement - Local procurement of the street sweeper must conform to applicable federal and state procurement regulations for the purchase of the certified street sweeper. The Federal Highway Administration has advised MAG that entities should proceed with procurement of PM-10 certified street sweepers after CMAQ funding has been approved by the MAG Regional Council and authorized by the Federal Highway Administration.

Also, the Federal Highway Administration (FHWA) Buy America regulations require a domestic manufacturing process for any steel or iron products (including protective coatings) that are permanently incorporated in a Federal-aid highway construction project, that includes the purchase



Mr. Charles Montoya, Manager  
April 7, 2014  
Page 2

of street sweepers. In March 2014, MAG applied to FHWA for a conditional Buy America waiver for the proposed PM-10 certified street sweeper projects for FY 2014 CMAQ funding and MAG will notify the member agencies upon notification of FHWA's Buy America waiver finding. If a conditional Buy America waiver is granted, the remaining Federal Highway Administration requirement is a vendor certification that final assembly of the street sweeper occurred in the United States. Please transmit a copy of the vendor certification to MAG when reimbursement is requested.

In accordance with the Arizona Department of Transportation (ADOT) Federal Property Management Standards, if the project involves replacing an older street sweeper, no purchase order should be placed for replacement equipment without affirmative approval from ADOT. To begin the process, the jurisdiction is required to provide a complete description of the street sweeper to be traded or sold and of the street sweeper to be purchased, a copy of the vendor quote which specifies price, trade-in amount, net cost, and the reason for the request to MAG in writing. MAG will send the request to ADOT, and MAG will in turn forward the ADOT response back to the jurisdiction.

3. Annual Inventory - According to the ADOT policy, MAG is responsible for conducting and submitting an annual inventory of the certified street sweepers owned by the jurisdictions to ADOT by October 31. For the annual inventory, MAG will contact the jurisdictions to obtain information on each street sweeper. It is important to note that the inventory will require additional financial information such as accumulated depreciation and net book value.
4. Reimbursement - MAG will distribute the CMAQ funding on a reimbursement basis. Again, we are requesting that the sweeper be purchased and reimbursement request be sent to MAG by March 26, 2015. Additional costs for equipment beyond the specifications necessary for compliance with Rule 1186-certification are not eligible for reimbursement. Examples of additional street sweeper equipment not eligible for reimbursement are provided in Attachment Three. To initiate reimbursement, please submit a copy of the vendor invoice to the attention of Dean Giles at MAG. Following the submission of a detailed pricing summary and invoice to MAG, the Town of Florence will be reimbursed for an amount not to exceed \$177,496. Please provide the name of the contact person and the mailing address to send the reimbursement.

Please provide documentation that includes a description of the street sweeper, the vehicle identification number, name of title holder, the cost of the vehicle (copy of invoice, bill of sale, etc.), the location where the sweeper is housed when it is not in use. The name of the contact person for the sweeper and telephone number is also requested.

5. Disposition - The ADOT Federal Property Management Standards (Attachment Four) requires that each jurisdiction obtain ADOT approval prior to disposal of a CMAQ-funded street sweeper. Each jurisdiction is to request disposal of a street sweeper in writing to MAG. MAG will send the request to ADOT, and MAG will in turn forward the ADOT response back to the jurisdiction. The ADOT policy covers various categories of disposition (e.g. trade-in, auction, or sale), with

Mr. Charles Montoya, Manager  
April 7, 2014  
Page 3

requirements unique to each category.

For disposal of an older CMAQ-funded street sweeper through any means, the federal awarding agency is entitled to a share of the proceeds. According to the ADOT Federal Property Management Standards for disposition through a trade-in or sale, an amount of the proceeds entitled to the federal awarding agency will be calculated and applied toward the cost of the new street sweeper and an amount based on the percentage of the jurisdiction's participation in the original sweeper may be used to offset the amount of local cash match required.

If you have any questions or require additional information regarding the ADOT policy, please contact Dean Giles at (602) 254-6300 or [dgiles@azmag.gov](mailto:dgiles@azmag.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Dennis Smith". The signature is fluid and cursive, with a long horizontal stroke at the end.

Dennis Smith  
Executive Director

cc: Deanna Aguilera, Grants Coordinator, Florence  
Jess Knudson, Assistant Town Manager, Florence

**PM-10 CERTIFIED STREET SWEEPER APPLICATION  
CMAQ Funding Available for Federal Fiscal Year 2014**

**General Instructions:**

This form is to be used to request federal Congestion Mitigation and Air Quality (CMAQ) funding available through the Maricopa Association of Governments (MAG) for PM-10 certified street sweepers. Available funding region wide is estimated at \$900,000 in FY 2014 CMAQ.

This application form includes: Part A - Contact Information, Part B - Cost and Funding Information, Part C - Methodology, Part D - Supplemental Information, Part E - Signature, and Part F - Checklist (These 6 parts are in one tab). Separate tabs are provided for the Transmittal Instructions and the Schedule, Attachment 1 - list of eligible street sweepers for CMAQ reimbursement, and Attachment 2 - list of example equipment not eligible for CMAQ reimbursement. Alternative application forms are available upon request.

**Deadlines and Transmittal Instructions:**

Two copies of a printed, complete and signed application must be received in the MAG offices by **10:00 a.m. Friday, November 22, 2013**. The application is also to be submitted electronically. Detailed transmittal instructions are located in the excel tab - Transmittal Inst. and Schedule.

If member agencies need additional information or have questions, they should contact Dean Giles, Teri Kennedy, or Stephen Tate at  
<mailto:dgiles@azmaq.gov>  
<mailto:tkennedy@azmaq.gov>  
<mailto:state@azmaq.gov>

**All information is required.**

**PART A - CONTACT INFORMATION**

**Contact Information**

1. Agency Name (Please select one)	Florence
2. Name:	Wayne Costa
3. Phone:	(520) 868-7617
4. E-Mail:	wayne.costa@florenceaz.gov
5. Mailing Address:	P.O. Box 2670
	Florence, AZ 85132

**PART B - FUNDING INFORMATION**

6. Please attach a detailed price summary for the proposed equipment from the vendor. Additional costs for optional equipment beyond the specifications necessary for compliance with Rule 1186-certification are not eligible for reimbursement	Please attach the detailed price summary when submitting and transmitting application.		
7. Funding Information (a) Total Cost of Sweeper  (b) Total Cost Eligible for Reimbursement ( See the PDF file Rule 1186 Sweepers included in the e-mail transmittal) (c) Costs not eligible for reimbursement. The Local Agency is responsible for these costs. = 7a - 7b ( See Attachment 2 for list of example ineligible equipment for CMAQ reimbursement )	<b>Amount</b>		
	<b>\$188,225</b>		
	<b>\$188,225</b>		
8. Reimbursement Information (a) Federal Share of Total Cost Eligible for Reimbursement (Cannot be more than 94.3% of Total Eligible Cost for Reimbursement as listed in 7b) = 7b * 94.3%	<b>Amount</b>	<b>Funding Type</b>	<b>Share of Eligible Cost (See #7)</b>
	<b>\$177,497</b>	<b>CMAQ</b>	<b>94.3%</b>
(b) Local Share of Total Cost Eligible for Reimbursement (Cannot be less than 5.7% of Total Cost Eligible for Reimbursement as listed in #7b) = 7b * 5.7%	<b>\$10,729</b>	<b>Local</b>	<b>5.70%</b>

**PM-10 CERTIFIED STREET SWEEPER APPLICATION**  
**CMAQ Funding Available for Federal Fiscal Year 2014**

**General Instructions:**

This form is to be used to request federal Congestion Mitigation and Air Quality (CMAQ) funding available through the Maricopa Association of Governments (MAG) for PM-10 certified street sweepers. Available funding region wide is estimated at \$900,000 in FY 2014 CMAQ.

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<mailto:dgiles@azmaq.gov>  
<mailto:tkennedy@azmaq.gov>  
<mailto:state@azmaq.gov>

**All information is required.**

9. Project Funding Based on Information from #7 & #8	<b>Federal Share = 8a</b>	<b>Local Share = 7c + 8b</b>	<b>Total Cost of Sweeper</b>
	\$177,497	\$10,729	\$188,225

**PART C: METHODOLOGY INFORMATION**

Information in Part C is used to calculate a CMAQ cost effectiveness score for the requested street sweeper.

10. The requested PM-10 certified street sweeper will (Select Yes or No for all that apply):				
(a) Replace a noncertified street sweeper	Yes			
(b) Expand service area	Yes			
(c) Increase sweeping frequency	Yes			
(d) Replace an older certified street sweeper ( <b>The older certified sweeper being replaced should be at least 8 years old</b> )	No			
11. For the requested sweeper, please provide the information for roadway types in the table below for:				
(a) Sweeping cycle length (measured in days between sweepings)	30	30	30	
(b) Lane miles to be swept per cycle	24	35	95	
(c) Average weekday traffic per lane being swept	1833	2825	250	
(d) If values were entered in the "Other" column, please specify what "Other" means:				
12. If "expand service area" was "yes" in question #10, please provide the following information for the roadway types in the table below:				
- Previously unswept lane miles to be swept by the new sweeper:	5	15	48	
If values were entered in the "Other" column, please specify what "Other" means:				
13. If "increase sweeping frequency" was "yes" in question #10, please provide the following information for the roadway types in the table below:				
- Previous cycle length (measured in days between sweepings):	60	60	60	

**PM-10 CERTIFIED STREET SWEEPER APPLICATION  
CMAQ Funding Available for Federal Fiscal Year 2014**

**General Instructions:**

This form is to be used to request federal Congestion Mitigation and Air Quality (CMAQ) funding available through the Maricopa Association of Governments (MAG) for PM-10 certified street sweepers. Available funding region wide is estimated at \$900,000 in FY 2014 CMAQ.

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- <mailto:dgiles@azmag.gov>
- <mailto:tkennedy@azmag.gov>
- <mailto:state@azmag.gov>

**All information is required.**

If values were entered in the "Other" column, please specify what "Other" means:

14. If "replace an older PM-10 certified street sweeper" was "yes" in question #10, please provide information in the following

- (a) Number of hours in service of the sweeper that is being replaced
- (b) The month and year that the older certified sweeper was put into service (e.g. 4/2001)
- (c) An estimate of the percent of time the older sweeper was out of service in the past year due to repairs and maintenance issues
- (d) Please explain why the older sweeper was out of service.

15. Will the requested certified street sweeper be used to sweep streets within 4 miles of a PM-10 monitor? If yes, please specify which monitor.

[Link to MAG webpage for PM-10 Map](#)

No

**Part D - SUPPLEMENTAL INFORMATION:**

16. Have local resources been committed for additional staff or equipment to support the PM-10 certified street sweeper? (Please select Yes or No)

If yes, please provide details (e.g., number, type and cost of employees, equipment, and maintenance).

No

17. Please indicate in what geographical area(s) the requested certified street sweeper will operate (e.g., Glendale Ave. to Thomas Rd.; 19th Ave. to Central Ave).

The requested certified street sweeper will operate on the North by Arizona Farms Road, on the South be East-West Hunt Highway, on the East by Felix Road, and on the West by North-South Hunt Highway.

18. Provide a map of the area to be swept by the proposed sweeper.

Please see (3) attachments for the map area to be swept by the proposed sweeper. This reflects the geographical area (Q.17).

**PM-10 CERTIFIED STREET SWEEPER APPLICATION  
CMAQ Funding Available for Federal Fiscal Year 2014**

**General Instructions:**

This form is to be used to request federal Congestion Mitigation and Air Quality (CMAQ) funding available through the Maricopa Association of Governments (MAG) for PM-10 certified street sweepers. Available funding region wide is estimated at \$900,000 in FY 2014 CMAQ.

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<mailto:dgiles@azmag.gov>  
<mailto:tkennedy@azmag.gov>  
<mailto:state@azmag.gov>

**All information is required.**

19. Please indicate if your agency would be willing to provide MAG with additional information on the requested PM-10 certified street sweeper. (Please select Yes or No)	Yes	
20. Please indicate the total number of sweepers currently owned and operated by your agency for sweeping streets:		
(a) PM-10 certified:	1	
(b) Noncertified:	1	

**PART E - SIGNATURE PAGE**

**As the jurisdiction's manager/administrator or designated representative, I certify that the information contained in this application is accurate and complete and that the local funds for this project will be included in the sponsoring MAG member agency's local current CIP/TIP or budget document if the project is selected for federal funding.**

Signature:	
Name: Charles Montoya	
Title: Town Manager	
Date: 11/15/13	

**PART F - CHECK LIST (OPTIONAL)**

This check list is optional, but is included to facilitate applicant review and verification that all required fields in the form have been completed

Part A - Fields 1- 5 are complete	Yes	
Part B - Fields 6-9 are complete	Yes	
Part C - Fields 10-14 are complete	Yes	
Part D - Fields 15-21 are complete	Yes	

**MINUTES OF THE FLORENCE TOWN COUNCIL MEETING HELD ON MONDAY, APRIL 7, 2014, AT 6:00 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 6:00 pm.

**ROLL CALL:**

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

**INVOCATION**

Councilmember Woolridge led the Invocation.

**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.**

Mr. Jerry Ravert, Florence Resident, requested that the Council reconsider the location of the library. He requested that the library be placed at the Silver King Hotel. It is his understanding that the Pinal County property will be demolished. He would like to see the library placed on the Silver King property where the demolished portion used to be. He said there is room for a library, computer facilities and a small outdoor seating area. He also requested that the park and amphitheater not be built, but rather add a parking lot which will support the visitors.

Mr. Ravert referred to Mr. Harris Sulvan's report on Florence's AT that was done in the 1970s. The report contains the streetscape for the Florence library. The Town would only need to design the interior. This type of change will complement the Town and District as well as improve visitation to the downtown area.

Mr. John Anderson, Florence Resident, thanked the Council for the opportunity to serve on the Planning and Zoning Commission for three years. He thanked Councilmember Walter for inquiring about his resignation. He wanted to clarify the answers to some of the questions that were asked at the previous meeting regarding his resignation. He

Subject: Florence Town Council Meeting Minutes

April 7, 2014

Page 1 of 11

said that Councilmember Walter inquired about a meeting that was to be planned, and the Town Manager responded that they were going to have the meeting but that Mr. Anderson chose to resign instead. He said that he never heard of any meeting. He said Councilmember Walter asked if they should table the acceptance of his resignation in order to have further discussions. He said the Town Manager responded that they asked them both, the members of the Commission directly, and they decided not to come to the Council and he chose to submit his resignation. He reiterated that absolutely no one spoke to him about his resignation.

Mr. Anderson stated that he also resigned because of the kind of respect that Town staff has shown the citizens of the Town. He wanted to clarify the remarks made because he does not want the Council to think that he is a quitter.

Mr. Terry Makdad, Wild Horse Estate Resident, stated that the equestrian zoning was to come before the Council on April 21, 2014, but understands that it has since changed. He is requesting that the Council adopt the Planning and Zoning Commission's recommendation of Option A of the RRES 606-13 Ordinance. He said Option A is the only option that complies with the ARS § 9-471 Paragraph L, as stated at the March 20, 2014 Planning and Zoning Commission meeting, by the Town's legal counsel. He stated that State Statute requires that the annexing body to implement zoning as close as possible to the existing County zoning. He also requested that the Mayor announce that the meeting will be for public hearing and action. The issue of the zoning for Wild Horse Estates, if annexed, has been going on since the October 30, 2013. He said it is time to end the conflict that has been caused by this issue and allow the residents of Wild Horse Estates to get on with their lives. He asked that Council not wait until May 5, 2014 to make the decision. He asked if a new letter must be sent to the Wild Horse residents announcing that a decision will be made on April 21, 2014, that it be done immediately.

Mr. Makdad stated that Ms. Kelea Nevis, Wild Horse Estates Resident, stated that she overturned the December 5, 2013 Planning and Zoning Commission Wild Horse Estates recommendation and intends to do the same again.

Ms. Nancy Cincotta, Wild Horse Estates Resident, stated that she and her husband have lived in Pinal County for 18 years and own 23 properties in Pinal County. She said the properties are in General Rural, where many different types and quantities of animals are allowed. She said she is a resident of Wild Horse Estates, which is not zoned General Rural and does not allow more than two horses per property nor does it allow any other farm animals or fowl.

Ms. Cincotta stated that the Planning and Zoning Commission's recommended Option A closely mirrors the current Pinal County zoning, the animal ordinance and the CC&Rs of Wild Horse Estates. She said to adopt anything but Option A would be a violation of ARS §9-471, paragraph L.



Ms. Cincotta said there is a small, but loud group that wants different kinds of animals and larger quantities of animals. She said there are 11 properties out of 84 properties that are out of compliance with the number and types of animals allowed in Wild Horse Estates, under the Pinal County zoning. She said 11 is a small number compared to 73 that are following the rules. The rule breakers are the problem and they are creating more problems. There are some that claim that they did not know that there was a maximum of two horses and no other animals of fowl allowed, but whether or not they knew the rules when they purchased their homes is not the point. She said ignorance of the law is no excuse. She said it is no coincidence that the most outspoken group members are in violation and out of compliance. Ms. Nevis, spokesperson for the group, is in violation, out of compliance, and has no intention of following the rules. She has bragged that she has had plenty of experience fighting the same battle in two other states, Colorado and California.

Ms. Cincotta stated that Ms. Nevis and the group would like the Council to believe that it is their right to have more animals, but not if they live in Wild Horse Estates. She said the zoning, the ordinance and the CC&Rs do not allow it. She requested that the April 21, 2014 Town Council meeting be for the public hearing and action of this item.

## **PUBLIC HEARING AND PRESENTATION**

### **Public hearing on an application for a zone change from Single-Residential Ranchette (R1-R) to Single-Family Residential (R1-6); and First Reading of Ordinance No. 609-14:**

Mr. Charles A. Montoya, Town Manager, read Ordinance No. 609-14 by title only.

### **AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING A ZONE CHANGE ON THE REDSTONE RANCH PROPERTY LOCATED IN A PORTION OF THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 5 SOUTH, RANGE 10 EAST, GILA AND SALT RIVER MERIDIAN, PINAL COUNTY, ARIZONA, AKA, APN 206-01-0230 (PZC-41-13-ZC).**

Mark Eckhoff, Community Development Director, explained where the property is located and said the property has one owner. He explained the process for annexation that has taken place. He said the next steps include the first reading on the annexation ordinance, first reading on applying the comparable zoning on the property, and the application of the comparable zoning. The new zoning will be applied after the comparable zoning has been applied.

Vice-Mayor Smith inquired where the substation will be located.

Mr. Eckhoff identified the location of where the substation may be located.

Mr. Wayne Costa, Public Works Director, stated that a meeting is being scheduled to discuss the short term and long term planning of the area.

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

### **Annual Report Presentation by Police Chief Daniel Hughes.**

Mr. Daniel Hughes, Police Chief, said Florence has been named the 17th safest city in America and the 4th safest city in Arizona. These types of acknowledgments are unsolicited and much appreciated. He said the Police Department is actively involved with the community and works diligently to build a good rapport and strong partnerships with the citizens.

Chief Hughes provided an overview of the statistics from 2011 to 2013 and said Florence has a 12% decrease in crimes. The officer initiated calls for service have increased from 10% in 2012, to 41% the following year. It is the officers' goals to be more involved in the community and to be more interactive; the increase indicates that they are doing that. He said citations have increased and the citations are written to promote public safety and to reduce accidents. He stated that they have also conducted campaigns to reduce speed in areas where people need to be safer in their driving.

Chief Hughes stated the Police Department has received several grants from the Governor's Office of Highway Safety for overtime costs and new equipment. He went over quality of life issues, such as accidents being down by 5.3%; simple assault and criminal damage are also down 15%; and welfare checks and officer involvement has increased 69%. The interaction with the community is a top priority and is needed in order to keep the community safe.

Chief Hughes outlined the three beats that they have. He said partnership is key and necessary to keep our community safe, such as installing safety seat and seat belt enforcement. They also do commercial vehicle checks to ensure safety. They also partner with the schools and teach gang resistance and other educational programs dealing with ethics. Working with the youth is instrumental to provide a safer community in the future.

Chief Hughes said training has increased. Officers are being provided training that they have never had in the past. The volunteers are also very involved in the community and have a strong presence. He stated that the 911 dispatchers have very demanding and difficult jobs. There are numerous screens that they have to monitor and they carry a lot of responsibility. The 911 calls have increased from 2011 to 2013. The said the records department also does very well. They strive for great customer service and to provide the public what they need. He said they have a prescription drop off box and took in approximately 31 pounds of prescription and non-prescription drugs. He said the box was taken to Anthem and they collected 23 pounds from that location. The goal is to publicize the drop off box and collect more drugs so that it doesn't go into the water system.

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Councilmember Montaña inquired about the increase in speed violations.

Chief Hughes stated they have tried to slow traffic down in the high usage areas such as Hunt Highway. The goal is to slow people down.

Mayor Rankin would like to see a higher officer presence in school zones. He said the public has become aware that the volunteers cannot give citations.

Chief Hughes said they will increase the officer presence in school zones.

Councilmember Celaya said that the students speed on Willow Street when they are leaving the high school campus during lunch.

Mayor Rankin requested that another speed bump be installed on Willow Street and one added on Central.

Chief Hughes said they will increase the police presence in those areas.

Mayor Rankin requested some type of driver education to the high school students.

Councilmember Walter said prom and graduation are fast approaching and campaigns are done to deter drinking and driving. She said Pinal County uses RICO funds for the lock in program for high school students. She said that may be a good time in which to do the educational programs.

Mayor Rankin commended the Police Department for their hard work and efforts.

### **Proclamation of the Mayor declaring April 6 – 12, 2014, as the Week of the Young Child in Pinal County.**

Mayor Rankin declared April 6 – 12, 2014, as the Week of the Young Child in Pinal County. He said the children are the future of the community. Education is vital for their growth. The work that First Things First is doing is much appreciated.

Mr. Brett Haupt, Community Outreach Coordinator for Pinal Region, First Things First, accepted the proclamation. He said 90% of a child's critical brain development happens by age five and 80% by age three. He said the skills, such as vocabulary, reading comprehension, self-esteem, focus, and motivation, are what are learned during those first critical years, and they will carry those skills with them through their entire lives. Those traits are what are also found in successful people. He said often times quality education is important; however, more than what we teach our children, and more important than how we teach our children, it is most important to spend time with the children.

**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.**

**\*Proclamation of the Mayor declaring April 2014, as Fair Housing Month.**

**\*Approval of the resignation of Christine Reeder from the Parks and Recreation Advisory Board.**

**\*Approval of the sale of Town of Florence owned residential property, located at 745 S. Central, Florence, Arizona, Assessor Parcel Number 202-09-037D, to Deborah Bagnall, for \$61,444.00.**

**\*Approval of accepting the register of demands ending February 28, 2014, in the amount of \$2,180,934.30.**

On motion of Councilmember Montaño, seconded by Councilmember Walter, and carried to adopt the Consent Agenda, as written.

## **NEW BUSINESS**

### **Ordinance No. 607-14:**

Mr. Charles A. Montoya, Town Manager, read Ordinance No. 607-14 by title only.

**AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE TOWN OF FLORENCE, PINAL COUNTY, STATE OF ARIZONA, PURSUANT TO THE PROVISIONS OF TITLE 9, CHAPTER 4, ARTICLE 7, ARIZONA REVISED STATUTES AND AMENDMENTS THERETO, BY ANNEXING CERTAIN TERRITORY CONTIGUOUS TO THE EXISTING TOWN LIMITS OF THE TOWN OF FLORENCE, ARIZONA, AND PROVIDING FOR A RESCISSION OF SUCH ANNEXATION IF THE ANNEXATION IS CHALLENGED (REDSTONE RANCH ANNEXATION NO. 2013-03).**

Mr. Mark Eckhoff, Community Development Director, stated that this is the first reading of the annexation ordinance. The second reading and adoption will take place at the next meeting.

### **Ordinance No. 608-14:**

Mr. Charles A. Montoya, Town Manager, read Ordinance No. 608-14 by title only.

**AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, AMENDING THE "TOWN OF FLORENCE ZONING MAP" BY CHANGING THE ZONING CLASSIFICATION OF A CERTAIN PARCEL OF LAND FROM PINAL COUNTY GENERAL RURAL (GR) ZONING DISTRICT TO TOWN OF FLORENCE**

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**SINGLE-RESIDENTIAL RANCHETTE (R1-R) ZONING DISTRICT (REDSTONE RANCH ANNEXATION INITIAL/COMPARABLE ZONING).**

Mr. Mark Eckhoff, Community Development Director, stated that the ordinance is for the comparable zoning of the annexation. He said comparable zoning must be applied to the property when it is being incorporated into the municipality. He said R-1R will be the comparable zoning that is applied. He said the R-1R zoning will be changed to the R-16 zoning.

**Resolution No. 1430-14:**

Mr. Charles A. Montoya, Town Manager, read Resolution No. 1430-14 by title only.

**A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING THE DEVELOPMENT AGREEMENT WITH JOHNSON RANCH ESTATES, L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY, AND AUTHORIZING EXECUTION OF SUCH DEVELOPMENT AGREEMENT.**

Mr. Mark Eckhoff, Community Development Director, described the location of the property. He said the land use map provides an overview of what the developers would like to do with the property. He said the development agreement is before the Council for approval and staff will come before Council in the near future with the General Plan Amendment for this property to change the land use designation to a master planned community and amending the Florence Ranch PUD zoning document. The Development Agreement is straight forward. It is a 20 year agreement and will supersede the Florence Ranch Development Agreement. There is a term on the impact fees section that residential impact fees will be deferred, but not waived until 500 dwelling units are completed, or for three years. This will help facilitate more home building activity. Impact fee credits will be applied for improvements that are done, per State Statute and the Town's ordinances. The preliminary plats will be for two year periods, rather than the one year period, per Town Code. The master plan exhibit references the new water and wastewater infrastructure.

Councilmember Hawkins stated there is a typographical error in the background section of the Request for Council Action Form and read the section in which the error occurred. He inquired if the property is on the east or west side.

Mr. Eckhoff stated that the property is on the west side.

On motion of Vice-Mayor Smith, seconded by Councilmember Walter, and carried to adopt Resolution No. 1430-14.

**Resolution No. 1431-14:**

Mr. Charles A. Montoya, Town Manager, read Ordinance No. 1431-14 by title only.

**A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING THE PRE-ANNEXATION AND DEVELOPMENT AGREEMENT WITH SEVILLE INVESTMENTS, LLC, A DELAWARE LIMITED LIABILITY COMPANY, JOHN C. THOMSON AND ROBERT C. MISTER (THE “OWNER”) AND AUTHORIZING EXECUTION OF SUCH PRE-ANNEXATION AND DEVELOPMENT AGREEMENT (ANNEXATION NO. 2013-01 – “HUNT HIGHWAY COMMERCIAL” PROPERTIES).**

Mr. Mark Eckhoff, Community Development Director, stated the site encompasses a land area of approximately seven acres located within the pending Magic Ranch annexation. The site is located along the east side of the Hunt Highway corridor, generally between the Anthem at Merrill Ranch and Magic Ranch developments. The site sits south of the Johnson Utilities Section 11 WWTP and directly east of parcels planned for a future grocery store anchored shopping center. The initial plans for this site include a mini-storage business. The mini-storage facility will ultimately be wrapped by additional commercial uses. He said the owners are supportive of the annexation.

Mr. Eckhoff stated that the PADA commits to not increase development impact fees for the site for the first five years of the term. He said the plans, at whatever stage they have been entitled at with Pinal County, will be brought in to Florence.

On motion of Councilmember Montaña, seconded by Councilmember Walter, and carried to adopt Resolution No. 1431-14.

**DEPARTMENT REPORTS**

**Manager’s Report**

**Department Reports**

**Community Development**

**Courts**

**Finance**

**Fire**

**Library**

**Parks and Recreation**

**Police**

**Public Works**

**Utilities**

Vice-Mayor Smith inquired about the two hour parking signs that were installed at Main Street Park.

Charles A. Montoya, Town Manager, explained that the signs were installed approximately eight months ago, at his request, to deter activities with the high school students that were taking place there.

Vice-Mayor Smith inquired if there will be enough space for the Farmer’s Market at the new location.

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Mr. Montoya stated there should be adequate room. The Farmer's Market is still in the planning process and the item will be forwarded to Council at a later time.

Vice-Mayor Smith inquired about the roundabout on State Highway 79B and 287, and if the Town will need to provide funding for this project.

Mr. Montoya said the design funds have already been put in place. He said once the design is complete, the Town can find the funding or work with ADOT to acquire funding.

Mr. Wayne Costa, Public Work Director, explained that the Town will pay 5.7%, or approximately \$46,000 of the cost, and ADOT will pay for the remainder.

Mayor Rankin explained the changes that have occurred with the HURF funds.

Councilmember Hawkins inquired if it is a done deal that they are going to put in a roundabout.

Mr. Costa stated that the roundabout has been on the books since 2005. 5.7% of the design is approximately \$46,000 dollars that the Town has to pay.

Councilmember Hawkins inquired if the decision to install the roundabout is final.

Mr. Costa said the project has been budgeted since 2005, with Florence paying the 5.7% of the cost.

Councilmember Hawkins said he would prefer a four way stop.

Mr. Costa stated that combining eight intersections at one point can be difficult with the turning movements. He said the legs of the roundabout will handle many approaches rather than a T intersection.

Mayor Rankin discussed his use of roundabouts and said they take some getting used to.

Councilmember Hawkins said tourists do not have the time frame to get used to it when they come to Florence.

The Department Reports were received and filed.

## **CALL TO THE PUBLIC**

Ms. Denise Kollert, Florence Resident, stated that the library needs to be by Town Hall and not in the downtown area.

## **CALL TO THE COUNCIL**

Councilmember Walter said the Town held an appreciation dinner for the Board and Commission members, where they celebrated the hard work and success of each. She invited anyone interested to join a board or commission or Town Council to do so. She also invited the public to the many events that the Town has planned.

Councilmember Walter acknowledged Mr. Bryan Hughes, Parks and Recreation Director.

Mr. Montoya introduced Mr. Hughes, and provided a brief overview of his professional career.

Vice-Mayor Smith inquired when the final negotiation documents for the Johnson Utilities purchase will come before the Council.

Mr. Montoya stated that he and Mr. Mannato are still working with the Johnson Utilities attorneys. They are fairly close to finalizing the Management Agreement and the Purchase Agreement is close behind. The plan is to have both agreements to Council by the end of the month.

Vice-Mayor Smith stated that the election for the purchase will be on May 20, 2014. He asked Council to wait to make any decisions until after the election.

Mr. Montoya said that it would be a policy decision to be made by the Council. His direction is to bring the finalized documents to the Council. The Council can make the decision as to when to approve the agreements.

Vice-Mayor Smith said Johnson Utilities is a good company and it is up to the voters if it the Town is to purchase it. He outlined the base price and the total price if the company is purchased. He said voters should be educated on the cost for purchase and the terms of the sale. He said the Council should not make any decisions on the matter until the voters have voted.

Councilmember Woolridge concurred with Vice-Mayor Smith. She asked staff to have another community meeting to educate the public.

Mayor Rankin said he is favor of the purchase. He said it will cost the users of the utility, not the tax payers. If the economy goes bad, the bond holder will be take the utility back. He said it important to educate the public. He will be speaking at various locations on behalf of the purchase.

Mayor Rankin thanked everyone who sent condolences to his wife Donna, for the passing of her sister.



Mr. Montoya said that there will be another work session and special session for documents review once they are completed.

Councilmember Woolridge requested that the special meetings be held on a date in which they have a Council meeting.

Mr. Montoya stated that they will work with staff to schedule appropriately. He listed all the dates for the upcoming meetings and the topics for each.

## **ADJOURNMENT**

On motion of Councilmember Montaña, seconded by Councilmember Walter, and carried to adjourn the meeting at 7:06 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 7, 2014, 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 14, 2014, AT 6:00 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 6:02 pm.

**ROLL CALL:**

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

Absent: Montañó

**PLEDGE OF ALLEGIANCE**

**PUBLIC HEARING AND PRESENTATION**

**Public hearing on proposed Alternative Expenditure Limitation – Home Rule Option: First reading of RESOLUTION NO. 1434-14.**

Ms. Lisa Garcia, Deputy Town Manager/Town Clerk, read Resolution No. 1434-14 by title only.

Mr. Mike Farina, Finance Director, stated that Fiscal Year 2014/2015 is the final year that the Town can operate under the Alternative Expenditure Limitation/Home Rule Option for budget purposes. The Town must seek voter approval to continue to use the Alternative Expenditure Limitation for the 2015/2016 fiscal budget year.

Mr. Farina stated that two public hearings must be held in preparation for a fall primary election that will ask voters if the Town Council can continue to use the Alternative Expenditure Limitation as a part of the budget process. The second public hearing and Council vote to hold the election will be held on April 21, 2014.

Mr. Farina stated that in 1980, voters approved an amendment to the State Constitution, which established a system of expenditure limitation and reporting for all counties, community college districts and local governments. The amendment established 1979/80 as the base year for expenditures and 1978 as the base year for population. The amount that local government expenditures could grow from year to year above these base levels was controlled by population growth and inflation.

Mr. Farina stated that the amendment allows jurisdictions to seek voter approval to use an alternative limitation instead of the state imposed limitation. The Town of Florence is a growing community with a demand on public services or expenditure levels that have and will continue to outpace state expenditure limits. Since the inception of the State Limitation, the Town Council has sought voter approval and was allowed to use limitation/home rule option to determine the annual budget.

Mr. Farina explained how the state limitation would affect the Town if the Town were to abide by that set amount if the Town were not able to use the Alternative Expenditure Limitation.

Mayor Rankin opened the public hearing.

Mayor Rankin inquired what the difference was between the state limitation and the Alternative Expenditure Limitation – Home Rule.

Mr. Farina stated for Fiscal Year 2015/2016, the difference would be approximately \$17,000,000 to \$18,000,000.

Mayor Rankin inquired what services would need to be reduced or removed if the Alternative Expenditure Limitation/Home Rule Option were not approved.

Mr. Montoya stated that staff would need to forward to Council options to reduce services or to streamline various things as the Town is trying to move forward. It will also impair the Town's ability to grow.

Mayor Rankin inquired if the Town would have layoffs.

Mr. Montoya said layoffs would be a possibility.

Vice-Mayor Smith stated that the Town would not lose money, but would not be allowed to spend it.

Mayor Rankin closed the public hearing.

**A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, PROPOSING AN EXTENSION OF THE ALTERNATIVE EXPENDITURE LIMITATION.**

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

**NEW BUSINESS  
RESOLUTION NO. 1435-14:**

Ms. Lisa Garcia, Deputy Town Manager/Town Clerk read Resolution No. 1435-14 by title only.

**A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, ESTABLISHING A POLLING PLACE FOR THE MAY 20, 2014 SPECIAL ELECTION; SETTING THE TIME THAT POLLS WILL BE OPEN; AND APPOINTING ELECTION OFFICIALS.**

Ms. Lisa Garcia, Deputy Town Manager/Town Clerk, stated that it is a statutory requirement that 20 days prior to the election, the Town has its poll workers in place as well as the poll location. The Town will hold one polling site at Town Hall, with polls opening at 6:00 am and close at 7:00 pm. She stated election officials have been named and will serve as clerk, judge, inspectors, early boards and marshal. The resolution also allows for the Pinal County to select an alternative if someone does not show up.

On motion of Councilmember Walter, seconded by Councilmember Hawkins, and carried to adopt Resolution No. 1435-14.

**Discussion/Approval/Disapproval of Special Event Liquor License applications for Greater Florence Chamber of Commerce's applications for May 1, and June 5, 2014 for after-hours mixers.**

Ms. Garcia stated that this item is before the Council at a special meeting due to time constraints. She stated that the community is invited and encouraged to attend the after-hours mixers.

On motion of Councilmember Walter, seconded by Vice-Mayor Smith, and carried to forward a favorable recommendation to the Arizona Department of Liquor License and Control for the Greater Florence Chamber of Commerce's application for May 1, and June 5, 2014 for after-hour mixers.

**WORK SESSION ON 2014/2015 BUDGET DOCUMENTS**

Mr. Charles A. Montoya, Town Manager, stated that this is the first review of the draft budget. There will be a second review on April 23, 2014.

Mr. Farina explained the budget process with regards to revenues and expenditures, forecasting, and projections. He further discussed the current status of the current budget. He said the quarterly report that was previously presented to Council indicated that the revenues were doing very well and were exceeding projections in several areas. He discussed the following:

- Total Sales Tax
  - Is derived from general, private construction, government construction, and food
  - Overall exceeded budget projections of approximately \$600,000
  - Trend is to exceed projection
  - Government construction less than what was projected
- State-shared Sales Tax
  - Meeting expectations as of mid-year
- State-shared Income Tax
  - Figures come from state and is status quo
- Vehicle License Tax
  - Trending favorably

- Projected variance is approximately \$61,000
- General Fund
  - Expected to exceed the budget by approximately \$620,000
- Midway projections indicate 3% ahead of the prior year

Mayor Rankin inquired how much the Town receives from the 5% franchise fees that the Johnson Utilities customers pay.

Mr. Farina stated that he will provide the amount to Council.

Discussion occurred on franchise fees and franchise fees for San Tan Valley residents.

Mr. Montoya stated that San Tan Valley is not a city; therefore, there would be no franchise fees. He explained what the Town would be required to do in order to impose impact fees in the area. He said with regards to the franchise fee currently being paid, it is approximately \$50,000 for the water fund; however, there would be savings to offset that fee.

Mr. Farina continued with his presentation in which he discussed general fund expenditures. The expenditures are within budget.

Mr. Montoya stated that a number of changes occurred with regards to how the budget was done last year so that it was more transparent to the Council and the community. He said department heads have been empowered to make changes to their budgets and to remove one-time expenditures and place them in another fund. The proposed budget only contains recurring items.

Mr. Montoya outlined the 2013/2014 accomplishments, which included the following:

- Annexations
  - Filing
  - Continually making progress
- Before and After School Program
  - Expanded to the Anthem area
- Brunenkant Building
  - Restoration to be completed by month-end
  - Open House will be forthcoming
- Community Survey
- Financial Reporting to Town Council on a quarter basis
- Fire Department SAFER Grant
  - First town to receive grant
- Fire Fighter Social Security Concerns
  - Ongoing issue for last three years
  - Issue has been resolved
- Fire Marshal responsibilities transferred from State to the Town
- Fire Station #2

- Completed and open
- Florence Heights Overlay
  - Issues with road due to ADOT's construction on SH 287 and SH79, and SH79 and SH 79B
  - Road overused by semi's not using Butte
  - Overlay to start in near future; will be temporary fix until roadways are fixed
- High School House Sold
  - Revenue received to be used for assistance for homeowners in the future
- Home Tour
- Main Street Improvements
  - Phase I and 2 completed
  - Phase 3 and 4 including streetlights
- Main Street Park
- Plant Road Paving
- Police Department remodeled
- Sanitation Ordinance
  - Work in progress
- Silver King – Padilla Park
  - Project moving forward
  - Target date for completion is in June/July
- Street Sweeper Grant from MAG
  - Awarded \$175,000 for street sweeper
- Utility Department
  - Fully staffed
  - Over one dozen projects completed

Mr. Montoya outlined the three year budget goal committed to Council in April 2013:

- Budgeted Fund Balance use in recurring General Fund Budget
  - Overall Strategy to Bring Down Use and Dependency in the Recurring Budget
    - 2009/2010 - \$ 671,394
    - 2010/2011 - \$ 659,541
    - 2011/2012 - \$ 672,019
    - 2012/2013 - \$1,463,082 Use of Fund Balance
    - 2013/2014 - \$ 865,115 Town Manager Recommendation – Year 1
      - Will have approximately \$450,000 in savings
      - Staff has saved approximately \$1,300,000 in current budget
    - 2014/2015 - \$ 450,000 Town Manager Recommendation – Year 2
      - Projection indicates it will be closer to \$412,000
    - 2015/2016 \$ ---0--- Town Manager Goal – Year 3
- Government Finance Officers Association (GFOA) nationally recommended best practices is to use \$0 of the fund balance unless needed in emergency operational activities

Mr. Montoya explained how saving occurred in the fund balance, which included:

- No new vehicle replacements or purchases
  - Thorough evaluation done on each vehicle
  - Upcoming budget will have request for \$500,000 for four new vehicles and replacements
- Reduce training and other miscellaneous costs
- Limit the amount of base increases for contracts and renegotiations if possible, or new RFPS
- Finance Director responsible for finding costs savings in recurring budget and work with departments
  - Any line items that were underspent last year were decreased in the upcoming budget
  - Department Heads were required to justify the reasons for maintaining the current level of funding in order to maintain the current level of funding
- Move all one-time costs out of base General Fund budget
- Town Manager's Office reviews and signs all contracts, large purchases and positions

Mr. Montoya explained the Fund Balance recommendation for FY2014/2014:

- Fund balance recommended best practices by GFOA
  - No less than two months of operating expenditures, or 16.7%
- Town status recommendation for 2014/2014
  - Six months of operating expenditures or 50% and \$7.3 million
- No property tax increase for 2014/2015
  - Currently at \$1.1182
    - Goal in next few years is to be \$1.00
      - Wait until economic cycle continues to improve
      - Wait until annexation is complete

Mr. Montoya discussed the 2014/215 total budget requests from departments, which included:

- Total new position requests from departments - \$1,438,500
  - Recommended funding - \$578,000
- Total new vehicle requests from departments - \$1,250,000
  - Recommended funding - \$500,000
- End result if all requested were added to base budget - will be a deficit of \$1,444,000
- 2014/2015 recommended budget principles
  - Establish base level of services
  - Quality of life enhancements

Mr. Montoya discussed the 2014/2015 annual and strategic long-term goals:

- Continue to provide exceptional Public Safety and Community Services
- Expand the tax base through annexations and economic development outreach
- Secure the Town's long-term water program for future generations and growth
- Revitalize the downtown corridor through beautification and business investment

- Make strategic Investments in planning for the continued growth of Florence
- Improve quality of life and create an equal or complementary service level base for all residents of Florence and create new services for younger children and active adults

Mr. Montoya discussed the base budget recommendation, which included:

- Existing approved positions and benefits structure recommendations
  - 4% maximum merit increase
  - New benefit plan recommend to Council
    - 0% increase over current plan
    - Fully funded PPO plan
      - May include increases due to employees switching primary family benefits to the Town's insurance.
    - \$15 copays for doctor visits
    - \$15 prescriptions
    - No more HSA
    - Voluntary FSA only if they would like
    - Overall benefits for employees increase to attract and retain the best of the best
- Limit to only recurring items (supplies, service increases, utilities, training necessary to maintain certifications)
- Only added new positions being recommended to Town Council
  - Service delivery and quality of life development
- No one-time capital or single purchase items in base budget
- Everything else out of General Fund or recurring budgets
  - If it cannot be justified or does not have data behind it, it will not be included
- Revenues –
  - Conservative estimates based upon current trends, inflation, League of Cities and Towns estimates, and growth projections

Mr. Montoya discussed the 2014/2015 Town Manager's recommended budget, which included:

- New positions to base budget
- Health and dental benefit recommendation
- Transfers to capital projects
- Expansion of services to the community
- Increasing quality of life

Mr. Montoya discussed the new position recommendations to base budget, which included:

- Police Department
  - Sergeant Position
    - Structure needed to separate patrol personnel, from other functions, and allow Chief senior supervising officers
  - School Resource Officer/Crime Prevention Specialist



- Important connection for youth in the community
- Community Development
  - Administrative Assistant
    - Activity level has increased dramatically, customer service enhancements
    - Paid for by increased development and permit fees
- Parks and Recreation
  - Parks Maintenance Worker
    - Additional and current parks maintenance improvements
  - Special Event Coordinator
    - Increasing the activity level of Parks and Recreation to coordinate larger attended regional events and programming
    - Paid for by increased sales tax
- Public Works
  - Automotive Mechanic
    - Fleet Division to assist in maintenance cost reductions
    - Pays for itself from Town fixing more maintenance items rather than multiple vendors at different prices.
- Information Technology
  - Electronic Media Technician
    - Enhance website and electronic technology communication with the public
- Fire/Police
  - Office Clerk for Station #2:
    - Administrative Assistant position to support for Town Clerk’s Office, report filing for Fire Marshal, and police support for citizens

Mr. Montoya discussed the Town employee benefit recommendation, which included:

- Original set aside was an 8% increase
  - Plan increases
  - Plan participant charges
- Elimination of current plan design
  - Fully funded PPO with copay for prescriptions and doctors and lower deductibles
  - No more HSA
    - Employees can keep their current balances
    - Employees will have voluntary FSA
    - No increase for employees or Town
    - Set aside 4%, or \$50,000, for employee plan participant changes

Mr. Montoya discussed the one time transfers for capital and one-time purchases

- Annexation Set-Aside: \$ 500,000
- Vehicle Purchase/Replacement: \$ 500,000
  - 2 police cars, 1 water tanker truck and 1 new fleet vehicle
  - Remainder of monies will be used for replacements as needed
- Small One-time Purchases: \$ 100,000
  - Required fire equipment, other miscellaneous

- Transfer to Capital Projects: \$3,967,700
  - Road projects, other miscellaneous
- Transfer to Municipal Building: \$5,456,100
  - Library, Recreation Center, Aquatic Center
  - Impact Fees and Food Tax
    - Funds are restricted and can only be used for certain uses

Mr. Montoya discussed the one-time capital projects for 2014/2015

- Pinal County FCU Purchase: \$335,000
  - Tenant Improvements: \$ 60,000
- Main Street Extension to Hwy 79 \$700,000
- Water Tower Paint and Lighting \$ 75,000
- Police Station/Fire Station #1 Design/Modifications \$ 50,000
- Miscellaneous Furniture, Fixture and Equip \$ 80,000
- Road Repair and Maintenance \$500,000
- Silver King – Electrical Wiring \$100,000
- IT Replacement supplies, laptops, etc. \$ 20,000
- Fuel Depot \$200,000
  - Save Town \$100,000 per year
- Main Street Overlay Improvement \$200,000
- New/Replacement Curb and sidewalks \$250,000
- Business Assistance Center \$ 75,000
  - Carry over from Brunenkant remaining savings

Ms. Jennifer Evans, Management Analyst, stated that the Business Assistance Center is a one stop information center for business recruitment, retention, and expansion. She is working closely with Town departments to provide one stop shopping for prospective businesses who want to open a business in Florence and to help facilitate the process and act as an ombudsman through the development process. They can also provide training for local businesses to help business stay up to date with the latest trends. Business counseling can also be provided. She said the Business Assistance Center will be located in the Brunenkant Building and explained the other various uses for the building.

Mr. Montoya continued with his discussion on the one-time capital projects for 2014/2015, which included:

- Copier for Community Development \$ 2,000
- G2 Alerting System for new Fire Station \$ 45,000
- Turnout equipment – Fire Dept. \$ 35,000
  - Annual replacement
- Senior Center door replacement \$ 3,600
- Senior Center roof work \$ 1,500
- Senior Center exterior lights \$ 1,100
- Town Hall water heater replacement \$ 1,000

- Fire Station #1 sink, faucet and eyewash	\$ 2,200
- Heritage Park concession bldg. and bathrooms	\$ 5,800
- Admin security modifications	\$ 10,000
- Town Hall exterior paint	\$ 12,000
- Little League Park concession and bathrooms	\$ 5,000
- Silver King Bldg. exterior painting	\$ 8,000
- Town Hall cashier window	\$ 18,000

Mr. Montoya discussed recurring items added to base budget for 201/2015:

- \$40,000 Park & Recreation Events
  - Larger and more Town events
- \$25,000 Park and Recreation Maintenance for improvements at Heritage Park and the Little League Park
- \$20,000 Park and Recreation Programming
  - Part-time salaries
- \$20,000 Court Clerk from Part-time to Full-time
  - Court docket has doubled in last few years
- \$25,000 part-time maintenance to assist with bulk trash coordination
- \$10,000 Chamber of Commerce requested contract increase and possible addendum to current contract for event planning with the Town. All contracts will be brought to Council for approval.

Ms. Lisa Garcia stated the increase will be for an addendum for this fiscal year as well renegotiation for the following fiscal year. The Chamber's contract runs calendar year (January 1 through December 31) and the Town operates on a fiscal year (July 1 – June 30).

Mr. Montoya discussed the 2014/2015 budget plans and goals, which included:

- Animal ordinance on dealing with vicious animals
- Annexations – Magic Ranch and Arizona Farms
- Building code updates
  - Create special codes for older structures
- Bulk trash pick-up
  - Enhance the service
- Community Events
  - Increase and make improvements
- Community policing and school presence
  - Increase
- Grant Funding
  - Continue to seek grant funding for all functions
- Home Rule Election

- Library, Recreation Center, and Aquatic Center
- Johnson Utilities potential acquisition
- Recreation enhancements for children, teenagers and adults
- Regional Public Safety Dispatch with other communities
  - Regional dispatch for the region (Florence, Eloy, and Coolidge)
  - Florence will receive funding and expanding ability to provide service
- Roads, street preservations and enhancements
- Sidewalks/curbs – Willow and Adamsville, Florence Gardens, etc.
- Website overhaul and community transparency

Mr. Farina discussed the new format of the draft budget documents. He explained the changes that have been made and the additional details that have been provided. He said each fund has summary page which contains beginning fund balance, summarized revenues, summarized expenditures, and projected ending fund balance.

Mr. Montoya stated that the budget is what is recommended by him and department heads. He asked Council to let him know of what changes they would like made and he will adjust the budget to accommodate their requests along with ensuring that the budget remains structurally balanced.

Councilmember Hawkins inquired about the Administrative Assistant position that Community Development requested. He said the salary is to be paid for by the increase in development and permit fees. He said that is the area that he receives complaints from on a daily basis. People will really be upset if they increase fees. He said that Parks and Recreation will be paid for by increased sales tax. Public Works report said that they will pay for themselves by fixing more items in house than paying multiple vendors, which he agrees with. He does not agree with the increases in fees or taxes. He inquired if the firemen's turnouts are only good for one year.

Mr. Montoya stated with regards to the requested Administrative Assistant position in the Community Development Department, and the Special Events Coordinator position in the Parks and Recreation Department, there will be no increases in fees or sales tax. He said there are so many additional permits in Community Development that it will pay for itself. He said they anticipate an increase in sales tax due to the increase in events in Florence, and with those attending the events spending money in the community.

Mr. Peter Zick, Fire Chief, stated the service life for the turnouts is five years and they have staggered replacements so that the Town isn't hit with one huge purchase at a time.

Councilmember Walter inquired if the Town will be incorporating the findings of the salary study into the upcoming budget. She inquired if they will be addressing some of the issues that were previously identified due to the compression and scale.

Mr. Montoya stated that staff has reviewed the study and there are a number of items that they can make recommendations on; however they cannot do all recommendations

at once due to cost restraints. They will present the changes to Council later in the budget process.

Vice-Mayor Smith inquired about the cost for the traffic light on SH79 and Diversion Dam, and which fiscal year will it be paid out of.

Mr. Montoya stated that the Town will pay for approximately 10% of the cost and it will be paid for in this fiscal year's budget.

Mayor Rankin would like to see the projects completed. He wants to ensure that taxes do not have to be raised.

### **CALL TO THE PUBLIC**

Mr. Larry Kollert, Florence Residents, inquired about the street project in Florence Gardens. He said it was a multi-year project and it has been approximately two to three years since they have worked on the project and streets remain unfinished. He said \$40,000 was budgeted for the project this fiscal year and nothing was done.

Ms. Ruth Harrison, Florence Resident, stated the part-time position for bulk trash collection is a great idea. She sent an email to Council regarding bulk trash that is again reappearing throughout town. She is requesting that something be done prior to the next budget being approved. She said the Town Manager has the ability to instruct staff to take care of the issue.

### **CALL TO THE COUNCIL**

Councilmember Hawkins said the Town paid for the trolleys and pamphlets. The pamphlets did not include the Windmill Winery and the River Bottom Grill, nor were they asked to be included in the pamphlet. He said the trolleys were not utilized.

Councilmember Walter thanked staff for the budgetary process presentation.

Vice-Mayor Smith said there is a bump on Main Street and Butte where the concrete and asphalt come together. He asked for it to be fixed. There are two lights on Arriola Square that are not working and asked for them to be repaired. He reminded the public of the eclipse that will be taking place.

Mayor Rankin said he saw more traffic and people in Florence than years past for Country Thunder. He said the event provides a lot of advertisement for Florence. He said Little League will be starting soon. He said traffic control needs to be addressed to ensure children's safety. He said it is important to check the rooms thoroughly when staying in hotels or motels. There may be things in there that can harm a child.

## ADJOURNMENT

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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 14, 2014, 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 21, 2014, AT 6:00 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 6:03 pm.

**ROLL CALL:**

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

**INVOCATION**

Councilmember Woolridge led the Invocation.

**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.**

Mr. Peter Koulouris, Owner, Mount Athos Restaurant, stated that Councilmember Hawkins said at the March 17, 2014, Town Council Meeting, that the Town is not business friendly. He said that he agrees with Councilmember Hawkins and said there are things that can be done better. He believes the Council is business friendly. He came before the Council regarding the sign code approximately two years ago, and at that time, Council directed staff to have a work session. The work session still hasn't happened. He has reviewed the many pages of the Town Code and believes the Code can be simplified and more accessible for new businesses.

Mr. Koulouris said he has a friend who was interested in starting a business in Florence and was provided a pamphlet from the Community Development Department. The pamphlet is bulky and not easily understandable. He said the new division that is being created to assist new businesses is a good start. He understands that staff is busy. He said the process and hoops that one must jump through gives the impression that Florence is not business friendly.

Mr. Randy Rosane, River Bottom Grill, Business Owner, provided the definition of due diligence, and stated that the Council needs to do its due diligence. He said the

Community Development staff has worked hundreds of man hours on the medical marijuana dispensary applications. He said they followed the direction of the Council, and on four occasions, the Council voted against a medical marijuana dispensary. River Bottom Grill, LLC, was the applicant for the last medical marijuana dispensary. He said he has done his due diligence by visiting dispensaries and doing further research. He has spoken with several dispensaries in various communities and found that the Councils' for those communities gave the directive to adopt the State guidelines with minor modifications.

Mr. Rosane said he was led to believe that the application for his dispensary would pass, and as a result, he has lost customers because they thought the business closed. He had also told his employees that they need to find other jobs and some did. He said the Fireman's Bike Run was rerouted to Queen Creek instead of Florence, which resulted in an approximate \$10,000 - \$15,000 loss in revenue for them.

Mr. Rosane said opinions were provided at the meeting, and the votes cast were not based on the qualifications. He said the mechanic shop on the end of Main Street has closed down, and that is another loss for Florence. He said he would like to attract business owners to run for the Council. He said the Council is like the Board of Directors for the community and suggested that Council consider giving themselves a pay increase, starting with \$1,000 in benefits. He appreciates what the Council does and they do not get paid enough for what they do.

Mr. Art Buckley, Florence Resident, discussed impact fees on infill lots. He said he has corresponded with Mr. John Murphy, CEO, for an investment firm. In one of Mr. Murphy's responses, he wrote: "... that another aspect on the Town of Florence's position on impact fees is the effect of slowly creating a ghost Town. The heart of many towns has moved nearby because the old town was unwilling to create an attractive atmosphere for itself. Florence Gardens was the last suburb of the Town before the creation of Anthem. If Florence Gardens is forced to atrophy by impact fees it will die. As homes outlive their usefulness faster than new home rejuvenate the development. The same is true of the old town. Abandoned buildings are dead unless there is a new life created around them, they will stay dead. This will cause the neighborhood to descend into a ghost town. Florence will become another town without a heart and values will be worth a lot less."

Mr. Buckley said developers go to where they have the best opportunity.

Mr. David Bustillos, Florence Resident, stated that he is interested in researching grant funding to install solar at the municipal buildings. He said it is important to be able to restore power and water services during economic or natural disasters.

Ms. Cindy Sills, Florence Resident, stated that she agrees with Mr. Buckley. She has several businesses wanting to come to Florence and as soon as they realize the cost of the impact fees, they leave. She said businesses along Main Street are closing and the existing businesses are in the hands of the Council. She said the work that was done



on Main Street narrowed Main Street and people cannot see the signage for businesses. She said something needs to be done to save Florence.

Ms. Sills referred to a comment made at the April 14, 2014, Town Council meeting regarding Ms. Jennifer Evens' discussion regarding the one stop shop for new businesses being located in the Brunenkant Building; and Mr. Montoya stating that the building has been stabilized; however, the Town must limit the amount of foot traffic. She said that they may consider moving the one stop shop to a different location if foot traffic has to be limited. She said if the Town is going to bring businesses to Town, they need to have someone who lives in Florence and is interactive with the community to understand what the residents are going through.

Mayor Rankin responded to Ms. Sills comments. He stated that Mr. Montoya was not referring to keeping people out of the Brunenkant Building, but was discussing the difference between heavy foot traffic and foot traffic. He said with regards to Ms. Evans, and the person having to live in Florence, Ms. Evans takes Florence to heart. He said he disagrees with Ms. Sills on those two points.

## **PUBLIC HEARINGS AND PRESENTATION**

### **Public hearing on proposed Alternative Expenditure Limitation – Home Rule Option (First Public Hearing held April 14, 2014).**

Mr. Mike Farina, Finance Director, stated that the 2014/2015 Fiscal Year is the final year that the Town can operate under the Alternative Expenditure Limitation - Home Rule Option for budget purposes. The Town must seek voter approval to continue to use the Alternative Expenditure Limitation - Home Rule Option for the 2015/2016 Fiscal Year. He said the Town is required to hold a second public hearing to hold a primary election in the fall that will ask the voters if the Florence Town Council can continue to use the Alternative Expenditure Limitation as part of the budget process, which is what will happen at this meeting. He said if the Town were required to follow the State imposed limitation, it would need to reduce the budget by approximately \$17,000,000.

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

### **Public hearing on an application received from Joseph Patrick Nolan Jr., McNolan, Inc., LB Cantina, 695 S. Main Street, Florence, Arizona, for a new Series 12 restaurant license; and for Council recommendation for approval or disapproval of said license to the Arizona Department of Liquor License and Control.**

Ms. Lisa Garcia, Deputy Town Manager/Town Clerk, stated that the Clerk's Office received the application for the Arizona Liquor License and Control and posted the application at the LB Cantina for twenty days prior to this public hearing. The Clerk's Office did not receive any positive or negative comments from the public before this

hearing. Staff is recommending to Council that the application be approved and the recommendation be sent to the Arizona Department of Liquor License and Control.

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

On motion of Councilmember Hawkins, seconded by Councilmember Montaña, and carried to approve the application from Joseph Patrick Nolan Jr., McNolan, Inc., LB Cantina, 695 S. Main Street, Florence, Arizona, for a new Series 12 restaurant license.

### **Presentation by Arizona Department of Transportation on the Passenger Rail Study.**

Mr. Carlos Lopez, Rail Planner, Multi-Modal Planning Division, Arizona Department of Transportation, provided an update on the Passenger Rail Study from Tucson to Phoenix. He discussed the study process overview and stated that they are working with the Federal Railroad Administration (FRA) and Federal Transit Administration (FTA). This feasibility study will determine the most feasible route between Phoenix and Tucson, taking into consideration passenger trips and commuter trips with communities in between the metro areas. He said they have three main deliverables: develop an alternative analysis which documents the process where all potential connections are identified between Phoenix and Tucson; develop a Tier 1 Environmental Impact Statement which will identify the impacts on the proposed corridor alternatives; and develop a service development plan which will identify how the plan will be implemented. He said they anticipate having a draft environmental document for public review and comment in the fall of this year. They will also have public hearings in Maricopa, Pinal and Pima counties. They will have a preferred selected corridor by calendar year end.

Mr. Lopez said the study started in 2011 with 140 routes, and through the screening process and outreach, they have narrowed it to final 3 routes. He explained the various corridors and said the alignments follow different corridors. He said the first alternative is a common corridor, which would go from the Tucson International Airport, through downtown Tucson towards Picacho Peak following the I-10 corridor. He said the three alignments follow different corridors. The green alternative would follow the I-10 corridor. There is a need for additional capacity, so this alignment would run adjacent to the I-10 to the Phoenix area. The yellow alternative would follow the Union Pacific Railroad corridor from Eloy to the Metro Phoenix area. The orange alternative would be from the transition point, near Eloy, moving northward towards San Tan Valley, and would follow the North – South Freeway that is currently under study. It is a multi-modal corridor and would include highway and rail. It would have access to the Phoenix – Mesa Gateway Airport and follow existing corridors such as US 60 into the Phoenix area. All of the alignments would join in Tempe and go towards the downtown Phoenix area and west valley.

Mr. Lopez said in this last year they have been developing technical analysis on the final routes. He said they are developing ridership numbers and anticipate

approximately 3 million riders, with 16,000 riders per day. They have been able to identify the magnitude of difference and are able to compare their plan with existing systems in other communities. They are also developing cost estimates, which range between \$3.5 billion to \$10 billion. The rail system would be approximately 120 miles. The yellow alternative would be the least expensive and the orange will be the most expensive.

Mr. Lopez said they have been measuring the criteria to rank each alternative. There are six major criteria that are measured. One of criteria's is the financial feasibility and public outreach has been a key component. They attend community events and festivals and distribute passenger rail booklets at these events. The booklets are very informative and include such information such as travel times, cost, and ridership. Their outreach has been successful. They have not been able to attend any events in Florence, but are open to suggestions. Their public outreach timeframe is from March through May. Since the start of the public outreach on the three final alternatives, they have received 2,300 surveys. He said they have an online tool and have hard copy surveys with them at the events they attend. He said based on the surveys received, the preferred alternative is the yellow alternative.

Mr. Lopez provided an overview of the questions posed on the survey and discussed the attribute questions. He said they are also doing agency outreach. They will develop the environmental document at the end of the fall and will ask for input and comments on the environmental document. At the end of 2014, they will have the final EIS which will identify the preferred alternative between Tucson and Phoenix. They will be seeking FRA and FTA approval with a record of decision.

Councilmember Montañó inquired if he has looked at the number of employees who work at Arizona Department of Corrections and commute from the Mesa area, and if so, did they consider that number as one of the statistics.

Mr. Lopez said they have considered travel demands and travel patterns. He said demand patterns were done for commuters from the Town of Florence and Pinal County traveling to Maricopa County and to Pima County. The travel demand patterns are in the travel demand model that is part of the study in developing ridership numbers.

Councilmember Montañó inquired if they have received the numbers of vehicles that travel from US 60 to SH 79 and into Florence.

Mr. Lopez responded that those figures are part of the travel demand model and those commuters have been accounted for.

Vice-Mayor Smith inquired if growth is considered. He said growth is anticipated in the Superstition Vistas area.

Mr. Lopez stated growth is a big element. They are looking at existing travel demands and the future demands of 2035. The orange alternative loops and connects to the

Mesa Gateway Airport. He said the Superstition Vistas Corridor is near the San Tan Valley and the airport, which the orange corridor would follow.

Councilmember Celaya inquired how they give weight to the areas to allow for fairness in such areas where there is no population, such as the Superstition Vistas area, when taking into consideration the routes.

Mr. Lopez stated they have a three pronged approach:

- They have a technical analysis where they look at environmental, financial feasibility, ridership, and technical criteria.
- They also have public outreach where they may want the fast route, regardless of any other factors or considerations.
- They have agency input where they voice their preferences.

Councilmember Hawkins said Mesa Gateway is one of the three major airports and he can't imagine it not having a stop there.

Mayor Rankin said the orange alternative is closest to Florence. He asked Mr. Mark Eckhoff, Community Development Director, if it follows the Town's preferred location of where the North - South Corridor should be.

Mr. Eckhoff stated their North – South Corridor alignment follows an aggregate assumption of where the North – South Corridor is. He said ADOT has not finalized its exact location.

Mayor Rankin stated that the green and yellow alternatives will go through populated areas, and the orange alternative will go through county land and areas that have little commercial and little residential. He said it would seem that purchasing vacant land rather than eminent domain or altering freeways would be more cost effective. He inquired how many of the surveys come from Maricopa County, Pinal County, and Pima County. He also inquired if those submitting surveys from the metropolitan areas are swaying the decision.

Mr. Lopez stated he can provide the total of surveys from each county. He said they are one month into the three month outreach period. The totals are preliminary. He said the outreach will be completed at the end of May and they will have a better picture from the public. The outreach is one part of the analysis.

Mayor Rankin inquired how much emphasis ADOT has put in Pinal County at this time.

Mr. Lopez said they were very limited on community events in the area as they were not able to identify events in the Pinal County area. He said for this phase, they have only attended one event and that was at the Gila River Indian Community. They have also attended an event in Marana, which is in Pima County. In 2012, they attended events in Casa Grande, Maricopa, Coolidge, and Central Arizona College.

Mayor Rankin said ADOT may want to consider extending the period through the July 4<sup>th</sup> weekend where a lot of communities have planned events to allow for public participation and community involvement.

Mr. Lopez said ADOT will have their hearings in the fall for the environmental document for the final alternatives. He said that is another opportunity for public and agency standpoint.

Mayor Rankin said there needs to be more consideration for public participation from Pinal County and ADOT needs to extend the participation period. He said the Superstition Vistas is on State Land.

Vice-Mayor Smith said the orange alternative would go through the Superstition Vistas, which is on State Land. He said State Land should be setting aside land for right of ways for the North – South Corridor and the rail. The alternative may be longer but would cost less if State Land and ADOT can work together.

Discussion occurred on costs for the various alternatives.

Mr. Lopez said one of the reasons for the high cost for the orange alternative is the Tempe and Mesa areas have grade separations due to following certain corridors, which cost more.

Councilmember Celaya said ADOT needs to recognize the votes of the people. He said the people in the middle of the area need to be considered, not only at the start and stop points.

Councilmember Montaña said ADOT needs to consider those who work in corrections during shift changes between 8:00 pm and 10:00 pm. He said those commuters could be potential riders and they need to be considered. He said the amount of traffic that comes and leaves Florence is quite a bit, and it happens three times each, every day.

Councilmember Hawkins said the green alternative does not have many places of where they can pick up riders since there is nothing in the area. He said the orange alternative would have more ridership because they go through more communities. The yellow alternative would still have more ridership than the green alternative.

Councilmember Walter inquired if he will be sharing the total number of surveys received from each county.

Mr. Lopez said he would be providing those figures.

Councilmember Walter said the timeframe that ADOT chose to conduct the survey was not conducive to Florence, nor in the Town's favor, as the winter visitors have left.

Mayor Rankin asked Mr. Lopez to forward the Council's recommendation to ADOT.

**Presentation of service award to Debbie Frias for 15 years of service to the Town of Florence.**

Mayor Rankin presented a service award to Debbie Frias for 15 years of service to the Town of Florence. He thanked her for her service and commitment to the Town.

Mr. Ernie Feliz, Grants and Assessment Manager, stated that Ms. Frias does a great job with assessments and goes the extra mile to ensure the assessment program runs smoothly. He acknowledged her great customer services skills, especially in dealing with customers who are upset. He said that those who work with her speak kindly of her and listed her admirable qualities.

**Presentation of service award and retirement gift to Jose Viola for 30 years of service to the Town of Florence.**

Mayor Rankin presented a service award and retirement gift to Jose Viola for 30 years of service to the Town of Florence. He said that Mr. Viola began his employment with the Town on April 25, 1984. He provided an overview of his employment history with the Town. He said that Mr. Viola transferred to the Utilities Department because the Town contracted out the sanitation services, where Mr. Viola had worked throughout his tenure with the Town. He thanked Mr. Viola for his service and wished him the best in his retirement.

Mr. Wayne Costa, Public Works Director, thanked Mr. Viola for his contributions to the Public Works Department and wished him the best, health, happiness, and a long life in his retirement.

Mr. John Mitchell, Utilities Department, stated that Mr. Viola has been a joy in the department. He appreciates Mr. Viola's hard work, diligence, and leadership that he has brought to the Utilities Department. He wished him the best.

**Presentation by Greater Florence Chamber of Commerce recognizing Total Concept as the Business of the Month.**

Ms. Judy Hughes, Executive Director, Greater Florence Chamber of Commerce, stated that they are recognizing Total Concept Salon and Boutique. She said they have been in business for over 30 years and hold the distinction of being the longest standing building located on Main Street. They are very active in the community and give to civic organizations as well as school fund raising efforts. They have three full time stylists that bring over 54 years of experience. The owner, Suzanne Simons, has 30 years experience doing pedicures and manicures as well and stated that they are the 'Steel Magnolias of Florence' and have been the hub of the Town to hang out and see what's going on.

Ms. Hughes presented the Business of the Month Award to Total Concepts.

Ms. Simon thanked everyone for the award and thanked all of their clients.

## Presentation of the Greater Florence Chamber of Commerce's Annual Report

Mr. Damon Anderson, Chairman, Greater Florence Chamber of Commerce, provided a presentation, which he outlined the following accomplishments:

- New logo
- 2013 Membership
  - Early in the year 2013, the Chamber took a hard look at its system and identified the need to revamp the system to be able to identify and track its members. In March, they eliminated all members who were outside of 30 days overdue for membership dues, which reduced its member total to 125 paid members.
  - As of March 31, 2014, the membership total is 165. They have grown 24% in one year and now have an accurate system for tracking membership.
    - The majority of these new members were signed by Judy Hughes, the new Executive Director, who started in December 2013, and made it her number one goal to be present in the community and and meet the public.
- Florence Leads Group
  - Launched on February 5, 2014, to help area businesses and businesses that provide services to the Town of Florence develop strong community relationships through the exchange of business referrals and marketplace information.
  - Has its own Facebook page and logo
  - Conducts weekly meetings at Mount Athos Restaurant, where a continental breakfast and drink are served for a nominal fee
  - Allows one business per industry category
  - Guests are encouraged to attend two consecutive meetings prior to applying for membership
  - Membership is \$35.00 and is non-refundable
  - Quarterly dues are \$30.00, commencing at the time of application acceptance
- Structure of Florence Leads
  - Mission Statement
    - The purpose of the Florence Leads group is to establish a consistent structured meeting environment conducive for businesses located in Florence; and for those businesses who conduct business within the town limits of Florence, to come together for the sole purpose of exchanging business referrals, marketplace information, and leadership training. Membership is limited to 30 people.
  - Eligibility
    - Prospective members must be able to demonstrate a high standard of quality, ethics, professionalism, and reliability. Submitted applications will be voted on by membership and the Vice President by way of silent vote and is at the discretion of the committee.
    - One representative per industry classification will be admitted to the group. When a position becomes available notification to community will be provided and applications will be accepted.

- 2013 13<sup>th</sup> Annual Casino Night update
  - Held on July 28, 2013, at the Holiday Inn Express and Suites
  - Peter Koulouris and the chamber team organized an event that has been raved about all year.
  - Financial revenue breakdown:
    - We hosted 275+ locals.
    - Bar Sales \$ 1,695
    - Sponsorship funds \$ 6,300
    - Ticket Sales \$ 7,600
    - Additional chips sold to players \$ 420
    - 50/50 tickets \$ 80
    - Total revenue: \$16,095
  - Expenses for event:
    - Food costs \$ 5,133
    - Dealers and tables cost \$ 2,195
    - Total Expense \$ 7,328
  - Total profit for even: \$ 8,767
- First Thursday events
  - Held at McFarland State Park to drive foot traffic into the downtown area
  - 2013 totals
    - 282 participants
    - Total profit \$ 941.50
  - 2014 totals to date (February – April)
    - No event in January
    - 127 participants
    - Total profit \$ 392.00
    - 8 months remaining
- McFarland State Park
  - Article written about them in Sunset Magazine
  - Number of visitors in March 2013: 1082
  - Number of Visitors in March 2014: 1868
  - Increase of 786 visitors in one year; primarily due to write- ups in various articles
  - Donations in March 2013 \$197.00
  - Donations in March 2014 \$439.00
  - Increase in donations of \$242.00
- McFarland Park Gift Shop
  - Opened in September 2013
  - Supplies cost: \$5,671.64
  - Revenue generated: \$9,208.31
  - Net profit: \$3,536.67
- Chamber Nation
  - In January 2014, the Chamber was granted a \$5,000 sponsorship from the Florence IDA, which allowed the Chamber to purchase a new internet platform to offer our members a more cutting edge internet tool. This tool has become the driving engine behind our new and improved Chamber.
  - Benefits of this new platform consist of:



- A webpage presence for all members of the Chamber through Chamber Nation
- Each member has the ability to create online coupons and discount campaigns to promote their business online to other members
- Ability to pay membership dues directly online
- A more enhanced search engine to find members and services that are needed
- Members have access to Google analytics that provide the number of visitors to the website and what pages were visited throughout any given month
- Full access to an event calendar where members can add their own special events to the calendar and promote themselves to the entire Chamber and to the greater internet world.
- The Chamber of Commerce is extremely proud to have Chamber Nation as its new engine to drive new opportunities and tools to its members and look forward to further expanding this platform to its growing membership.
- Provides a monthly report with critical data to show how the webpage is being used.
- Chamber luncheons
  - Will book lunches calendared for the entire year
  - Will have high impact speakers
- Budget
  - July 2014 – March 2014 Budget \$84,850.87
  - Florence's contribution \$32,500.00
- Marketing expenses
- Chamber NOI
  - \$16,135 in the positive
  - Explained savings and have been conservative in spending
  - Explained operating expenses
- Variables
  - The Chamber saved \$6,500 in labor by not employing an Executive Director for from mid-September through November 2013.
  - The Chamber reduced employee hours from July through October 2013, as its first and second quarter checks were not received until October 2013, saving approximately \$6,000 in labor that they had budgeted to spend.
  - The Chamber had not budgeted to receive a \$5,000 sponsorship from the Florence IDA that would cover all costs for its migration to Chamber Nation for the entire first year. This covered the initial set up fees as well as the fees for all members each month to maintain the platform
  - The Chamber is very pleased to see the success of its gift Shop but have made far more profit than it had anticipated and look forward to seeing more growth in the future.

## **Presentation of the 2014 Citizen Survey**

Mr. Jess Knudson, Assistant Town Manager, stated 1100 surveys were sent to Florence households in December 2013 and 466 surveys were returned, which exceed the national average of 25%. He said the results represent the response of approximately 914 residents. The margin of error is +/- 4% and the the past survey results are available on the Town's website. He said the handout also provided the results from previous years. He provided an overview of the following:

- Survey Structure
  - Page 1 of survey
    - Questions that reflect how the residents generally feel about Florence
    - What they see as the positives/negatives
  - Page 2 of survey
    - Services that Florence provides
  - Page 3
    - Demographic information questions
    - Policy type questions
  - Page 4
    - Demographic information questions
    - Resident can provide their comments and other feedback

Mr. Knudson provided the results to the following questions:

- How would you describe Florence as a place to live?
  - 69% Above average
  - 23% Average
  - 8% Below average
- Do you feel safe and secure in your neighborhood?
  - 88% Above average
  - 2% Below average
- Amount of crime in Florence
  - 52% Above average
- What the top likes are for Florence
  - Climate
  - Quiet, friendly people
  - Historical character
  - Small town feel
- What are the top dislikes are for Florence
  - Shopping opportunities
  - Job opportunities
- Best Service Levels
  - Fire
  - Professionalism of Library employees
  - Professionalism of Senior Center employees
- Worst Service Levels
  - Scores fell within average; however, they were scored the lowest
    - Water Taste
    - Street repair and maintenance
    - Maintenance of downtown Florence
    - Channel 11

- Recreation facilities
  - Stormwater drainage
  - Variety of recreational programs
- How would you rate the services of the Town, in comparison with Pinal County, the State, and Federal government?
  - 1<sup>st</sup> - Florence ranked first
  - 2<sup>nd</sup> - Pinal County
  - 3<sup>rd</sup> - State
  - 4<sup>th</sup> - Federal
- Had the resident had contact with a Town employee within the last six months?
  - 62% - Yes
    - 83% said the employees were above average in being responsive
    - 84% said the employees were above average in being knowledgeable
    - 85% said the employees were above average in being courteous
  - 85% indicated an overall above average impression
  - 4% indicated below average impression
- How you rate the actions of the Town Council?
  - Majority of response said not sure
  - Good to average was the next highest scores
- Are you satisfied with the services provided by Right Away Disposal (RAD)?
  - 77% Satisfied
  - 11% Not satisfied
  - 12% Not sure
- Do you support the annexation of Magic Ranch, Crestfield Manor, and Wild Horse Estates?
  - 32% Yes
  - 17% No
  - 51% Undecided
- Should the Town support the incorporation efforts of San Tan Valley?
  - 24% Yes
  - 21% No
  - 56% Unsure
- Should a medical marijuana dispensary be allowed to open in the Town of Florence?
  - 21% Yes
  - 60% No
  - 19% Not Sure
- Should the Town spend money on the restoration of historic buildings in the downtown?
  - 67% Yes
  - 15% No
  - 18% Not sure
- Are you in favor of the Florence Fire Department providing ambulance service?
  - 37% Yes
  - 23% No
  - 40% Need more information
- Do you support the North End Framework Vision Plan (Territory Square)?

- 14% Yes
- 8% No
- 78% Not sure
- Where do you get the majority of your information about Florence?
  - 49% Word of Mouth
  - 30% Newspaper
  - 34% use Facebook or Twitter
- Demographics
  - High percentage of respondents are retired
  - 77% of respondents are married
  - Equal split between male and females
  - 57% are full time residents
  - 43% are part-time residents
  - Average age of respondents is 67 years old
  - Average length of time that people lived in Florence is 10 years

Mr. Knudson stated the comments were included in the survey results exactly as they were submitted, including grammatical errors.

Mr. Hawkins said 81% of the respondents are retired. He would like to get feedback from younger residents and those who are currently employed.

Mr. Knudson said it is a challenge with surveys. The surveys were sent out randomly to the Town residents and those that are retired generally have more time to fill out surveys.

Councilmember Celaya agreed with Councilmember Hawkins. He said that there was previous discussion on asking how comfortable the responders were with the understanding of the issue that they were giving their opinion on.

Mr. Knudson said the survey included an option to choose “not sure” if they did not have an understanding of the subject. He said it may indicate that educating the public is important.

Councilmember Hawkins stated a schedule of programming needs to be added to Channel 11 to let the viewers know when the various meetings will be aired.

Councilmember Walter said the Town Code needs to be updated and the Town has to look at ways to attract businesses, since they will generate revenue. The Town is also looking at annexation, since rooftops bring in businesses. She would like staff to research using HURF funds for work in the Florence Gardens area for road paving, and Impact Fees for the infill lots. It will be helpful if staff would respond to the Council regarding the issues.

Mayor Rankin suggested that the surveys be sent to those on the registered voter by area. It would provide for a more diverse response. It is disappointing that only 8% of the responses received were from the core.

Mr. Knudson said that an equal number of surveys were sent to all areas.

Mayor Rankin said he felt some of the questions seemed irrelevant, such as the type of televisions that the residents have.

Mr. Knudson explained the rationale for the television question and stated it is in relationship with the type of equipment upgrades that the Town will be doing in the near future and how it will affect Channel 11 and those who view the channel.

Mayor Rankin does not like the automated telephone system and would prefer that a live person answer the telephone. He said he agrees with the comments regarding RAD and believes there are issues with bulk trash pickup that need to be addressed. He said there are comments that he does not agree with; however, he accepts them.

Councilmember Celaya asked that the following question be added to the next questionnaire: Are you willing to accept a tax increase in order to provide some of the services that you are requesting?

#### **ADJOURN TO A SPECIAL MEETING**

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

#### **RESOLUTION NO. 1434-14:**

Ms. Lisa Garcia, Deputy Town Manager/Town Clerk, read Resolution No. 1434-14 by title only.

#### **A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, PROPOSING AN EXTENSION OF THE ALTERNATIVE EXPENDITURE LIMITATION.**

Mr. Mike Farina, Finance Director, stated that two public hearings have been held, as required. The resolution is before Council for approval, which would place the question on the primary election ballot asking for voter approval to extend the use of the Alternative Expenditure Limitation as part of the budget process.

On motion of Councilmember Walter, seconded by Councilmember Hawkins, and carried to adopt Resolution No. 1434-14.

#### **ADJOURN FROM A SPECIAL MEETING**

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

**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.**

**Resolution No. 1433-14:**

Ms. Lisa Garcia, Deputy Town Manager/Town Clerk, read Resolution No. 1433-14 by title only.

**A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, AUTHORIZING AN AMENDMENT TO THE FLORENCE FIREFIGHTER'S PROFIT SHARING PLAN.**

**Resolution No. 1436-14:**

Ms. Lisa Garcia, Deputy Town Manager/Town Clerk, read Resolution No. 1436-14 by title only.

**A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, ORDERING THE ABANDONMENT OF RIGHT-OF-WAY EASEMENTS ADJACENT TO THE CCA PROPERTY IN FLORENCE, ARIZONA AS DESCRIBED WITHIN THE ATTACHED EXHIBITS 1, 2 and 3.**

**\*Approval of Sun West Contractors for improvements at Well 3B, in an amount not to exceed \$1,576,264.67.**

**\*Approval of the resignation of Barry R. Reed from the Planning and Zoning Commission.**

**\*Approval of the March 3, March 17, and March 26, 2014 Town Council Minutes.**

**\*Receive and file the following board and commission minutes:  
November 20, 2013 Library Advisory Board minutes  
October 24, 2013 Parks and Recreation Advisory Board minutes.**

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

**Resolution No. 1433-14:**

Ms. Lisa Garcia, Deputy Town Manager/Town Clerk, read Resolution No. 1433-14 by title only.

**A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, AUTHORIZING AN AMENDMENT TO THE FLORENCE FIREFIGHTER'S PROFIT SHARING PLAN.**

Mr. Scott Barber, Human Resources Director, stated the resolution will amend the Town of Florence, Part-time Firefighters' Profit Sharing Plan. The Town of Florence Part-time Firefighters' Profit Sharing Plan has been in existence for a very long time, having been initially established to provide a benefit to volunteer firefighters. When the Town moved to a Fire Department staffed with both full-time and part-time employees, the Plan evolved and has been maintained to provide a benefit for part-time firefighters. The program required a six year membership vesting period. In 2010, it changed to a two year 100% vesting period. He said discussions have occurred with representatives who have served on the pension board to change to 100% vesting schedule immediately. The Town fills their full time vacancies from the part-time group and makes the tenure of the part-time individuals in that group shorter. They also want to maximize the benefit for the employee.

Councilmember Walter asked what the percentage is that the Town will be contributing to the part time profit sharing plan.

Mr. Barber said the percentages don't change. Participants contribute 5.25% of gross wages, and the Town contributes 5%. This will not impact the Town financially.

Councilmember Walter inquired if they are not part of the Arizona Public Safety Retirement System.

Mr. Barber said the part-time firefighters are not part of the Arizona Public Safety Retirement System.

Councilmember Walter said there are other issues with social security, percentages into retirements, and other items. She stated that it may be best if this item were tabled.

Mr. Barber said those issues have no bearing on the item at hand.

Councilmember Hawkins said the social security and retirement issues have already been addressed.

Councilmember Walter said that it needs to be further discussed.

Mr. Charles A. Montoya, Town Manager, stated the direction from Council and Human Resources was to follow the rules under State Statute that was given to the Town for municipalities for fighters that should have been in place previously. The Town is in the process of moving forward on this.

Councilmember Celaya inquired if the two items are intertwined.

Mr. Barber said the social security issue and the Part-time Firefighter Profit Sharing Plan are separate items.

Mayor Rankin inquired how many employees this will affect.

Mr. Barber said there are 12 new part-time firefighters.

Mayor Rankin inquired if the proposal benefits both the Town and employees.

Mr. Barber said that it doesn't benefit the Town, except for the perspective that it recognizes the value that the individuals bring to the department and to the citizens. He said the Town could not do constant manning without the contribution of the part-time firefighters, and this is one way to recognize the value of the contribution.

Mayor Rankin inquired if the employees will receive a benefit to the part-time staff over the existing program that the Town currently has.

Mr. Barber stated yes, they become vested immediately upon their membership.

Mayor Rankin inquired what happens to the money that is in the fund.

Mr. Barber said the money that is in the trust for the profit sharing plan is used exclusively for those purposes only.

Councilmember Montañó inquired if the firefighter can withdraw both their contribution and the Town's contribution when they resign.

Mr. Barber said they would be able to withdraw both.

Mayor Rankin inquired if they have met with the Board regarding this matter.

Mr. Barber said they did meet with the pension board and discussed the vesting schedule.

Mayor Rankin inquired if there are any other departments with employees who are 100% vested upon employment with the Town.

Mr. Barber stated other employees are not similarly situated. He said the other employees are covered by Statute under the Arizona State Retirement System or Public Safety Personnel Retirement System.

Mayor Rankin inquired if this item is time sensitive.

Mr. Barber said the item is not time sensitive; however, there is no reason to delay.

Councilmember Hawkins said that it seems beneficial to the employees.

On motion of Councilmember Woolridge, seconded by Councilmember Hawkins, and carried to adopt Resolution No. 1433-14.

#### **UNFINISHED BUSINESS:**



**Ordinance No. 607-14:**

Ms. Lisa Garcia, Deputy Town Manager/Town Clerk, read Ordinance No. 607-14 by title

**AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE TOWN OF FLORENCE, PINAL COUNTY, STATE OF ARIZONA, PURSUANT TO THE PROVISIONS OF TITLE 9, CHAPTER 4, ARTICLE 7, ARIZONA REVISED STATUTES AND AMENDMENTS THERETO, BY ANNEXING CERTAIN TERRITORY CONTIGUOUS TO THE EXISTING TOWN LIMITS OF THE TOWN OF FLORENCE, ARIZONA, AND PROVIDING FOR A RESCISSION OF SUCH ANNEXATION IF THE ANNEXATION IS CHALLENGED (REDSTONE RANCH ANNEXATION NO. 2013-03) (First reading held April 7, 2014).**

Mr. Mark Eckhoff, Community Development Director, stated that the three items on the agenda pertain to the the Redstone Ranch annexation. The area consists of approximately 30 acres and is located adjacent to Johnson Ranch estates. He said the second item is to apply the comparable zoning, which is required by State Statute. The third item is to change the zoning to R-16, which is single family residential zoning district. The property owner is Perry Mathis.

On motion of Councilmember Walter, seconded by Councilmember Montaña, and carried to adopt Ordinance No. 607-14.

**Ordinance No. 608-14:**

Ms. Lisa Garcia, Deputy Town Manager/Town Clerk, read Ordinance No. 608-14 by title only.

**AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, AMENDING THE “TOWN OF FLORENCE ZONING MAP” BY CHANGING THE ZONING CLASSIFICATION OF A CERTAIN PARCEL OF LAND FROM PINAL COUNTY GENERAL RURAL (GR) ZONING DISTRICT TO TOWN OF FLORENCE SINGLE- RESIDENTIAL RANCHETTE (R1-R) ZONING DISTRICT (REDSTONE RANCH ANNEXATION INITIAL/COMPARABLE ZONING) (First reading held April 7, 2014).**

On motion of Councilmember Walter, seconded by Councilmember Hawkins, and carried to adopt Ordinance No. 608-14.

**Ordinance No. 609-14:**

Ms. Lisa Garcia, Deputy Town Manager/Town Clerk, read Ordinance No. 609-14 by title only.

**AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING A ZONE CHANGE FROM SINGLE- RESIDENTIAL RANCHETTE (R1-**

**R) ZONING DISTRICT TO SINGLE-FAMILY RESIDENTIAL (R1-6) ON THE REDSTONE RANCH PROPERTY LOCATED IN A PORTION OF THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 5 SOUTH, RANGE 10 EAST, GILA AND SALT RIVER MERIDIAN, PINAL COUNTY, ARIZONA, AKA, APN 206-01-0230 (PZC-41-13-ZC) (First reading held April 7, 2014).**

On motion of Councilmember Walter, seconded by Councilmember Montaña, and carried to adopt Ordinance No. 609-14.

### **MANAGER'S REPORT**

There was no Manager's Report.

### **CALL TO THE PUBLIC**

Ms. Denise Kollert, Florence Resident, said that she and her husband Larry have been appointed to report back to Florence Gardens what transpired at the Council meetings. She will include written reports to the Florence Gardens Board.

### **CALL TO THE COUNCIL**

Councilmember Celaya thanked the Utilities Department for their assistance in a water break at the Pinal County complex.

Councilmember Montaña said Florence was presented very well at Country Thunder. He said Florence had a good opportunity as to what Florence is and what it can offer.

Councilmember Walter thanked Mr. Knudson for his presentation and the residents who submitted the surveys. She asked staff to provide to Council the percentages that the Town contributes to all departments/classification retirements prior to the upcoming budget work session. She said the reason that she wanted to postpone the retirement item is because there are issues going on pertaining to the 218 Agreement. She said there are employees who had 5.2% of their wages withheld for years and they will not get their contributions returned. She said there are classifications where some earn a percentage and others earn a stipend. Stipends are pensionable and are required by FSLA law to be paid an overtime rate, but yet it is separate from the salary. She said due to the concerns, she felt that it would be best to address them at the public work session. She thanked those who were recognized.

Councilmember Hawkins said the Main Street Park looks very nice.

Vice-Mayor thanked the Parks and Recreation staff for the Eggstravangza event.

Mayor Rankin said the Easter event was great and had a great turnout. He said there was an accident on SH 287. He said ADOT needs to do something. Florence has to be in prevention mode. He said the area is busy and he will be attending ADOT meetings to let them know what is happening.

Councilmember Hawkins asked the status of the Pinal County building that burned down on Main Street. He inquired if they can move forward on the demolition of the building.

Councilmember Celaya provided an update and said a contractor will be demolishing the building. He said paperwork has been forwarded to the Pinal County Finance Department. He suggested that the Easter Egg Hunt be separated by age groups.

Councilmember Walter said there is a Magma Dam tour on April 30, 2014 and asked that the information be placed on the website.

## **ADJOURNMENT**

On motion of Councilmember Hawkins, seconded by Councilmember Walter, and carried to adjourn the meeting at 8:33 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 21, 2014, 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 WEDNESDAY, APRIL 23, 2014, AT 5:00 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 5:05 p.m.

**ROLL CALL:**

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

On motion of Councilmember Woolridge, seconded by Councilmember Hawkins, and carried to declare an emergency and hold an Executive Session for the purpose of discussion of the public body regarding personnel matters in accordance with A.R.S. §38-431.03 (A)(1).

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

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

**WORK SESSION TO REVIEW THE 2014/2015 BUDGET**

Mr. Charles A. Montoya, Town Manager, stated that personnel issues pertaining to salaries will be addressed, and he assured the Council that staff has adhered to State Statutes, Federal Labor Standards Act, and Department of Labor.

Mr. Montoya stated that Ms. Jennifer Evans, Management Analyst, and Lisa Garcia, Deputy Town Manger/Town Clerk, will provide a presentation regarding an arts program to the Council at the May 5, 2014, Town Council meeting. He provided a brief overview of what the Arts Program entails and the board or commission that will be created. He said staff is requesting to set aside 1% of the new capital projects that the Town does every year for the Arts Program.

Mr. Montoya said a compensation study was completed and Mr. Scott Barber, Human Resources Director, is currently working on the recommendations. He said staff is recommending a maximum 4% salary increase. He said there are some positions that may have market adjustments.

Mr. Montoya stated that staff is expecting the final proposals for the potential library, aquatic center, and recreation center on the 40 acres adjacent to Town Hall.

Mayor Rankin inquired which fiscal years the project will be expensed from.

Mr. Montoya said the project will be budgeted from the upcoming fiscal year. He explained what revenues will be utilized.

Mayor Rankin inquired if bonding will be necessary.

Mr. Montoya said there may be the potential for the Town to bond \$4 million. The cost is dependent on the amenities.

Councilmember Celaya stated in the past, the Town operated as an organization that had funding prior to the beginning of the year to take care of the operations throughout the year. It appears that the Town is moving to operate as an organization that is dependent on the revenues that will come in throughout the year to pay for the expenses that it will have.

Mr. Montoya said this year, the Town will have a zero base budget. Department Heads evaluated their current budgets and had to justify everything in their line items. If it could not be justified or if prior year costs did not meet what was budgeted, it was cut from the budget. He said they are not planning for the revenues they have, they are planning for the services.

Councilmember Celaya inquired about the \$20,000 that is included in the Manager's budget for other expenses; however, it does not have a defined purpose.

Mr. Montoya said \$20,000 is set aside for unanticipated expenses.

Councilmember Celaya inquired what increases the operating budget will have.

Mr. Montoya said increases were included for energy costs, salary and benefit increases, or justifiable costs for servicing of equipment.

Mayor Rankin inquired if the budgets for police and fire were increased in the event that the annexations go through.

Mr. Montoya stated that the budgets remained status quo. He discussed funding and said the monies have been set aside, according to the consultant's recommendation.

Councilmember Celaya inquired about the \$3.5 million transfer of the fund balance and what it will be used for.

Mr. Montoya said the funds did not go to any one specific department. They are one time funds that went to capital projects. Approximately \$1.6 million was a settlement that was returned to the Town and the remainder is excess revenues over expenditures that are one time fund balance transfers that the Town will not need in the general operating budget.

Councilmember Celaya inquired what the two new departments will be.

Mr. Montoya stated they are fleet and facilities.

Discussion occurred on the past and current funding.

Mr. Mike Farina, Finance Director, clarified the amount of money that was transferred out of the general fund into the capital projects fund and said the correct amount is \$1,067,000.

Mayor Rankin inquired what the fund balance is.

Mr. Montoya stated that amount that remains in the fund balance is approximately \$7.3 million. He said there is approximately \$2 million that is set aside in capital costs that has not been allocated and can be used for emergencies or other projects that Council may elect to fund.

Councilmember Celaya inquired if the Town still has a fund balance in the Sanitation Fund should the Town elect to restart sanitation services.

Mr. Montoya stated there is approximately \$1.6 million in the Sanitation Fund.

Mayor Rankin inquired if staff anticipates any expenses to the Sanitation Fund.

Mr. Montoya said there are general costs allocated for an individual that is working in sanitation who works with RAD. Staff is anticipating a minimal increase in the budget to deal with bulk trash.

Councilmember Celaya stated Council retreats were held in the past to discuss things that Council wanted and to make plans for those items within the budget. A Council retreat was not done this year. He said discussion for a transfer station occurred during the transition of sanitation services. He said it would be beneficial to invest in a transfer station.

Mr. Montoya stated that in the current budget and upcoming budget, funds have been allocated to do a transfer station in the north area. Currently, residents can take their bulk trash to the transfer station and must provide a copy of their utility bill. In addition, staff is looking for a location in the Florence core where residents can drop off their bulk trash and it would be collected weekly.

Mayor Rankin suggested that a location be found for the Florence Gardens and Caliente areas for them to dispose of their bulk trash as well.

Councilmember Walter inquired about the increase in the Municipal Court "Other" line item.

Mr. Farina stated that the increase is due to the jail fees that have increased due to incarcerations.

Discussions occurred on various line items within the Municipal Court budget.

Councilmember Celaya inquired about the increase in the Health, Accident and Life Insurance line items throughout the budget, specifically in the Human Resources Department.

Mr. Farina stated that the increase in the Human Resources budget is due to the Human Resources Director transitioning from a contracted employee to a Town employee, at which time he did not receive health insurance. He said with regards to the other budgets, the changes in amounts are due to changes in coverage for the employees in those departments.

Discussion occurred on employees who are transitioning from contractual status to employee status, associated costs, and benefits.

Ms. Lisa Garcia, Deputy Town Manager/Town Clerk, stated that there is a 20% savings in salaries along with not having to pay benefits for one year while the employee is contracted through SmartWorks. She said at end of the one year, the individual has the option of remaining with SmartWorks or be employed through the Town.

Councilmember Walter inquired about increase in the Parks Maintenance line item.

Mr. Montoya stated that the Town is increasing the maintenance to the parks as well as including the garden area at the Brunenkant Building and Padilla Park.

Mayor Rankin inquired about special events.

Mr. Farina said the budget includes an increase of \$40,000 for special events; \$20,000 is under the professional service line item in the Special Events budget, as well as \$20,000 in the recreation budget.

Councilmember Celaya inquired about the increase in the training and development line item in the Fire Administration Budget.

Mr. Farina stated that they received a \$40,000 increase due to the agreement with Central Arizona College (CAC) for training; however, CAC will pay the Town \$40,000 for the use of the fire facility, which appears as revenue in the budget. The end result will be a net zero cost to the Town.

Discussion occurred on salaries for the Fire Department, part-time staff, and call volumes for Fire Station #1.

Mr. Farina explained that all of the part-time firefighter salaries were transferred to Fire Station #1, as well as being increased by \$120,000.

Mr. Peter Zick, Fire Chief, discussed the benefits for using the TRV and the amount of calls that the Town receives from the correctional facilities.

Mr. Scott Barber, Human Resources Director, discussed contribution percentages that are paid by the Town on behalf of the employees in retirement or social security. The Town has been informed of the percentages for the new fiscal year. He explained the percentages, how the rates are set for each of the classifications, and the differences of each.

Mr. Barber stated with regards to the Town's contribution levels, sworn fire department employees are not contributing to social security; which is the main difference between them and all other employees who are paying 6.2% of their compensation into social security. The percentages for Arizona State Retirement System employees are actuarially set every year based on the entire population of all individuals enrolled in the plan.

Mr. Barber stated that the public safety retirement system takes into consideration the demographic information on the individuals that are enrolled in that specific plan. He said it can impact the contribution rate significantly. The employer contribution is set by Statute. Currently, the employee contribution rate is 10.35% and will go to 11.05% next year. The Town has no control on the increases or percentages set.

Mr. Barber explained the other pay and benefit issues that need to be considered when doing comparisons. Such benefits include:

- Health benefits
  - All employees receive the same package; however State Law requires the Town to secure and pay for cancer insurance for the firefighters as well.
- Vacation and sick leave
  - Same benefits; however the accrual rate for the Fire Department is computed differently to adjust the work schedules (24/7)
- Holiday Pay
  - Town has 11 paid holidays
  - Difference in holiday pay because of work schedule
- Retirement eligibility
  - Arizona State Retirement System
    - Used to be 80 points
    - Recent Changes:
      - Age 55 with 30 years of service
      - Age 60 with 20 years of service
      - Age 62 with 10 years of service
      - Age 65
  - Public Safety Retirement System (Police and Fire)
    - 20 year retirement
    - Deferred Retirement Program
- Work schedules
  - Standard Employee: 40 hour work week
  - Sworn Police Officers: 4 -10 hour days
  - Fire Department schedule is 48/96 schedule
    - Allows for secondary employment



- Town does not deduct for sleep time or meal time even though it is allowed to
- 12 hours of overtime has been built into schedule, as allowed.
- Extra pay and benefits
  - Special Assignments, Certification or Standby Pay is very limited
  - Standby pay is limited to IT and Public Works
  - Stipend is paid for paramedic certification
    - Based on 10% of the midpoint of the assigned pay range for the employee classification
- Paid uniform and uniform allowance
  - Public Works, Parks and Recreation, Utilities, Police and Fire receive this benefit
- Training
  - Both public safety departments have significant resources dedicated to ongoing training
    - Due to excessive required training to maintain levels of certifications

Mr. Barber stated that it is important when focusing on one issue to focus on total compensation when doing comparisons.

Mayor Rankin stated that it was never explained to the Council that the Fire Department could do shifts rather than 24 hour periods when their status became full time.

Ms. Lisa Garcia, Deputy Town Manager/Town Clerk, stated that she will review the minutes to clarify what was relayed to the Council. She explained the different plans and various tiers that were discussed and the rationale for choosing the existing schedule. She said staff knew that at some point the schedule would need to be reviewed. She said that rest periods are crucial and are said staff is receiving enough sleep at this time. Peter Zick, Fire Chief, has not requested any modifications to the schedule.

Mayor Rankin inquired about the DROP Program and contributions.

Mr. Barber stated when an individual enters the DROP Program the retirement contribution stops and the employee's retirement benefit goes into the DROP account. He said the employer no longer makes retirement contributions for that individual as well as keeping the employee's contribution.

Discussion occurred on retirement, social security, and changes in eligibility.

Mr. Mike Farina, Finance Director, discussed the Capital Improvement Plan (CIP). He said the packet that Council has received is in draft format and will have a different appearance once approved and is in its final format. The document contains the current CIP that was adopted for 2014-2018, along with the proposed CIP for 2015-2019. He explained that the adopted CIPs were balanced, meaning that the project cost equaled the project funding. Funding for the current projects anticipated unknown financing and financing that was yet to be determined. He said costs were also covered by anticipated impact fees. He said the projected impact fees are less than what is

anticipated for those projects. He said some of the projects needed to be shifted to ensure the budget is balanced and the 2016 planned budget is also balanced. He discussed that the plans for projects are outlined for the next five years and financing including unfunded projects are listed.

Mr. Farina explained how the CIP is compiled and how it is broken down by section. He provided examples how the projects were listed.

Councilmember Walter inquired if the 1% for the Arts Program is included in the CIP.

Mr. Farina said the 1% for the Arts Program will come out of the capital projects fund.

Councilmember Walter said that the cemetery is not aesthetically pleasing. In the CIP, there is a project for repaving some of the road and add fencing. She inquired if grass or any type of beautification will be added to the cemetery.

Mayor Rankin said that it is a desert cemetery. He said Florence does not have perpetual plots.

Councilmember Celaya stated that not all citizens are willing to pay for the improvements. He said there have been discussions in the past regarding privatization of the cemetery; however, it would increase the costs for those wanting to be buried in the cemetery.

Councilmember Hawkins explained that Florence's rates are some of the most reasonable rates in the state. Many people are on limited income and it meets their needs. He has not heard any negative comments about the cemetery; however, he has heard many positive comments.

Discussion occurred on possible improvements for the cemetery.

Councilmember Celaya inquired about transfers in to help with the fund balance.

Mr. Montoya explained transfers in and out of the fund balance.

Ms. Garcia stated that the Town has fiscal policies in place. In the next year, the Town Manager and Finance Director will review the polices and bring back different rules to Council on how the Town will proceed.

Discussion occurred on the approved budgets for CIPs, along with the proposed budget.

Mr. Farina said debt service was considered to cover some of the costs for the projects in the current approved CIP.

Mayor Rankin inquired if provisions have been made in the proposed budget with regards to condemnation.

Mr. Montoya stated that there are no provisions in the budget for the condemnation. The Town may have to seek outside financing, depending on the amount of the property if the condemnation did occur.

Mr. James E. Mannato, Town Attorney, explained the condemnation process.

Discussion occurred on condemnation, funding of a condemnation, and if it would affect the expenditure limitation.

Mayor Rankin inquired if a presentation will be done regarding Highway User Revenue Fund (HURF) funds.

Mr. Montoya stated that the Town has very limited funding regarding HURF. The HURF projects have been included in the CIP. One time funding has been added to assist with roads throughout the Town. He said Mr. Farina will come before the Council at a later time regarding bond funding and facilities districts in the Anthem area for road improvements.

Discussion occurred on the listing of all CIP projects and projects to be funded by HURF.

Mr. Montoya stated that staff will provide a list of all CIP projects.

Ms. Denise Kollert, Florence Resident, asked for the roads in Caliente to be done.

## **ADJOURNMENT**

On motion of Councilmember Walter, seconded by Councilmember Hawkins, and carried to adjourn the meeting at 6:48 p.m.

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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 23, 2014, and that the meeting was duly called to order and that a quorum was present.

---

Lisa Garcia, Town Clerk

**TOWN OF FLORENCE  
HISTORIC DISTRICT ADVISORY COMMISSION  
MINUTES**

**REGULAR MEETING OF THE HISTORIC DISTRICT ADVISORY COMMISSION OF THE TOWN OF FLORENCE HELD WEDNESDAY, FEBRUARY 26, 2014 AT 6:00 P.M. IN THE CHAMBERS OF TOWN HALL, LOCATED AT 775 N. MAIN STREET, FLORENCE, ARIZONA.**

**CALL TO ORDER**

Chairman Wheeler called the meeting to order at 6:00 pm.

**ROLL CALL:**

**Present:** Wheeler, Madden, Smith, Reid, Cochran and Adam

**PLEDGE OF ALLEGIANCE**

Commissioner Smith led the Pledge of Allegiance.

**DISCUSSION/APPROVAL/DISAPPROVAL** of the minutes of the special meeting conducted on November 20, 2013.

On motion of Commissioner Cochran, seconded by Commissioner Reid and carried to approve the minutes of the special meeting conducted on November 20, 2013.

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

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

Ruth Harrison petitioned the Commission to reconsider demolishing the Cuen Building as said she also represents 61 other members of this Community who signed a petition in favor of saving the Historic Cuen Building. She also read a letter from a local Town resident to the Commission regarding restoring the Cuen Building.

Steven Smallidge, owner of the Happy Adobe Business, stated it would be a shame to destroy the Cuen Building. He went on to advocate against the demolition of the structure.

## NEW BUSNIESS

### CASE HDAC-01-14-DR (DOWNTOWN MURALS)

**PRESENTATION/DISCUSSION/APPROVAL/DISAPPROVAL** of a Design Review application for proposed wall murals located 20 N. Main Street and on 75 N. Bailey Street Florence, AZ 85132.

Town Planner, Heath Reed stated that throughout the State and across the County, murals are being refurbished and added to downtowns as public art pieces. Many communities are adding art to their Downtowns along their main streets, next to public buildings and on buildings to create visual interest.

Town leadership has discussed the value of art projects in the Town of Florence. From art pieces and wall murals, a desire to incorporate public art into the community is highly desired. Historically, the Downtown area has had wall mural signs hosting different type of advertisement and historical sites of the Town.

The intent of this application is to restore a historic wall mural sign and to add a new wall mural sign in the District. Staff along with the applicant has been working with a muralist in creating and restoring the two different murals.

#### 76 SODA MURAL

The Borree's Market building located at 75 N. Bailey Street built in 1928. On the buildings south wall currently resides the 76 Soda mural facing 13<sup>th</sup> Street. The building is owned by Pinal County. Staff has been given written approval by the Facilities Director of Pinal County to move forward and restore the historical wall mural.

Like the Coca Cola sign, the 76 Soda sign was to advertise to area residents. The date of the mural is unknown by staff, but by some estimates, the mural has been around since the 1940's. By restoring the mural, there will not be any artistic interpretations added to the mural. Due to the deterioration of the paint and the building, a portion on the left side of the mural said "Drink Ice Cold" was no longer legible. Staff did some research and believes to have matched the mural with what once was there. The mural is a simple sign with green and white colors in a square outlined box with the logo.

#### Wall Mural dimensions

- Mural height: 74"
- Mural width: 94"

#### WINDMILL WINERY MURAL

The 1949 Cleman's Motors Chrysler-Plymouth Dealership building located at 20 N. Main Street. This building will host an artistic mural of the Windmill Winery new logo on

the south side of the wall. Currently, the building has been repainted and sits empty. The location of the mural will be on the south wall facing Butte Avenue welcoming visitors from the south into Downtown. This building being at the gateway of Downtown and being a side wall that does not have much focus will add visual interest to the area along with the new National Bank of Arizona building anchoring the other corner of Downtown.

At this location, Mr. Christ has offered two options for the wall mural sign on this building. First option is a revamp and artistic design of the new Windmill Winery logo framed with grape vines. This design has traditional framing with rich colors that will age well. The second option is more of the iconic barn and windmill with the artistic logo at the bottom. The Mural will not exceed 120 sq. ft.

#### Wall Mural dimensions estimates

- Mural height: 10'
- Mural width: 10'

The proposed murals will be a vibrant addition to Main Street and to the Downtown visual experience. Both murals would provide a desirable environment for its occupants and visiting public, as well as its neighbors. Staff anticipates the colors will fade and add a historic flare to the mural over time.

Staff found that the request was in compliance with applicable Town Codes and staff hereby recommended to the Historic District Advisory Commission the Design Review application HDAC-01-14-DR for approval, subject to the following conditions:

1. Design Review approval shall expire in one (1) year from this approval (February 26, 2014) if work on both murals have not commenced.
2. Construction of signage shall conform to the exhibits presented on February 26, 2014 and as may be amended by the conditions of approval.

Commissioner Adam commented that she was in favor of the drawing and felt the mural was the right fit for the Historic District. She also asked if the 76 Mural would support additional new paint.

Staff commented that a professional artist/painter was hired to rehabilitate the said murals and he has reassured staff that he could restore the murals.

Commissioner Reid asked staff if the company who was represented by the 76 logo ever used the green and white colors.

Staff answered that according to their research the green and white colors were used.

Chairman Wheeler asked if off-site signs are permitted in the Town of Florence.

Staff answered that off-street signage is not allowed in the Town of Florence however it would be up to the Commission to make that determination on the application presented tonight and if the case was approved by HDAC then Town Council would have the final decision to approve or disapprove this case. In addition, this case was using the Infill Incentive District which requires Town Council approval.

Chairman Wheeler asked if staff was intending on amending the sign code to accommodate this case.

Staff answered no. The intent was to present a mural for the Windmill Winery and not a off-street sign.

Chairman Wheeler and Commissioner Reid contended that this mural is advertising a business and in their opinion, the mural is off-site signage.

Staff responded that this case was given to staff to present and therefore staff presented the case to HDAC. Staff did not intend to misrepresent the applicant.

Harold Christ, owner of the Windmill Winery, commented on his mural and the reasons he submitted the case to the HDAC. He apologized for offending the HDAC with a mural that looks like off-site signage.

Commissioner Cochran stated that the mural sign worried her and did not want to set any negative precedence in the community and she asked if the applicant was willing to make some changes to mural.

Harold Christ commented that he was open to any ideas that the HDAC has given. He also commented that staff has contributed many man hours to this project.

Staff reiterated the information on the Infill Incentive District and relayed additional sign opportunities.

Commissioner Adam and Chairwoman Wheeler complemented staff on the mural project and trying to beautify the corner of Butte Avenue and Main Street.

Commissioner Cochran explained to the applicant how some modifications could be made to the mural to remove it from looking like an off-site sign.

On motion of Commissioner Cochran, seconded by Vice-Chair Madden and carried to table the Design Review application for proposed wall murals to the April 30<sup>th</sup>, 2014 meeting.

## **CASE HDAC-02-14-D (CUEN BUILDING)**

**PRESENTATION/DISCUSSION/APPROVAL/DISAPPROVAL** of a demolition permit by the Town of Florence, located at 145 N. Main Street Florence, AZ 85132.

Senior Planner, Gilbert Olgin stated that on October 7, 2013, the Mayor and Council of the Town of Florence accepted the donation of the Cuen building from Langley Momentum Historical, LLC.

As initially constructed, the building was L-shaped, with two one room wide wings. The building interior was extensively remodeled in 1910 for use as Florence's first telephone central office. For the past few decades, the building has been unoccupied and continually deteriorating.

Unfortunately, multiple penetrations into the building have allowed the elements to accelerate deterioration (bricks, plaster, adobe, etc.) and permitted pigeons to roost in the building. The north wall, roof and chimney cannot be saved. The building is gutted inside. Beyond structural concerns, these conditions present aesthetic and other issues that are repeatedly noted by downtown visitors and patrons of the Fitness Center.

Over the past seven years, a few improvements have been made to stabilize the structure on an interim basis. A recent external and internal assessment of the facility with Town staff and Swan Architects confirmed that prompt action needs to be taken to demolish, rehabilitate or re-construct the subject building.

On February 3, 2014, the Mayor and Town Council (property owners) motioned to proceed to send a recommendation to the Historic District Advisory Commission supporting the demolition of the Cuen building.

With recent failed attempts to secure donations and the Cuen building may pose as public safety hazard, staff moves forward the recommendation from Town Council to demolish the Cuen Building.

Staff finds that the request is in compliance with applicable Town Codes and policies and staff hereby recommends to the Historic District Advisory Commission to approve the demolition permit of the Cuen Building, case HDAC-02-14-D.

Commissioner Reid asked if staff has researched other companies to provide quotes to stabilize the building.

The Commissioners asked if the Town has pursued any outside buyers and what process has been followed to save this structure.

Staff explained the process the Town has gone through to drum up support and funds to save the building. They also explained that the Town Code will afford a grace period of 180 days before the demo permit can be executed.



Council Liaison Celaya commented about the 180 days and how this measure creates urgency which may result a positive outcome.

On motion of Vice-Chair Madden, seconded by Commissioner Reid, and carried to deny the demolition permit by the Town of Florence for the Cuen building located at 145 N. Main Street Florence, AZ 85132.

### **STAFF PRESENTATION/DISCUSSION**

Staff gave an update on the Silver King Padilla Park. This park project has commenced and contract has been signed.

### **CALL TO THE COMMISSION**

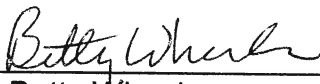
Commissioner Smith commented on a property owner's fence being out of compliance.

Commissioner Reid asked about a vacant commercial property and if staff was doing anything about removing old signs from the property.

Chair Wheeler asked about scholarships for Historic Preservation Conference this year.

### **ADJOURNMENT**

The meeting was adjourned at 7:15 pm.

x   
\_\_\_\_\_  
Chair Betty Wheeler

FLORENCE COMMUNITY LIBRARY  
**Joint-Use Library Advisory Board**

1000 S. Willow St. / P. O. Box 985  
Florence, AZ 85132

**Minutes**

Regular Meeting


March 19, 2014 – 6:00 p.m.

1. The meeting was called to order at 6:03 pm by Chairperson Kollert.
2. Members present were: Talma Harmon, Eugene Horan, and Denise Kollert. Members absent were: Sheree Berger, Hermalene Wick, and Kamian Harmon.
3. Motion made by Member Horan, seconded by Member Harmon, and carried to approve the November 20, 2013 minutes.
4. The Library Director's report included the following:
  - The intergovernmental agreement between the Town of Florence and the Florence Unified School District concerning the community library was renegotiated and will expire in May, 2015.
  - "Hoopla Digital" is now available to Florence Community Library cardholders through the Pinal County Library District. This mobile app makes thousands of movies, television shows, and music albums available through the county's partnership with hoopla digital.
  - Catherine Yates and Ian Bryant resigned from their positions as Library Aides. Michelle Salas, Teresa Tinoco Ambriz, and Susan Villanueva have joined the Library staff as Library Aides.
5. Ms. Rosemary Bebris, Library Director, stated that the Florence Unified School District elected to sever the IGA with the Town last November, but an interim agreement would allow for the library to remain at the current location until May 31, 2015. She stated that plans have been underway for the last several years to construct a new library facility. An RFQ was issued by the Town earlier in the year to find a qualified firm to construct a new facility on the Territory Square site to the west of Town Hall. She stated that a second RFQ had been issued in order to explore the possibility of locating the library on the former Pinal County Elections site after that building was destroyed in a recent fire. She explained that both RFQs expressed the need for the library to be constructed before May, 2015. She stated that an initial review of proposals suggests the building can be constructed in seven to eight months.
6. The next meeting was scheduled for April 16, 2014.


7. Mrs. Betty Rieffer, Florence Resident, wanted to express her concerns about potentially locating a new library facility on the former Pinal County Elections building site. She stated the Town of Florence purchased property at a premium in order to have all Town facilities in one area. She would like to see the master plan used. She stated it would cost too much money to salvage the Elections building. There is no parking for the site. She stated she would hate to see the fragmentation of town amenities like the County. She would like to see a one-story library building with plenty of parking constructed. She stated her desire for a new library building to be big enough to accommodate 20+ years of growth. She also warned not to plan for branches when determining the size of a new facility as they may not develop.

8. The meeting was adjourned at 6:42 pm by Chairperson Kollert.

Respectfully submitted,

  
\_\_\_\_\_  
Talma Harmon, Secretary

Approved,

  
\_\_\_\_\_  
Denise Kollert, Chairperson

Denise Kollert, Chairperson

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

**SPECIAL MEETING OF THE TOWN OF FLORENCE PLANNING AND ZONING COMMISSION HELD WEDNESDAY, FEBRUARY 12, 2014 AT 6:00 PM AT TOWN HALL COUNCIL CHAMBERS LOCATED AT 775 NORTH MAIN STREET, FLORENCE, ARIZONA.**

**CALL TO ORDER:**

Vice-Chair Putrick called the meeting to order at 6:00 pm

**ROLL CALL:**

Present: Putrick, Anderson, Petty, and Reed  
Absent: Wooley

**PLEDGE OF ALLEGIANCE:**

**DISCUSSION/APPROVAL/DISAPPROVAL of the minutes of the regular meetings conducted November 7, 2013, November 21, 2013 and the December 5, 2013.**

On motion of Commissioner Anderson, seconded by Commissioner Reed and carried to approve the minutes of the regular meetings conducted November 7, 2013, November 21, 2013 and the December 5, 2013.

**PUBLIC HEARING**

**CASE PZC-01-14-GPA (THE RESERVE AT LOOKOUT MOUNTAIN)**

**PRESENTATION/DISCUSSION/RECOMMENDATION** of an application by United Engineering Group on behalf of RMG Lucky Hunt, LLC for a Minor General Plan Amendment to the Town's 2020 General Plan Future Land Use Map to change the land use designation on approximately 11.2 acres from Community Commercial (CC) to Medium Density Residential 1 (MDR1). This change would facilitate a subsequent zoning amendment on the site, which is generally located on the west side of Hunt Highway at the Heritage Road alignment, should the subject property be annexed into the Town of Florence per pending Annexation 2013-01.

Mark Eckhoff, Community Development Director stated that the proposed project known as the Reserve at Lookout Mountain encompasses 65.07 acres of potential residential development. This project is located on the southwest corner of Hunt Highway and Heritage Road in Pinal County, Arizona. Owners

RMG lucky Hunt, LLC, an entity of the McRae Group of companies, control the entire project. The applicant is requesting a Minor General Plan Amendment for 11.27 acres of the 65.07 acres.

The Reserve at Lookout Mountain is currently undeveloped land that is bordered by Hunt Highway. Hunt Highway is planned to be a major arterial to meet future traffic demands in this area.

For this General Plan Amendment application, United Engineering Group is requesting a change in the land use designation for approximately 11 acres from Community Commercial (CC) to Medium Density Residential 1 (MDR1).

The overall motivating philosophy behind this proposed land use change is to provide more compact development opportunities for a varied housing inventory. The MDR1 designation will allow an improved subdivision design. The slight loss of commercial is more than offset by the planned commercial areas in the immediate vicinity of this site.

The uses proposed by this application are the ones the property owners believe will best meet the demand of the market and those that will best serve to assist the Town of Florence in meeting its goals and objectives as outlined in the 2020 General Plan.

In accordance with the findings presented for this request, staff recommended approval of this Minor General Plan Amendment, subject to any conditions by the Commission.

Commissioner Reed asked what is the density of the MDR1 classification?

Mr. Eckhoff responded that the MDR1 gives them the option to go from 4 to 8 units per acre but at this location and with the topography of the site and with infrastructure needs, most likely the developer will get around 3.2 per acre.

Vice-Chair Putrick opened and closed the public hearing with no public comment.

On motion by Commissioner Petty, second by Commissioner Anderson and carried to forward a unanimous favorable recommendation for case PZC-01-14-GPA to the Town Council.

### **CASE PCZ-08-14-GPA (MAGIC RANCH 80)**

**PRESENTATION/DISCUSSION/RECOMMENDATION** of an application by United Engineering Group on behalf of Palms-Magic Ranch 80, LLC for a Minor General Plan Amendment to the Town's 2020 General Plan Future Land Use Map to change the land use designation on approximately 39.8 acres from Employment/Light Industrial (E/LI) to Medium Density Residential 1 (MDR1). This change would facilitate a subsequent zoning amendment on the site, which is

generally located south of the southwest corner of Arizona Farms Road and Quail Run Lane, should the subject property be annexed into the Town of Florence per pending Annexation 2013-01.

Mark Eckhoff, Community Development Director stated that this application pertains to 39.8 acres of a planned 80 acre residential project known as Magic Ranch 80. The subject site is located along Mitchell Trail, ¼ mile south of Arizona Farms Road, in Pinal County, Arizona. The project is owned by Palms – Magic Ranch 80, LLC, an entity of the McRae Group of Companies.

The intent of this General Plan Amendment is to amend the land use designation on the 39.80 acre site from E/LI to MDR1. This designation is appropriate for the property today and in the future considering its surrounding designations and the fact that the property has an approved residential pre-plat with Pinal County.

The project is currently zoned Planned Area Development in Pinal County and is part of the Magic Ranch PAD previously approved within the County. Upon annexation, the site would receive comparable zoning. In addition, there may be a zoning amendment and new pre-plat submitted for this site.

In accordance with the findings presented for this request, staff recommended approval of this Minor General Plan Amendment, subject to any conditions by the Commission.

Commissioner Reed asked what is the density of the MDR1 classification?

Mr. Eckhoff responded that the MDR1 gives them the option to go from 4 to 8 units per acre but at this location the developer is looking to be closer to 4 units per acre, similar to what is in Magic Ranch currently.

Commissioner Petty asked has anyone commented on the Minor General Plan Amendment, beside the one phone call that was received?

Mr. Eckhoff responded no.

Vice-Chair Putrick opened and closed the Public Hearing with no public comment.

On motion by Commissioner Petty, second by Commissioner Anderson and carried to forward a unanimous favorable recommendation for case PZC-08-14-GPA to the Town Council.

### **CASE PZC-6-14-CUP (ULTRA HEALTH, LLC)**

**PRESENTATION/DISCUSSION/RECOMMENDATION** for a Conditional Use Permit request by Duke Rodriguez of Ultra Health, LLC on behalf of Riverbottom, LLC to allow for a proposed Medical Marijuana Dispensary on a Highway

Business Commercial (B-2) zoned property located at 2501 N. Pinal Parkway Avenue, Florence, Arizona.

Mark Eckhoff, Community Development Director stated that the Town of Florence adopted a comprehensive approach to the Arizona State Law regarding medical marijuana facilities. First and foremost, the new medical marijuana industry allowed by State law presented the need to better define the types of uses allowable under the new State law. Once those new uses were more clearly defined in a new chapter of the Town Code (Chapter 152) titled Medical Marijuana, the Town then developed requirements pertaining to the location and operation of these new uses. Locational criteria is first defined at the Zoning District level and then narrowed down by additional locational criteria, such as the distances between similar uses, distances to schools and other factors.

In general, the Town's medical marijuana ordinance allows all of the cultivation, operation and dispensary related medical marijuana uses to occur within the Town's Light Industrial (LI) Zoning District with a Conditional Use Permit (CUP). In addition, dispensary facilities are also allowed within the Town's Highway Business Commercial (B-2) Zoning District with a Conditional Use Permit. Any type of new facility related to this ordinance is subject to meeting the terms of their respective CUP and also would need to obtain required zoning clearance from the Town. In addition, all such facilities must be in compliance with State law and the AZDHS rules and regulations.

Ultra Health, LLC is proposing a Medical Marijuana Dispensary for the purpose of dispensing medical marijuana to qualifying patients in the designated service area at 2501 N. Pinal Parkway Avenue, Florence, Arizona 85132. The Arizona Department of Health Services (AZDHS) has designated the service area as Community Health Analysis Area (CHAA) No.95 Florence. The service area is currently estimated at less than 100 qualifying cardholders, which will likely represent two to four patients per day during the first year of operation.

No cultivation is proposed at this location. Product will be delivered from offsite cultivation sites located primarily in Phoenix and central Arizona. It is estimated that the amount of product on hand at the dispensary at any given time will be no more than approximately five pounds and product will be stored nightly in a secure vault. Qualifying patients will not be allowed to consume or use the product onsite.

The one-story building includes 1,728 sq. ft. of floor area with a single east facing entrance. A single access point is in response to the Arizona Medical Marijuana Act specifying only a single secured ingress and egress be provided to dispensaries. However, the regulations also allow a second emergency exit for fire and safety purposes. With the relatively small size of the building, the applicant prefers to keep the single secured primary entry and exit door and not provide a second emergency exit for the building, but this is subject to further Town review.

The following is a summary of security measures to be included in this dispensary. All final security requirements will be confirmed with the Town of Florence prior to opening:

- 100% Digital high-resolution cameras with weather rated and vandal resistant enclosures;
- Motion detection enabled, low light cameras;
- Camera tampering and connection instant notification alerts;
- 100% interior and exterior site coverage with full visibility of perimeter;
- 24/7 recording with 30 day rolling storage;
- Clustered recording system allows migration of cameras in event of a recorder failure;
- Redundant storage system with dual drives in the event of a single hard drive failure and dedicated battery back-up;
- Onsite and off-site monitoring with text and email alerts;
- On staff security systems experts;
- Full property alarm system including buildings, perimeter, and gates;
- Full perimeter proximity detection to detect intrusion through non-designated entrances/exits;
- Radio Frequency (RF) ID triggered door locks and entrance gates;
- Unique RF ID codes for every staff member; and
- Centrally managed badge system.

The site is the current location of the River Bottom Grill restaurant. The proposed dispensary will be located on the River Bottom Grill property, which contains approximately 0.81 acres. The proposed medical marijuana dispensary will operate from a 1,728 sq. ft. fully enclosed and secured building. The restaurant and bar will cease to operate to allow for this use.

Florence Ultra Health LLC dispensary will complete a tenant improvement (TI) to the existing main structure. The interior space of the former River Bottom Grill will be demolished and reconfigured to include an entry waiting/lobby room, receptionist area, retail dispensary area, a general office, a storage room and two ADA compliant restrooms. Non-permanent additions currently attached to the existing facility will be removed. The exterior elevation of the building will be enhanced and the height of the building will be raised to screen mechanical equipment.

**A. The site of the proposed use and the surrounding land uses;**

**Finding:**

The site is currently zoned Highway Business Commercial (B-2) and per the Town of Florence Development Code Title XV: Land Usage Chapter 150: Medical Marijuana Dispensary (excluding cultivation) is an allowed use on a Highway Business Commercial (B-2) Zoning District with an approved



Conditional Use Permit (CUP) as long as the sensitive use distances have been observed.

<b>Surrounding Land Uses and Zoning Districts:</b>		
	<b>Zoning Classification</b>	<b>Existing Use</b>
North	Highway Business Commercial (B-2)	Vacant Land and the Florence Immigrant & Refugee Rights Facility
East	Town Boundary	Vacant Land
South	Town Boundary	Vacant Land
West	Highway Business Commercial (B-2)	Vacant Land
On-Site	Highway Business Commercial (B-2)	Restaurant/Bar

**B. Access to the site; and**

**Finding:**

Vehicular access to the site is provided from Highway 79 on the northern most part of the site and further refinements to site will be addressed with this application and a companion Design Review application to ensure improved access and circulation. Staff notes that only one access point will be necessary to accommodate access to the proposed use.

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

**Finding:**

The Town's 2020 General Plan identifies this area along Highway 79 as a future business and mixed use corridor.

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.

Potential compatibility issues have been presented to the Town regarding other proposed medical marijuana dispensaries cases. However as of this writing, no objections have been received regarding this case, nor has staff received any favorable comments. The proposed business meets the separation criteria outlined in the Town’s medical marijuana ordinance.

Staff has detailed all sensitive uses and required separations per the Town Code in the following table.

**Separation Distances**

<b>Use or use classification</b>	<b>Required Separation</b>	<b>Provided Separation</b>
Another Medical Marijuana Dispensary	2,640 ft.	32 miles
Public or private park	660 ft.	1.4 miles
Public Library (Pinal Law Library)	660 ft.	1.04 miles
Massage Establishment	660 ft.	21 miles
Place of worship (Union Baptist)	660 ft.	1.17 miles
Sexually oriented business	660 ft.	N/A
Teen club	660 ft.	22 miles
*Schools (Florence K-8 Elementary)	660 ft.	1.8 miles
Public or private recreational center	660 ft.	24 miles
Residential district boundary	660 ft.	.66 miles

\*500 ft. per State statutes.

Distances are approximate. Per 152.04, *Distance Separation Requirements*, the distance separation provision is not applicable for cases where the aforementioned uses are separated by a state highway, except as governed by the “Arizona Medical Marijuana Act” and applicable state statutes.

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 Medical Marijuana Dispensary is a conditionally permitted use in a Highway Business Commercial (B-2) Zoning District, subject to complying with applicable locational criteria.
2. Access, circulation and parking 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 medical marijuana dispensaries.

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 accepted staff's findings made on this request. Based on the findings established for this case, staff recommended 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. This Conditional Use Permit shall be revoked and become null and void if the applicant is not granted approval by the Arizona Department of Health Services to operate a medical marijuana dispensary at this location and/or if such approval from the Arizona Department of Health Services is revoked or expires.
2. This Conditional Use Permit shall be revoked and become null and void if the subject property is approved by the Arizona Department of Health Services for a medical marijuana dispensary and such operations are not open for business within six months of the Department of Health Services (DHS) approval.
3. This Conditional Use Permit shall be revoked and become null and void if the conditionally permitted use ceases business operations at the subject location for more than six months.
4. Property owner or their lessee shall connect to the Town sewer system at owner's expense when public sewer is extended to the subject property. Upon connection, owner shall abandon all existing septic systems on the site at owner's expense.
5. Final plans for grading, drainage and applicable public utility improvements are subject to the review and approval of the Town Engineer.
6. Property owner or their lessee shall remove the existing non-conforming mobile home on the subject property prior to the issuance of a Certificate of Occupancy for the medical marijuana dispensary.
7. Development of the site will be in compliance with an approved Design Review Application.
8. Property owner agrees to waive claims for diminution in value pursuant to Proposition 207 [A.R.S. 12-1134] pursuant to the waiver attached hereto as Exhibit B.

9. All work within the ADOT right-of-way is subject to ADOT reviews and permitting.
10. Signage shall comply with all applicable Town Codes and is subject to Design Review approval.
11. Building ingress/egress subject to the review and approval of the Town Building Official and Fire Marshal.
12. The development of the subject site shall be in conformance with any applicable Town Codes, Ordinances, Building Codes and Fire Codes.
13. This Conditional Use Permit shall be revoked and become null and void if any of the conditions of the Conditional Use Permit and applicable codes are not met.

Commissioner Anderson asked about a new Medical Marijuana amendment that was presented by staff this past August regarding dispensaries locating along certain corridors and major highways?

Mr. Eckhoff responded that the Commission did send a favorable recommendation to the Town Council, but the Town Council continued the case indefinitely. Unless it is brought back up to Council, it is no longer valid and is not the current code.

Commissioner Anderson asked if the State is the owner of the Gila River adjacent to the site.

Mr. Eckhoff responded that he does not know who the land owner is.

Vice-Chair Putrick asked if the applicant is going to tear down the old building and construct a new building.

Mr. Eckhoff replied that what the applicant is going to do is demolish a portion of the building and then they are going to modify and update the remainder of the main building.

Vice-Chair Putrick asked if there was a dispensary in Coolidge that falls into the 25 mile radius of this site in Florence.

Mr. Eckhoff responded that yes there is one in Coolidge but it does not prohibit anybody from locating one here. Arizona Statute states that an individual cannot grow plants in their home within a 25 mile radius of a dispensary. Florence also has a separate CHAA that is approved by the State of Arizona to allow a dispensary in the area.

Commissioner Petty asked if staff has received any opposition or support for the case from the public.

Mr. Eckhoff replied that staff has not received support or opposition to this case.

Vice-Chair Putrick opened the Public Hearing.

Attorney Allan K. Wiggged, PO Box 1441 Queen Creek Arizona, he is present on behalf of the San Tan Valley Substance Abuse Collation. The Collation is totally against the dispensary. The office of the National Drug Control study in 2012 found that 1 out of 10 high school students got their marijuana from someone who had a medical marijuana card. This facility is at the entrance of Florence and the medical marijuana dispensary will brand Florence as to where to get medical marijuana. As a family man, I do not want to be in an area or Town that supports a medical marijuana dispensary. Country Thunder is a big draw for the Town and this dispensary will give a bad impression to the attendees. Most are there for a good time, not for marijuana. This adds to the law enforcement problems that already exist; now we are going to add marijuana as well. Per Federal Statute, marijuana is illegal and the federal buildings that are near the proposed dispensary have to take into consideration this use and location. Mr. Wiggged would not be surprised if they have a strong DEA presence here in Florence, if this use was allowed. There are no substance abuse treatment facilities in fourteen counties in the State of Arizona but yet we allow these dispensaries into our communities. Mr. Wiggged sees something very fundamentally wrong with this issue and asked if the Commission would look at the various studies about the harms of medical marijuana.

Bill Wargo, 76 S Agua Fria Ln in Casa Grande, Arizona, Vice-Chairman of the Casa Grande Alliance, which is a coalition of 58 agencies of law enforcement, prevention and treatment. Their mission is to build partnerships and prevention of substance abuse and violence among adults and youth. In their meeting last week, each member voted unanimously to voice their objection to this facility being proposed in Florence. One of the biggest things we do is to educate youth on the dangers of all drugs, especially marijuana, which is the gateway to all other illegal drugs. Mr. Wargo spent 33 years in law enforcement, 21 of that in drug investigation. The coalition feels that this sends a mixed message and that in a year or two, there will be a push to create recreational use of the drug in the State of Arizona. Statistics from Colorado show the abuse and the danger it is to the general public from the Colorado HIDTA. Mr. Wargo reiterated the comment about 1 out of 10 teens getting marijuana from medical marijuana card holders. Mr. Wargo also conducts investigations at the prisons and is a private investigator under contract with the U.S. Marshalls Office and finds it ironic that Florence is home to untold correctional facilities housing many of whom have problems. An overwhelmingly number of those individuals started with marijuana, the gateway drug to all illegal drugs and believes that the Town is sending the wrong message to our youth especially when the Town has a main highway into Florence. It's a little hard to convince kids that marijuana is bad when it is

advertised as medicine. The Casa Grande Alliance is trying to deal with prescription drugs with our youth and it's the same problem we run into there. Medical Marijuana must be safe because a doctor prescribed it.

Miguel Olivas, Coolidge Arizona, the days of the Nixon War on drugs will be coming to a close. The opportunity for these people who are against the facility in the Planning and Zoning meeting had their chance to voice their opposition when the people of Arizona voted for the law. They also have a State Legislature to go to. The Planning and Zoning meeting tonight is not to discuss the basis for or against medical marijuana. The only thing this Planning and Zoning Commission is to recommend whether or not this use is permitted at this location. He understands all the arguments. But the truth of the matter is the duty of this Commission tonight is to make a decision on the facts. The applicant has moved the location time and time again. Everyone wanted to make sure the safety of the public was the most important thing. Let's stick to the facts, is it allowable at this location; yes. Is it up to the Town Council to go over all the rest of this information; yes. Mr. Olivas only asks tonight as a private citizen to look on this case favorably and allow them to come to a vote on March 17<sup>th</sup> 2014.

Jenifer Medowes, 647 E. Palomino Way San Tan Valley, Arizona, representing the Florence Unified School District is an 8<sup>th</sup> grade social studies teacher and this dispensary is something that Florence Unified School District (FUSD) does not want in their School District. As a teacher, she can explain the pro and cons of both sides. The FUSD does not want this dispensary in the district; let the facility go to Coolidge.

Jean Porter, Vista Hermosa in Florence Arizona, said that the sound system in the chambers does not sound good and as a person who has a hearing aid, she could not hear what the previous speaker said or what the Commissioners said. This sound system reflects poorly on the Town of Florence. If she did not have the agenda, she would not know what is going on. She stated that she is opposed to the proposed location for one reason: Highway 79 is one of the most dangerous and treacherous roads in the State of Arizona. Another reason is backing in and out of that location is very treacherous at the River Bottom Bar and Grill. People backing out right next to the bridge and this action is dangerous in this location. She also stated as a person from Florence Gardens, she believes that this location is too close to Florence's senior citizens, Caliente RV Park is much closer and the Town of Florence has senior citizens who are not always the best drivers but there are people coming in and out of that small location on the most dangerous road.

Tara Walters, Town of Florence Council Member, stated she is not speaking for or against the case but is communicating that they have received a few emails that staff or the Commission did not receive. One of e-mails stated that they opposed granting a permit for a marijuana dispensary in the Town. Whether or not there is any medical benefits to this drug is a moot point. The fact remains that this drug is illegal under Federal Law; the Commission took an oath to

defend the Constitution of America and to uphold the laws of the Country. Until such a time Federal Law permanently repealed, there is no way the Commission can approve the said permit. Town Council received a few more emails, but in the future residents can include Planning and Zoning Commission and staff.

Denise Colert, 802 E. McFarland Blvd. in Florence, stated that the applicant has moved several times and all he is asking for is an approved Conditional Use Permit. The information the Coolidge resident said tonight is a biased opinion and the Commission needs to focus on the location for this dispensary. Arizona passed a law by the majority of the voters and the Federal Government told Arizona they will do nothing to anybody who operates a marijuana dispensary as long as it's being run by the rules as this gentleman said numerous times. So please go to the issue at hand, is this a good location and does it meet the criteria of the State law and the rules/ordinances of the Town of Florence.

Elizabeth Ardella, Johnson Ranch in San Tan Valley, stated that she's an 8<sup>th</sup> grader who attends Walker Butte High School in the Florence District and as a person ready to enter high school, she believes marijuana might help, but it's too close to the District. As a student in high school and finals in full swing, I'm stressed and marijuana can help stress. I can easily go to a doctor and ask for a prescription for stress. The doctor could easily give me a prescription for medical marijuana. With the dispensary so close to their school, students could become addicted to marijuana and this abuse could lead to an increase in Town crime. Being so close to our District, it can be a gateway for students to enter this facility.

Kimberly Haslett, Southwest Arizona Patient Alliance, stated that this is a hearing on a Conditional Use Permit and not a hearing on morality. There are dispensaries that have been operating in this State for a year now. There has been no information on it affecting school districts or any students and the fact of the matter is that Cannabis use amongst the youth has been reduced. Cannabis use has been reduced in every state that has a medical marijuana law that is the fact. There is a good group called law enforcement against prohibition that has some really good statistics and encourages people to go online and read about how it effects their community. As a parent and a mother of a child that is very vulnerable, my family does not fear the medical marijuana dispensaries however the fears come from the dealer on the street. In a community where you have no medical marijuana dispensary for patients, when a patient is ill and does not know if they have handicap services to Coolidge, but thinks it's extremely uncompassionate to suggest someone who is disabled to take a bus to travel 25 miles for what is consider legal in the State of Arizona. Every community was given a Community Health Analysis Areas (CHAA). Florence was given a CHAA and the people of the State of Arizona have spoken and it's not up to us to be the moral police or for us to decide or for you to decide about this Conditional Use Permit and I would ask the Commission to do that.



Brian Foster, 24051 N Hidden Drive Florence, stated that he appreciates the opportunity to appear before them tonight. He is a father of four kids attending Florence Unified School District with two teenagers attending high school, Allen and McKenna. He is employed by the Florence Unified School District (FUSD) and a proponent of the annexation of his home into the Town of Florence. So he believes he offers a unique interest into today's conversation with all of these results that affect his family. As he stands and represents FUSD, he stands as a voice of well over 8,000 students at 12 different schools. FUSD strives every day to put kids first. All of their decisions and actions revolve around doing what's best for our kids. FUSD recognizes the responsibility the Town has to help our students make appropriate choices. A representative from the National Institute of Health summarizes the challenges FUSD faces in the developing minds of our youth. The human brain does not fully mature until the early 20's. Among the last areas to develop are impulse control and planning. As the normal part of growing up and understanding how the brain develops in our kids and that they might be more adventurous, or willing to take chances of risky behaviors, which include drug use. The District has long embraced a zero tolerance culture regarding illicit substances or drugs. The medicinal marijuana dispensary sends a mixed message and clouds the dangers of marijuana and its usage by teens. In efforts to combat the horrifying statistics put out by the US Health and Human Services that 44% of high school graduates will have tried marijuana at least once. The District is introducing a study in concert with Arizona State University (ASU) with a program called "Keeping It Real". Their corporation with ASU involves educating and studying with students and parents alike about the dangers of drug use, including marijuana. Now the proponents are going to tell you that education is good. That communication about the dangers is paramount; that's where we all agree. However, education is but one part; but ultimately proximity is the looming variable. Proximity equals tolerance. An acceptance documented research dangers exist with marijuana usage with our teens. Proximity has been the question in our minds since the initial consideration of this dispensary anywhere within the Town of Florence. Although the proposed location has moved further away from our schools, the beliefs is that proximity still remains the question. If this dispensary is approved within our Town boundaries, or its presence, it runs contrary to the culture they have worked hard to establish with our kids. There is a proud tradition the Town has built here in Florence. The impact of the decision will not be known today. Flash forward five years from now. Will the 8<sup>th</sup> graders and upcoming high school students fall victim of the permissions of this dispensary its existence allows? The hope is the Towns values continue along with theirs. One that is known in protecting young minds and families together. The idea of safety has been brought forth tonight and part of your role is to consider that safety. Our position related to proximity and the research that supports would suggest that safety has not been answered with regard to the impact to our children. Today an approval of the dispensary will prove contrary to that protection of that to our kids. The hope that the Town's legacy in years to come reflect a strong commitment to our kids over any financial gain that might take place. Everyone wants Florence to grow, but not at the expense of our kids.

April Medowes, stated that she attends Poston Butte High School in the Florence School District. While medical marijuana has its benefits, there is much harm. She knows some people that she was raised with and they have fallen victim to marijuana. Watching them fade away has been tough and adding another site that shows support of this drug. The end result of approval of this dispensary will persuade people that maybe this drug is acceptable. Is this approval worth the potential damage and watching people abuse this drug while using for recreational purposes?

Duke Rodriquez, Scottsdale, Arizona, the applicant, stated he knows that he has a limited amount of time to speak so it will be difficult to address all of the questions. He could state that there are approximately 40,000 card holders and concluded the need for these medicines. They are card holders because they have a medical condition that has been attested to their physician and their care giver. The card holders need this medicine and do not want to say anything about the kids; he is a parent of a 13 year old child. He has operated hospitals, clinics and physician group practices and it was a hard decision to understand the importance of why this was medicine. He grew up during a period when it was advocated to just say no to drugs. I always thought this was an evil plant and drug and it is a gateway drug to every problem that can be imagined. This assumption is not the case. Medical Marijuana is medicine and there are approximately 40,000 card holders who have legitimately gone to their caregiver and said that they need this medicine. As to kids, absolutely should not be in the hands of kids. Thankfully the State of Arizona has a very controlled model in this State of those 40,000 card holders; there are only 50 minors under the age of 18 that then administered and managed by their caregiver which is generally their parents. He has heard that the U. S. Drug Enforcement Administration (DEA) will come down here and enforce the rules and this information is not true. The DEA has come out with a specific memorandum saying these are the things the DEA is concerned about and categorize the eight deadly sins. If you sell to children, it is wrong. If you have rules that are not enforceable and non-compliance, it is wrong. Everything Ultra Health, LLC has for this specific site will be in compliance. The reality is that 99 sanctioned CHAA's have been approved. 89 have already been established and are operating today. Those 89 communities, counties and cities could not all have been wrong in approving medical marijuana dispensaries. This team has gone in front of some of the strictest and most conservative councils and has heard the same words. I do not want to say the Council is wrong and some of the things that were said before are correct. The information shared tonight is not completely true. There is a known risk with dependency regarding drugs. One could argue that prescription drugs are worse than medical marijuana and in some cases alcoholism is worse. There is no addiction to marijuana and there is dependency and dependency is based upon each individual patient and their use of such medication such as Oxycodone or medical Marijuana. One thing that the State of Arizona did well and the citizens voted for, to have a true medical marijuana program, thus the voters approve the said CHAA's. The applicant states that not to go back in time and give a primer

but it's important to realize how far medical marijuana has come and where medical marijuana is today. The Town is not at the beginning but at the tail end of this process. Clifton Arizona, a very small Town that has the same kind of public hearings and listened to their City Manager say, a year later the dispensary works. There has not been an increase in crime; the Police are content that the dispensary works and this issue has helped them deal with problems before with random drug dealers in the street and people growing their own medical marijuana. It legitimized those patients that needed access to real medicine. Mr. Rodriguez has been to at least a dozen of these kinds of public hearings and does not want to criticize their right to speak. But, often nine out of ten times the opposition shows up because they can speak freely. You cannot have the patient say that they have a medical condition. They have a right to their privacy due to the Health Insurance Portability and Accountability Act of 1996 (HIPAA). The patients will show up here however one must respect their constitutional right to get the medicine they require. If one was to search Congress via the internet, under the search engine "Google" and one would notice 14 members of Congress that have gone before the President of the United States and requested to remove Cannabis from Schedule I of the Controlled Substances Act. One could argue on the history of why Cannabis is on schedule one, but the reality is that this drug is a political and an economic decision, not because medical Marijuana is dangerous. If you look at public sentiment, 60% of the adult population agrees in the legalization of Marijuana and that's not what is being discussed. The topic of medical Marijuana and when asked the general voting population about medical Marijuana, the numbers are between 72-80 percent. The public has spoken its mind and this facility is going to be done in a very professional manner and will comply with all local and State Laws.

Randy Rosane, Florence, Arizona, owner of the River Bottom Grill, stated that he has owned the restaurant for 11 years. He made an attempt to change the image of the establishment however they are branded as a bad biker bar with a reputation. Only 15 percent of their revenue comes from the Town of Florence and the rest has to be acquired in three months in order to cover for the rest of the year. Before Ultra Health, LLC got involved, the River Bottom planned on closing this year due to the restaurant was at a financial loss. As a business man, it has caused me to look at the restaurant and a reoccurring problem is being land locked and unable to expand the parking which is unaffordable. In the last four years, they have worked as many as 50 to 60 hours per week and have lost \$70,000 trying to make this restaurant successful. He understands that there is a person like Council Member Bill Hawkins, who knows that their intent is to improve this Town. The River Bottom has made a good effort but unfortunately there is no community support. They are not the only ones that suffer. His good friend Charlie is no longer here due to the pressure he had in his own restaurant business. His friend Amos Hawkins isn't here because he never got a chance to use his medical card that might have contributed to his wellbeing. The River Bottom will close this year and they can no longer afford to keep it open. Here is a chance to have a legitimate company to come in and move forward. Ultra Health, LLC is not going to have a rotating marijuana leaf on the road sign. A

professional facility is being proposed similar to other dispensaries owned by Ultra Health, LLC. The River Bottom has a negative reputation when two to three hundred bikers park outside the establishment, patrons are afraid to enter however; repeated costumers who had not been to the restaurant in some time and come back and find the updated restaurant impressive. The owners cannot afford to keep the restaurant open and here is an opportunity to bring in a new look into that area. The traffic is getting heavier these days and probably needs to be slowed down with a stop light at Hunt Highway. Due to the amount of traffic that goes through this area and has been considered a safety issue at times. But the branding of this Town, do we want to be thought of as a Marijuana dispensary Town? Florence is thought of as a prison Town and we are a prison Town. Let's consider if there were no prisons and a prison wanted to establish in Florence, would the Council allow it? He does not know the answer to that but it's a compelling question. What he wants to see the Old Historic Florence do what they did last week at the Home Tour, that's how Florence should look like on the weekends. He believes that it can get there, but he cannot do it himself and financially the restaurant does not support itself. An opportunity to sell his business came up and he has to take it. He appreciates the support.

Vice-Chair Putrick closed the public hearing.

Commissioner Petty asked if the applicant has read the conditions on the staff report and if they agree with them?

Duke Rodriquez of Ultra Health responded yes.

On motion by Commissioner Petty, second by Commissioner Reed and carried to forward a unanimous favorable recommendation for case PZC-06-14-CUP to the Town Council.

## **NEW BUSINESS**

### **CASE PCZ-07-14-DR (ULTRA HEALTH, LLC)**

**PRESENTATION/APPROVAL/DISAPPROVAL** of a Design Review application by Duke Rodriguez of Ultra Health, LLC located at the River Bottom LLC 2501 North Pinal Parkway Avenue in Florence, Arizona.

Mark Eckhoff, Community Development Director stated that the proposed .82 acre site is zoned Highway Business Commercial (B-2) and is currently the location of the River Bottom Grill. If a companion Conditional Use Permit application for a proposed medical marijuana dispensary is approved by the Town Council for this site, the restaurant use will cease to exist.

Ultra Health, LLC is proposing a medical marijuana dispensary for the purpose of dispensing medical marijuana to qualifying patients in the designated service area. The Arizona Department of Health Services (AZDHS) has designated the

service area as Community Health Analysis Area (CHAA) No.95 Florence. The service area is currently estimated at less than 100 qualifying cardholders, which will likely represent two to four patients per day during the first year of operation.

The building is located on the southwest portion of the site. The parcel is bordered by Pinal Parkway Ave (HWY 79) to the west, the Gila River to the south and east and a vacant parcel to the north. Significant upgrades to the building are proposed with this application. Nonpermanent additions currently attached to the existing facility will be removed in accordance with the demolition plan to reduce the north section of the building.

The one-story building includes 1,728 sq. ft. of floor area with a single east facing entrance. A single access point is in response to the Arizona Medical Marijuana Act specifying only a single secured ingress and egress be provided to dispensaries. However, the regulations also allow a second emergency exit for fire and safety purposes. With the relatively small size of the building, the applicant prefers to keep the single secured primary entry and exit door and not provide a second emergency exit for the building, but this is subject to further Town review.

New stucco, siding and color features will be added to the exterior of the building. A wraparound disjointed porch/overhang will give the building a variety of different heights and elevations. Parapet walls will be raised to screen mechanical equipment that will be on top of the building.

The design style and unique touches are appropriate for commercial properties along Pinal Parkway Ave. The building's colors are site and context appropriate.

The applicant has prepared a detailed security plan in order to maintain the security of the site and the building.

A non-conforming residential mobile home that is located with the rear setbacks of the site is stipulated to be removed per the companion Conditional Use Permit application for a proposed medical marijuana dispensary.

Vehicular access to the site is provided from a single driveway on Pinal Parkway Ave on the northwestern portion of the site. The site plan shows a fire lane to allow for trucks to maneuver in and out of the property. Driveway modifications and any work within the adjacent state right-of-way will be subject to ADOT reviews, approvals and permits.

The proposed improvements help to define access to this site and eliminate non-conforming parking conditions.

The applicant proposes to significantly upgrade the landscaping on the property as indicated by the preliminary landscape plan.

Grading and retention will be done in accordance with Town codes and the site will have a primary retention basin at the northwest corner of the property, which creates an attractive buffer along the busy highway corridor.

Fourteen parking stalls, including two ADA van accessible spaces with wheelchair access ramps at the front of the property, will be provided for this proposed business. Parking meets Town code requirements. The proposed improvements help to define circulation on this site and eliminate non-conforming parking conditions.

This Design Review application also included the proposed sign for this facility. A single monument sign for this business will replace the current restaurant monument sign. This sign will be in conformance with Town codes.

Staff found the request is in compliance with applicable Town Codes. Staff recommended approval of the Design Review application for **PZC-07-14-DR**, subject to the following conditions:

1. Design Review approval shall expire in one year from this approval (April 12, 2015) 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. Building ingress/egress is subject to the review and approval of the Town Building Official and Fire Marshal.
4. Any roof-mounted HVAC equipment shall be screened from street view by the building's architectural parapet.
5. Compliance with this Design Review approval shall be required prior to issuance of Final Certificate of Occupancy.
6. Approval of this Design Review application is contingent upon the approval of Conditional Use Permit case PZC-06-14-CUP. All improvements shall be completed in accordance with this Design Review approval and Conditional Use Permit case PZC-06-14-CUP.

Commissioner Anderson asked if there will be a fence around the site.

Mr. Eckhoff responded that the site plan calls for a masonry wall around the property except in the front of the property.

Vice-Chair asked about the security of the building.

Duke Rodriguez of Ultra Health, LLC stated that they have had the Police Department review and sign off on their floor plans. The State requires cameras in and around the facility. Security is a major issue for compliance with the Arizona Department of Health Services.

Commissioner Petty asked if the applicant has read the conditions on the staff report and if they agree with them?

Mr. Rodriguez responded yes.

On motion by Commissioner Anderson, second by Commissioner Petty and carried to approve case PZC-07-14-DR Design Review application.

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

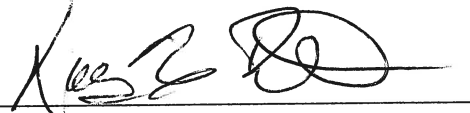
Call to the Public for public comment on issues within the jurisdiction of the Planning and Zoning Commission. Individual Commission members may respond to criticisms made, may ask staff to review a matter raised or may ask that a matter be put on a future agenda.

**CALL TO THE COMMISSION**

Vice-Chair Putrick, Commission Anderson and Reed explained that they voted for the Ultra Health, LLC case due to zoning issues.

**ADJOURNMENT**

The meeting was adjourned at 7:20 pm.

X   
\_\_\_\_\_  
Vice-Chair Putrick

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

**REGULAR MEETING OF THE TOWN OF FLORENCE PLANNING AND ZONING COMMISSION HELD THURSDAY, FEBRUARY 20, 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: Wooley, Putrick, Anderson, Petty, and Reed.

**PLEDGE OF ALLEGIANCE**

Vice-Chair Putrick led the pledge.

**PUBLIC HEARINGS**

**CASE PZC-41-13-ZC (REDSTONE RANCH)**

**PRESENTATION/DISCUSSION/RECOMMENDATION** of an application by the WLB Group Inc. on behalf of GH Capital LLC to change existing zoning on the subject property after annexation from Single-Residential Ranchette (R1-R) to Single-Family Residential (R1-6). The subject property is located in a portion of the Northeast Quarter of Section 7, Township 5 South, Range 10 East, Gila and Salt River Meridian, Pinal County, Arizona, AKA, APN 206-01-0230.

Mr. Gilbert Olgin, Senior Planner stated that the purpose of this application is to obtain proper zoning for a project known as Redstone Ranch, which consists of approximately 30 acres located at the southeast corner of Sunaire Drive and Bluegrass Street in Pinal County Arizona.

The WLB Group Inc. on behalf of GH Capital LLC intends to work closely with the Town of Florence to provide the foundation for a community envisioned to consist of residential housing and open space. The community will be consistent with the goals and policies of the Town of Florence 2020 General Plan and as described in the Florence Town Code.



The Redstone Ranch project is within close proximity to planned communities within the Town of Florence, including:

- Sunaire Ranch
  - Zoned Single-Family Residential (R1-6) and is located to the immediate west of the subject property. The project consists of approximately 109 acres and is planned for a maximum of 428 dwelling units.
- Florence Ranch Planned Unit Development (PUD) (now referred to as the Johnson Ranch Estates PUD):
  - Zoned PUD for a mixture of land uses, including residential, commercial and open space. The ownership of the property has changed hands and an amendment to the PUD is pending, but overall the anticipated land uses are similar to those contained within the Florence Ranch PUD. Also, the areas of the PUD adjacent to Redstone Ranch are planned for residential uses at a density that will be similar to Redstone Ranch (both in the existing PUD and the anticipated PUD amendment).
- Florence Crossing PUD
  - Zoned PUD for residential and commercial uses and is located approximately one mile to the west of the subject property. The density of residential development within this project is anticipated to be similar to the subject property.
- Majestic Ranch
  - Zoned for commercial and residential uses and is located approximately one mile west of the subject property.

Surrounding Land Uses and Zoning Districts:		
	Zoning Classification	Existing Use
North	Pinal County Zoning	Vacant Land
East	Planned Unit Development (PUD)	Vacant Land
South	Planned Unit Development (PUD)	Vacant Land
West	Single-Family Residential (R1-6)	Vacant Land
On-Site	Single-Residential Ranchette (R1-R)	Vacant Land

**ANALYSIS:**

The subject property is currently in Pinal County and pending annexation into the Town of Florence. The existing zoning for this site is General Rural (GR). The applicant is requesting a Zone Change for the entire site from Single-Residential Ranchette (R1-R) to Single-Family Residential (R1-6) zoning when annexed.

This development will bring additional housing opportunities to the Town of Florence, equating to an overall maximum gross density of 4.0 dwelling units per acre. The increased residential growth, in addition to other similar projects within close proximity, creates demand for new commercial opportunities. Medium density residential, multi-family and open space is positioned to the south of this site and will act as a buffer between the low intensity single-family housing and mixed land uses. Main access to this project will be provided via Dogwood Road, which connects with Florence-Kelvin Highway and State Highway 79.

Growth has and will continue to come to the Florence market due to the Town's small, but progressive economic opportunities and attractive quality of life. As growth occurs, it will be important to provide varied housing opportunities and new areas to support the increased demands for commercial uses.

The applicant has attended Technical Review Committee (TRC) meetings with the Town Staff and has worked diligently to respond to staff concerns. The housing models for Redstone Ranch will go through the Design Review process at a later date.

#### Water and Wastewater

Wastewater service to the site will be provided by Southwest Environmental Utilities LLC (an affiliate of Johnson Utilities LLC). Southwest Environmental Utilities LLC is currently in the process of acquiring the necessary approvals from the Arizona Corporation Commission to establish a CC&N for this area, including the subject property. They are also in the process of acquiring an Aquifer Protection Permit which is required prior to the construction of a proposed wastewater treatment plant in the area. It is anticipated that an 8" gravity sewer line will be extended to and through the site for the collection and conveyance of wastewater. The treatment of wastewater generated by this site will be handled by the wastewater treatment plant that is proposed by Southwest Environmental Utilities LLC.

Southwest Environmental Utilities LLC will also provide potable water to this site, utilizing the same CC&N mentioned above. Southwest Environmental Utilities LLC is currently in the process of designing a water distribution system that will consist of wells, storage tanks and distribution lines. It is anticipated that an 8" water line will be extended to and through the site to provide potable water.

#### Utilities

APS will provide electric power to the site. The owners of Johnson Ranch Estates are currently working with APS to provide the necessary infrastructure to provide power to their property. This infrastructure will ultimately include a substation.

#### **GENERAL PLAN:**

The current Town Future Land Use Map designates the site for Low Density Residential (LDR). The proposed zoning conforms to the 2020 Florence General Plan. The proposed zoning district of Single-Family Residential (R1-6) is consistent with this land use designation and provides the foundation for future growth that is consistent with the General Plan. The subject site is located adjacent to Dogwood Road, a section line road identified as a minor arterial in the Small Area Transportation Study(SATS) that will be improved in the future and continue to provide access to the area.

## **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.
2. The Town's 2020 General Plan has Low Density Residential (LDR) designation on the site that supports the proposed land use.
3. The future development of the site will be subject to all applicable Town codes.

## **STAFF RECOMMENDATION:**

Staff finds that the proposed Zone Change for Redstone Ranch (PZC-41-13-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.

Commissioner Anderson asked will the road widths of the neighborhood streets within the subdivision meet the 50 ft width standards for the Town?

Mr. Olgin responded that the applicant said the street widths will meet Town Engineering standards within the subdivision.

Chairman Wooley opened the public hearing.

Kay Lantz 19568 Haley Rd Florence Arizona, stated that her property borders two sides of the Redstone Ranch property. She has a few questions concerning what the land will be used for. There are also two washes that goes by and through her property; how will her property be affect by the proposed development? Will Haley Road become a major roadway into this development? Ms. Lantz stated that she currently resides in Pinal County and inquired of the subject property as it becomes annexed. She asked what is required of her to join the Redstone Ranch annexation into the Town?

Rob Longaker of WLB Group, the applicant for Redstone Ranch, 4444 E. Broadway Blvd. Tucson, Arizona. Mr. Longaker stated that he appreciates the Commission's consideration for this case. In attendance is Perry Mathis, the owner of the subject property and is excited to become a part of the Town of Florence. There are great plans for this area as you know for future development and they are excited to be a part of this. They did speak to Ms. Lantz prior to the meeting and answered some of the questions that she posed. They have told and gave her their contact information and told her that they would work with her and keep her informed as the project develops and answer any questions she may have in the future as well. They are committed to being a good neighbor. Thanks to Gilbert's presentation, they don't have much to add but would be happy to answer any questions the Commission may have at this time.

Chairman Wooley closed the public hearing.

Vice-Chair Putrick asked if they have read and agree to the conditions?

Mr. Longaker responded yes.

On motion by Commissioner Petty, second by Vice Chairman Putrick and carried to forward a favorable recommendation to Town Council for a Zone Change request for case PZC-41-13-ZC.

#### **CASE PZC-13-13-ZC (DC ZONE CHANGE)**

**PRESENTATION/DISCUSSION/RECOMMENDATION** of an application by James Tchida and the Town of Florence to change existing zoning from Neighborhood Office (NO) to Downtown Commercial (DC) in an area bounded by 8th Street to the north, 12th Street to the south, Bailey Street to the west and Pinal Street to the East on approximately 1.40 acres except for the following properties: APN 200-49-0340, 200-49-0330, 200-49-0430 and 200-19-0440.

Case PZC-13-13-ZC has been withdrawn by the parties in order to be consolidated and heard at a subsequent meeting.

#### **CASE PZC-42-13-ZC (MEACHAM DC ZONE CHANGE)**

**PRESENTATION/DISCUSSION/RECOMMENDATION** of an application by Joel David Meacham to change existing zoning from Neighborhood Office (NO) to Downtown Commercial (DC). The subject property is located at 131 East 8th Street, Florence, Arizona, 85132, AKA, APN 200-49-024C.

Case PZC-42-13-ZC has been withdrawn by Joel David Meacham in order to be consolidated and heard at a subsequent meeting.

**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.

**CALL TO THE COMMISSION**

Commissioner Anderson asked if Staff would place on the agenda a review of the Anthem at Merrill Ranch master plan.


**ADJOURNMENT**

**The meeting was adjourned at 6:20 pm.**

X

Chairman Jeff Wooley



	<b>TOWN OF FLORENCE COUNCIL ACTION FORM</b>	<b><u>AGENDA ITEM</u> 11a.</b>
<b>MEETING DATE:</b> May 19, 2014  <b>DEPARTMENT:</b> Community Development  <b>STAFF PRESENTER:</b> Mark Eckhoff, AICP Community Development Director  <b>SUBJECT:</b> Ordinance 606-13 Rural Residential Equestrian Subdivision (PZC-34-13-ORD)		<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> <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> <input type="checkbox"/> <b>Other</b>

**RECOMMENDED MOTION/ACTION:**

Motion to adopt Ordinance No. 606-13 for the Rural Residential Equestrian Subdivision (RRES) Zoning District.

**BACKGROUND/DISCUSSION:**

The Town of Florence requests approval of the following application:

**PZC-34-13-ORD:** An Ordinance of the Town of Florence, Pinal County, Arizona, amending the Town of Florence Code of Ordinances, Title XV Land Usage, Chapter 150 Development Code, Section 150.031 Defined Words, Section 150.047 District Use Regulations Table (A) and establishing a new Rural Residential Equestrian Subdivision (RRES) Zoning District Section.

**BACKGROUND/ANALYSIS:**

The goal of this effort was to have a new Town Zoning District in place to apply to the Wild Horse Estates area should the Arizona Farms annexation that includes this area be successful. Staff has worked diligently to ensure the new zoning requirements for this area will help preserve the semi-rural lifestyle in this special enclave, while also complying with state statutes pertaining to comparable zoning requirements for annexed areas.

The RRES Zoning District was intended to provide comparable zoning for the residents of Wild Horse Estates. Per Town Council direction, staff has researched and created many different options pertaining to RRES Zoning District and furthermore, staff has continually provided the opportunity for

members of the public and Wild Horse Estates property owners to contribute in formulating the framework of the proposed zoning district.

The current ordinance was presented to the Planning and Zoning Commission on March 20, 2014, and subsequently forwarded to the Town Council with an unanimous favorable recommendation.

Ordinance No. 606-13 was recommended as the comparable zoning for Wild Horse Estates for the following reasons:

- Allows two horses per lot, which is consistent with current Pinal County Zoning;
- Allows site built homes and manufactured homes, reflecting current zoning and existing conditions;
- The proposed ordinance has a provision for FFA, 4-H or similar, which is consistent with the subdivision's CC&R's; and
- The proposed zoning is no more intense than the current County Zoning.

Please note that this new zoning district will only be applied on the Wild Horse Estates area if this area is successfully annexed.

**PUBLIC PARTICIPATION:**

Town Staff has complied with all applicable Town requirements and Arizona Revised Statutes regarding public participation. Exceeding statutory requirements, public notices for the various Planning and Zoning Commission and Town Council meetings has been mailed to all property owners who reside within the Wild Horse Estates subdivision. There have also been multiple Planning and Zoning Commission and Town Council meetings pertaining to the proposed ordinance, including a Planning and Zoning Commission Work Session.

Going forward, the tentative schedule for Planning and Zoning/Town Council Meetings on this case going forward is as follows:

- |                |   |
|----------------|---|
| March 20, 2014 | Planning and Zoning Commission Meeting (action) |
| May 5, 2014    | 1st Town Council (public hearing)               |
| May 19, 2014   | 2nd Town Council (action)                       |

All meetings will be held at Town Hall Council Chambers – 775 North Main Street.

**FINANCIAL IMPACT:**



This request has no direct or specific financial impacts.

**RECOMMENDATION:**

The Planning and Zoning Commission forwarded a unanimous favorable recommendation on this ordinance to the Town Council.

Motion to adopt Ordinance No. 606-13 for the Rural Residential Equestrian Subdivision (RRES) Zoning District.

**ATTACHMENT:**

Ordinance No. 606-13

**ORDINANCE NO. 606-13**

**AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, AMENDING THE TOWN OF FLORENCE CODE OF ORDINANCES, TITLE XV LAND USAGE, CHAPTER 150 DEVELOPMENT CODE, SECTION 150.047 DISTRICT USE REGULATIONS TABLES (A) AND ESTABLISHING A NEW RURAL RESIDENTIAL EQUESTRIAN SUBDIVISION (RRES) ZONING DISTRICT SECTION (PZC-34-13-ORD).**

**WHEREAS**, development codes are designed to protect the health, safety and general welfare of the public and are subject to modifications to ensure that codes are current and meet the needs of the local community; and

**WHEREAS**, municipal Zoning District designations are utilized when applying comparable zoning to newly annexed properties; and

**WHEREAS**, the Town of Florence has proposed this ordinance to create a comparable Zoning District to the Pinal County MHS zoning in place for the Wild Horse Estates subdivision contained within the proposed Arizona Farms annexation area; and

**WHEREAS**, the Florence Planning and Zoning Commission conducted a work session and public hearings on this ordinance and have sent the Mayor and Council of the Town of Florence a favorable recommendation on this proposed ordinance.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Town of Florence, Arizona, as follows:

Section 1. That the recitals contained in this ordinance are hereby adopted and incorporated herein as findings of fact of the Town Council.

Section 2. That if any word, sentence, paragraph, clause, phrase or other provision of this ordinance is for any reason deemed to be unconstitutional or otherwise invalid by a court of competent jurisdiction, such holding shall not affect the validity of the remaining words, sentences, paragraphs, clauses, phrases or other provisions of this ordinance, or the validity of this ordinance as an entirety, it being the legislative intent that this ordinance shall stand, notwithstanding the invalidity of any word, sentence, paragraph, clause, phrase or other provision.

Section 3. That noted portions of Chapter 150, Section 150.047 District Use Regulations Tables (A) within Title XV Land Usage of the Town Code of Ordinances are hereby amended and shall read as follows. In addition, a new Rural Residential Equestrian Subdivision (RRES) Code Section is hereby established and integrated into Chapter 150 as noted below.

**§ 150.047 DISTRICT USE REGULATIONS TABLES.**

**(A) Residential zoning district use regulations.**

**P=Permitted N=Not Permitted C=Conditional T=Temporary Uses**

Use	RA-10	RA-4	R1-R	RRES	R1-18	R-1-6	R-2	MFR	MHS	PUD
Agricultural buildings and structures	P	P	C	<u>P</u>	N	N	N	N	N	<del>N</del>
Accessory buildings and uses	P	P	P	<u>P</u>	P	P	P	P	P	<del>P</del>
Bed and breakfast	C	C	C	<u>N</u>	N	N	N	N	N	<del>N</del>
Boarding or lodging house	C	C	C	<u>N</u>	N	N	C	C	N	<del>C</del>
Cemetery	C	C	N	<u>N</u>	N	N	N	N	N	<del>C</del>
Condominium	N	N	N	<u>N</u>	N	N	P	P	N	<del>C</del>
Continuing care facility	C	C	N	<u>N</u>	N	N	N	C	N	<del>N</del>
Convent	C	C	C	<u>N</u>	C	C	C	P	C	<del>C</del>
Duplex	N	N	N	<u>N</u>	N	N	P	P	N	<del>C</del>
Daycare center and/or nursery	C	C	C	<u>N</u>	C	C	N	C	N	<del>C</del>
Dwelling, multi-family	N	N	N	<u>N</u>	N	N	P	P	N	<del>C</del>
Dwelling, single-family	P	P	P	<u>P</u>	P	P	P	P	N	<del>P</del>
Farm	P	P	N	<u>N</u>	N	N	N	N	N	<del>N</del>
Golf course	C	C	C	<u>C</u>	C	C	C	C	C	<del>C</del>
Guest home, detached	P	P	C	<u>N</u>	N	N	N	N	N	<del>N</del>
Greenhouse and/or nursery	C	C	N	<u>C</u>	N	N	N	N	N	<del>N</del>
Group home	C	C	C	<u>C</u>	C	C	C	C	C	<del>C</del>
Home for the aged or nursing home	C	C	N	<u>C</u>	N	N	N	C	C	<del>C</del>
Home occupation	P	P	P	<u>P</u>	P	P	P	P	P	<del>P</del>
Manufactured home	C	C	C	<u>P</u>	C	N	N	N	P	<del>N</del>
Medical marijuana operations, including medical marijuana dispensary offsite cultivation locations, medical marijuana dispensaries and medical marijuana infusion facilities (medical marijuana designated caregiver cultivation locations and qualifying patient cultivation locations per applicable Town and State Department of Health regulations)	N	N	N	<u>N</u>	N	N	N	N	N	<del>N</del>
Model home complex and/or sales office	T	T	T	<u>T</u>	T	T	T	T	T	<del>T</del>
Mobile home	N	N	N	<u>N</u>	N	N	N	N	N	<del>N</del>
Orphanage	C	C	N	<u>N</u>	N	N	N	P	N	<del>N</del>
Park, playground and community owned buildings	P	P	P	<u>P</u>	P	P	P	P	P	<del>P</del>
Private club, fraternity, sorority and lodges	C	C	C	<u>C</u>	N	N	N	C	C	<del>C</del>
Public institutional buildings	C	C	C	<u>P</u>	P	P	P	P	P	<del>P</del>
Public utility buildings, structures or appurtenances for public service uses	C	C	C	<u>C</u>	C	C	C	C	C	<del>C</del>
Public or private school	C	C	C	<u>C</u>	C	C	C	C	C	<del>C</del>

Use	RA-10	RA-4	R1-R	<u>RRES</u>	R1-18	R-1-6	R-2	MFR	MHS	<u>PUD</u>
Ranch, non-commercial	P	<del>P</del> N	<del>C</del> N	<u>N</u>	N	N	N	N	N	<del>N</del>
Recreation fields, public or private	P	P	C	<u>C</u>	C	C	C	C	C	<del>P</del>
Recreation building	P	P	C	<u>C</u>	C	C	C	C	C	<del>P</del>
Stable, private	P	P	C	<u>P</u>	N	N	N	N	N	<del>N</del>
Stable, commercial	C	C	C	<u>N</u>	N	N	N	N	N	<del>N</del>
Swimming pool (private)	P	P	P	<u>P</u>	P	P	P	P	P	<del>P</del>
Temporary buildings used for the sale of homes or lots	T/C	T/C	T/C	<u>T/C</u>	T/C	T/C	T/C	T/C	T/C	<del>T/G</del>
Town home	N	N	N	<u>N</u>	N	N	P	P	N	<del>C</del>
Triplex	N	N	N	<u>N</u>	N	N	P	P	N	<del>C</del>

**§ 150.055 RURAL RESIDENTIAL EQUESTRIAN SUBDIVISION (RRES).**

(A) Purpose. The purpose of the Rural Residential Equestrian Subdivision Zoning District is intended to encourage unique, creatively developed subdivisions that are unified by common amenities, operations and associations for the accommodation of manufactured and/or site-built homes on individually owned lots, including necessary accessory uses and amenities and adequate open space to preserve the residential character. This District also serves to create or preserve compatible, rural enclaves with specified animal privileges within outlying and suburbanizing areas of Florence.

(B) Permitted uses. The following uses are permitted in the RRES District:

(1) One dwelling unit per lot, which may be one of the following:

(a) One manufactured home, being no more than five years in age since the date of original construction, shall only be permitted to replace an existing manufactured home on an approved RRES lot of record; or

(b) One site-built single-family dwelling unit.

(2) Accessory buildings and uses, including private swimming pools and home occupations;

(3) Agricultural Animals, subject to the following:

(a) No agricultural animal/livestock shall be kept, maintained or stabled on any lot less than 42,000 square feet.

(b) Two horses are permitted per each residential lot of record that exceeds 42,000 square feet.

(c) Offspring (under the age of 6 months) of permitted horses on-site, do not count towards the number of permitted animals:

(d) Temporary agricultural/livestock activities or projects conducted primarily for educational purposes, i.e., Future Farmers of America (FFA), 4-H or school

credits, are permitted in the RRES Zoning District and such animals are not counted toward the number of permitted agricultural animals. Animals may not include swine or roosters. Active membership must be maintained and verification of such may be required upon request. In addition, a sign (less than six square feet) designating a given member (i.e. 4-H or Future Farmers of America) is in residence must be visibly posted or displayed on the property at all times for any such project or activity in progress.

(e) The area used for grazing, exercising or training of agricultural animals shall be securely fenced to prevent the animals from straying, or a suitable restraint shall be provided to prevent straying. No confinement area shall be located in the front yard, and the grazing of livestock shall be limited to the side and rear yards.

(f) Fencing shall be required for all agricultural animals and shall consist of a view or partial view type fence, pipe rail or other similar fencing material, or a wall of sufficient height to restrain the animals(s). Such fence or wall shall be maintained and kept in a sound condition at all times.

(g) Private stables for the housing of agricultural animals shall be constructed so as to facilitate maintenance in a clean and sanitary condition.

(h) Stables used for the keeping of agricultural animals shall be located behind the front plane of the principal building or structure. Stables shall be set back a minimum of ten feet from all property lines and the principal structure or the distance required to comply with all applicable codes, whichever is greater. Stables shall not exceed the height regulations of the RRES Zoning District.

(i) Corrals, or yards areas used for the keeping of agricultural animals shall be located within the rear half of the lot (or side yard) or parcel and shall be enclosed by a view or partial view-type fence, pipe rail or other similar fencing material, or wall of sufficient height to restrain the animal(s). Such fence or wall shall be maintained and kept in a sound condition at all times.

(j) Animal wastes shall be stored at least twenty (20) feet from any property line, open space, drainage channel or surface waters and shall not violate the health and sanitation provisions of the Town Code and applicable codes of Pinal County.

(4) Secondary uses:

(a) Community or recreational facilities for the use and benefit of the subdivision/community association; and

(b) Common facility service buildings. All the buildings shall be centrally located and use shall be restricted to occupants.

(5) Those uses permitted in the RRES Zoning District per Table 150.047.A.

(C) Conditional uses. Uses may be permitted subject to a Conditional Use Permit (see § 150.015 and Table 150.047.A).

(1) Those uses conditionally permitted in the RRES Zoning District per Table 150.047.A.

Because no list of uses can be exhaustive, interpretations on unspecified uses shall be rendered by the Town Community Development Director with the right to appeal to the Planning and Zoning Commission and Town Council.

(D) Property development standards. (See elsewhere in this Development Code for additional standards and exceptions.)

(1) Principal structure setbacks.

<u>Front</u>	<u>Interior Side</u>	<u>Street Side</u>	<u>Rear</u>
<u>20 feet</u>	<u>10 feet</u>	<u>10 feet</u>	<u>10 feet</u>

(2) Area and bulk requirements

<u>Minimum Site Area</u>	<u>Minimum Lot Area</u>	<u>Minimum Lot Width</u>	<u>Minimum Lot Depth</u>	<u>Maximum Height</u>
<u>10 acres</u>	<u>42,000 sq. feet</u>	<u>60 feet</u>	<u>100 feet</u>	<u>30 feet</u>

Note: Additional regulations for distances between buildings, accessory buildings, access, walls, fences and required screening are contained in Part 8. Additional Height and Area Regulations and Expectations of the Development Code.

(3) Accessory structure setbacks and height.

<u>Front</u>	<u>Interior Side</u>	<u>Street Side</u>	<u>Rear</u>	<u>Maximum Height</u>
<u>60 feet</u>	<u>10 feet</u>	<u>10 feet</u>	<u>10 feet</u>	<u>20 feet</u>

(4) Permanent Foundation.

All manufactured homes must be attached to a permanent foundation where the home is set at the level of the adjacent grade, an installation commonly known as “ground-set”.

(E) Off-street parking. Parking regulations are as provided in Part 7. Parking; Loading and Unloading of the Development Code.

(Insertion of the new RRES Zoning District section into the Town Code requires the

following organizational modifications)

<del>150.045</del>		Districts
<del>150.046</del>		District boundaries
<del>150.047</del>		District use regulations tables
<del>150.048</del>		Rural Agricultural (RA-10)
<del>150.049</del>		Rural Agricultural (RA-4)
<del>150.050</del>		Single-Residential Ranchette (R1-R)
	<u>150.051</u>	<u>Rural Residential Equestrian Subdivision (RRES)</u>
<del>150.051</del>	<u>150.052</u>	Single-Family Residential (R1-18)
<del>150.052</del>	<u>150.053</u>	Single-Family Residential (R1-6)
<del>150.053</del>	<u>150.054</u>	Neighborhood Multi-Family (R-2)
<del>150.054</del>	<u>150.055</u>	Multiple-Family Residential (MFR)
<del>150.055</del>	<u>150.056</u>	Manufactured Home Subdivision (MHS)
<del>150.056</del>	<u>150.057</u>	Planned Unit Development (PUD)
<del>150.057</del>	<u>150.058</u>	Neighborhood Business (B-1)
<del>150.058</del>	<u>150.059</u>	Neighborhood Office (NO)
<del>150.059</del>	<u>150.060</u>	Downtown Commercial (DC)
<del>150.060</del>	<u>150.061</u>	Highway Business Commercial (B-2)
<del>150.061</del>	<u>150.062</u>	Tourist Commercial (TRC)
<del>150.062</del>	<u>150.063</u>	Professional Office (PO)
<del>150.063</del>	<u>150.064</u>	Public/Institutional (P/I)
<del>150.064</del>	<u>150.065</u>	Light Industrial (LI)
<del>150.065</del>	<u>150.066</u>	Heavy Industrial (HI)
<del>150.066</del>	<u>150.067</u>	Overlay Districts; Historic District
<del>150.067</del>	<u>150.068</u>	Parking Overlay District (P-1)
<del>150.068</del>	<u>150.069</u>	Recreational Vehicle Parks and/or Subdivisions

**PASSED AND ADOPTED** by the Mayor and Council of the Town of Florence, Arizona, this 19<sup>th</sup> day of May 2014.


\_\_\_\_\_  
Tom J. Rankin, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

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

\_\_\_\_\_  
James E. Mannato, Town Attorney

	<b>TOWN OF FLORENCE COUNCIL ACTION FORM</b>	<b><u>AGENDA ITEM</u> 11b.</b>
<b>MEETING DATE:</b> May 19, 2014  <b>DEPARTMENT:</b> Community Development  <b>STAFF PRESENTER:</b> Mark Eckhoff, AICP Community Development Director  <b>SUBJECT:</b> Ordinance No. 610-14: Downtown Commercial DC Zone Change (PZC-11-14-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> <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> <input type="checkbox"/> <b>Other</b>

**RECOMMENDED MOTION/ACTION:**

Motion to adopt Ordinance No. 610-14 for the Downtown Commercial DC Zone Change.

**REQUEST:**

A zone change request by the Town of Florence to change existing zoning on multiple properties from Neighborhood Office (NO) to Downtown Commercial (DC) in an area generally bound by Ruggles Street to the north, Butte Avenue to the south, Bailey Street to the west and Pinal Street to the east and including property located at the southeast corner of Pinal Street and 8th Street.

**BACKGROUND/DISCUSSION:**

A range of uses are permitted in the DC Zoning District that are intended to encourage and promote a pedestrian environment, specialty retail and historic character. Residential uses are encouraged as part of mixed use developments, ideally by being vertically or horizontally integrated into commercial and office environments. The range of uses permitted in the DC Zoning District are intended to underscore the uniqueness of the area.

In January 2013, the Mayor and Town Council of the Town of Florence approved multiple staff-initiated text changes to the DC Zoning District to improve reinvestment opportunities and enhance economic development in the District. These included: changes to allow hotels, bed and breakfast facilities, movie theaters and grocery stores



as principally permitted uses in the DC Zone; providing consistency in setback requirements for commercial and residential uses; and eliminating most on-site parking requirements in the District.

Ultimately, the boundaries of the DC District should be expanded per the goals of the 2020 General Plan and Redevelopment Plan and to generally mirror the core of the Downtown Historic Business District.

Over the past year, staff has been working with property owners to expand the DC District. The Town is sponsoring this application that includes 12 private property owners and two Town owned properties that are located between Butte Avenue and Ruggles Street and between Bailey Street and Pinal Street. Additionally, the 1940's era adobe Ortega building located at the southeast corner of Pinal Street and 8<sup>th</sup> Street and the adjacent undeveloped Catholic Church property to the south are now included for this DC Zoning.

**ANALYSIS:**

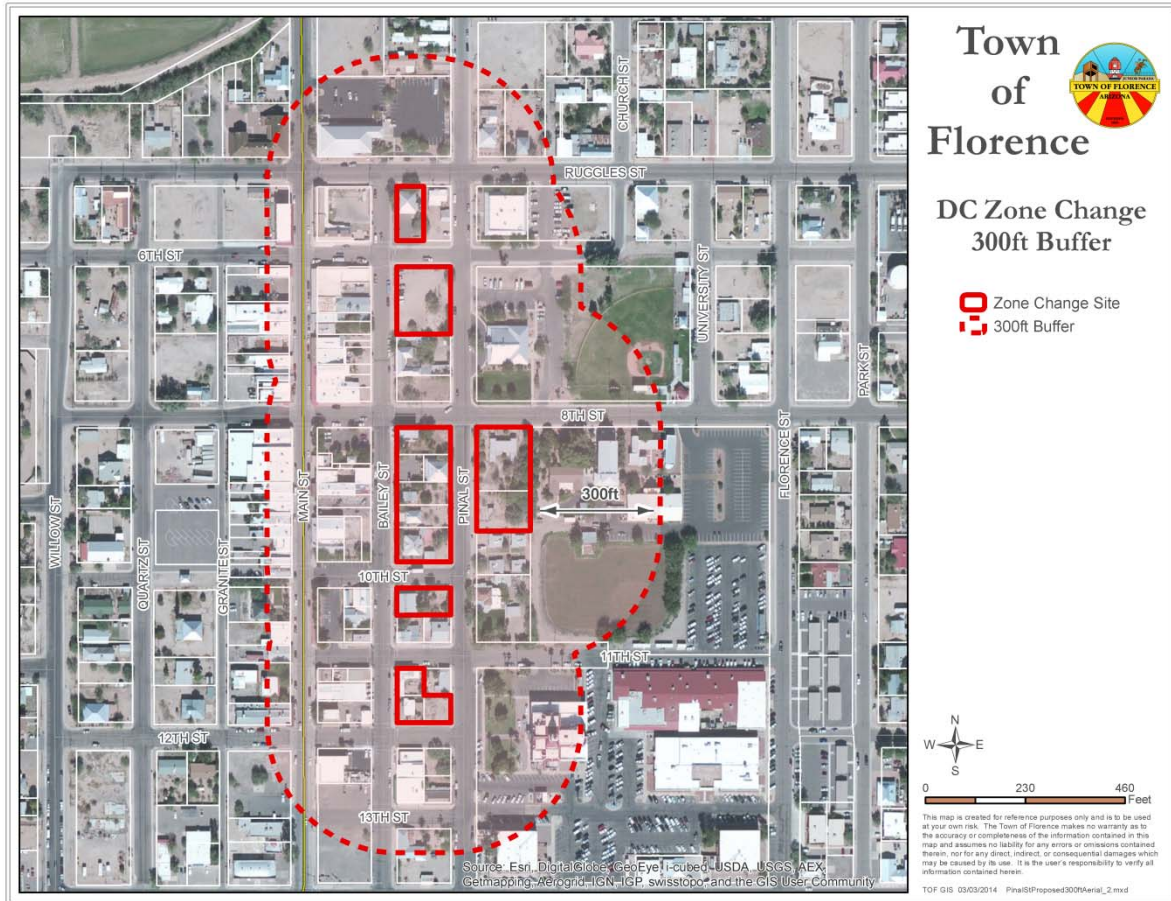
The purpose of this application is to obtain a zone change approval for several property owners within the Historic District and identified by their Assessor's Office Parcel Numbers:

Parcel Numbers	Property Owner/s	Current Zoning
1. 200-48-053B	Kari Maud	Neighborhood Office
2. 200-48-0630	Barbara & Jack Moraga	Neighborhood Office
3. 200-49-0110	Town of Florence	Neighborhood Office
4. 200-49-0130	Town of Florence	Neighborhood Office
5. 200-49-0120	Dixie Legler	Neighborhood Office
6. 200-49-022B	Dixie Legler	Neighborhood Office
7. 200-49-022A	Dixie Legler	Neighborhood Office
8. 200-49-0230	Mosaic Church	Neighborhood Office
9. 200-49-024C	Joel Meacham	Neighborhood Office
10. 200-49-024B	Catholic Church	Neighborhood Office
11. 200-49-0320	Richard & Elizabeth Smith	Neighborhood Office
12. 200-49-0430	Annette McDougall Trust	Neighborhood Office
13. 200-49-0450	Melissa Ritchey	Neighborhood Office
14. 200-49-0460	James and Alice Tchida	Neighborhood Office

This current application originated from two of the above property owners that were seeking DC Zoning for their properties. As these initial zone change requests

commenced, staff made a concurrent effort to seek additional property owners interested in obtaining DC Zoning. With substantial interest from owners, the two private applicants and the Town agreed to merge two applications into this single application.

### Vicinity Map



### PUBLIC PARTICIPATION:

Town Staff has complied with all applicable Town requirements and Arizona Revised Statutes regarding public participation. 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 hearing for a Zone Change was posted on the sites per Town requirements. Advertisements in the local Town paper have been posted per Town requirements. Under Arizona Revised Statutes, Title 9, Section-462.04. In addition, Town of Florence Development Code; a public hearing is required for a zone change.

The Schedule for Planning and Zoning/Town Council Meetings on this case is as follows:

March 20, 2014	Planning and Zoning (Public Hearing)
May 5, 2014	1 <sup>st</sup> Town Council (Public Hearing and 1 <sup>st</sup> Reading)
May 19, 2014	2 <sup>nd</sup> Town Council (action)

All meetings will be held at Town Hall Council Chambers – 775 North Main Street.

**FINDINGS:**

Planning 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.
2. The 2020 General Plan has the Downtown Mixed Use (DMU) designation on the site which supports the mix of land uses while respecting the value of the historic area.
3. Future development of the properties will be subject to all applicable Town codes.
4. The zone change from Neighborhood Office (NO) to Downtown Commercial (DC) will allow more pedestrian-oriented land uses and make the subject area more compatible with the Historic District.

**FINANCIAL IMPACT:**

This zone change will have no immediate financial impact; however, future commercial and/or mixed use development of the subject area will have a positive impact on the Town.

**RECOMMENDATION:**

The Planning and Zoning Commission found that the zone change for Downtown (PZC-13-14-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 the Downtown Commercial

DC Zone Change, as described in Exhibit A, to the Mayor and Town Council, subject to the following conditions:

1. Property owners agree to waive claims for diminution in value pursuant to Proposition 207 [A.R.S. § 12-1134] pursuant to the waiver attached hereto as Exhibit B.
2. Any additional conditions deemed necessary by the Town Council.

Motion to adopt Ordinance No. 610-14 for the Downtown Commercial DC Zone Change.

**ATTACHMENTS:**

Ordinance No. 610-14  
Exhibit A  
Exhibit B  
Application materials

**ORDINANCE NO. 610-14**

**AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING THE DOWNTOWN COMMERCIAL (DC) ZONE CHANGE LOCATED IN AN AREA GENERALLY BOUND BY RUGGLES STREET TO THE NORTH, BUTTE AVENUE TO THE SOUTH, BAILEY STREET TO THE WEST AND PINAL STREET TO THE EAST AND INCLUDING PROPERTY LOCATED AT THE SOUTHEAST CORNER OF PINAL STREET AND 8TH STREET (PZC-11-14-ZC).**

**WHEREAS**, a request to change the existing zoning on the subject property from Neighborhood Office (NO) to Downtown Commercial (DC) 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 EXHIBIT A attached hereto, from Neighborhood Office (NO) to Downtown Commercial (DC), subject to the following conditions:

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.

**PASSED AND ADOPTED** by the Mayor and Council of the Town of Florence, Arizona, this 19<sup>th</sup> day of May 2014.

\_\_\_\_\_  
Tom J. Rankin, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

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

\_\_\_\_\_  
James E. Mannato, Town Attorney

200-48-006G

200-48-0490

# Exhibit A: DC Zone Change


RUGGLES ST

200-48-0520

200-48-053B  
200-48-053A

200-48-054B

200-48-



**Town of Florence**

Site    Parcel Lines

6TH ST

200-48-067A  
200-48-0690  
200-48-0700  
200-49-0010  
200-49-0020  
200-49-003F  
200-49-003D  
200-49-003B

200-48-0630  
200-49-004A  
200-49-004B

200-48-0620

UNIVERSITY ST  
200-48-061C  
200-48-061E  
200-49-005B  
200-49-005A

8TH ST

MAIN ST

200-49-014B  
200-49-014C  
200-49-016A  
200-49-017A  
200-49-0180  
200-49-0190  
200-49-0200  
200-49-0210

BAILEY ST

200-49-0110  
200-49-0120  
200-49-0130  
200-49-022B  
200-49-022A  
200-49-0230

PINAL ST

200-49-024C  
200-49-024B  
200-49-0250

200-49-009A

10TH ST

200-49-0380  
200-49-0350  
200-49-0360  
200-49-0370

200-49-0320  
200-49-0330  
200-49-0340

200-49-0310

11TH ST

200-49-0390  
200-49-0730  
200-49-0400  
200-49-041B  
200-49-041C

200-49-0440  
200-49-0430  
200-49-0460  
200-49-0450

200-49-047A

12TH ST

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.

PinatS\ExhibitA\_2.mxd      TOF GIS 03/03/2014

## **Legal Description**

### **DC Zone Change (PZC-11-14-ZC)**

#### **Exhibit A**

A portion of land situated within the Southwest Quarter of Section 36, Township 4S, Range 9E of the Gila and Salt River meridian, Town of Florence, Pinal County, Arizona according to the plat of record known as Florence Townsite in the office of the County Recorder of Pinal County, Arizona, recorded in Book 1 of Maps, Page 1 more particularly described as follows:

The West half of Block 81;

All of Block 103 and the South 30' adjacent;

All of Block 147;

All of Block 158 and the North 54' of vacant 9th Street adjacent to the Northerly boundary line of said Block 158;

The North half of Block 179;

All of Block 182 excluding the Northeast Quarter of said Block 182;

All of Block 146 and the South 54' of vacant 9th Street adjacent to the Southerly boundary line of said Block 146;

All of Block 159 excluding the South 71' of said Block 159.

Said parcel containing 2.6 acres +/-.



## Town of Florence

Downtown Commercial (DC) District

Zoning and Addresses

	Properties addresses	Current Zoning	Proposed Zoning	APN	Property Size
1)	<b>Kari Maud</b> <b>65 E. RUGGLES ST</b> <b>FLORENCE AZ 85132</b>	Neighborhood Office (NO)	Downtown Commercial (DC)	200-48-053B	Acreage .17
2)	<b>Barbara and Jack Moraga</b> <b>377 N BAILEY ST</b> <b>FLORENCE AZ 85132</b>	Neighborhood Office (NO)	Downtown Commercial (DC)	200-48-0630	Acreage .44
3)	<b>Brunenkant's City Bakery</b> (Town Property) 291 North Baily Street FL-31	Neighborhood Office (NO)	Downtown Commercial (DC)	200-49-0110	Acreage 6,250 SF
4)	<b>Town Property</b> <b>Public Parking Lot</b>	Neighborhood Office (NO)	Downtown Commercial (DC)	200-49-0130	Acreage 3,844 SF
5)	<b>Jacob Suter Residence</b> 270 North Pinal Street FL-32	Neighborhood Office (NO)	Downtown Commercial (DC)	200-49-0120	Acreage 0.08
6)	<b>Residence</b> 235 North Bailey Street FL-124	Neighborhood Office (NO)	Downtown Commercial (DC)	200-49-022B	Acreage .15
7)	<b>Guerrero-Legler Garage</b> No #; North Bailey between 221 & 255 N. Bailey FL-174	Neighborhood Office(NO)	Downtown Commercial (DC)	200-49-022A	Acreage .14
8)	<b>Mosaic Church</b> <b>Cosgrove/Aguilar Residence</b> 191 N. Bailey Street FL-34	Neighborhood Office (NO)	Downtown Commercial (DC)	200-49-0230	Acreage .18
9)	<b>Joel Meacham</b> <b>131 East 8th Street, Florence,</b> <b>Arizona, 85132</b>	Neighborhood Office (NO)	Downtown Commercial (DC)	200-49-024C	Acreage .42
10)	<b>Catholic Church</b>	Neighborhood Office (NO)	Downtown Commercial (DC)	200-49-024B	Acreage .27
11)	<b>Richard &amp; Elizabeth Smith</b> <b>Joseph Spinaz "Rental" House</b> 221 North Bailey Street FL-33	Neighborhood Office (NO)	Downtown Commercial (DC)	200-49-0320	Acreage .23
12)	<b>Annette McDougall Residence</b> 74 East 12th Street FL-127	Neighborhood Office (NO)	Downtown Commercial (DC)	200-49-0430	Acreage .09

13)	<b>Melissa Richey</b> <b>74 E 12TH ST</b> <b>FLORENCE AZ 85132</b>	Neighborhood Office (NO)	Downtown Commercial (DC)	200-49-0450	Acreage .09
14)	<b>James and Norlene Tchida</b> Southeast Corner of 12 Street and Pinal Street	Neighborhood Office (NO)	Downtown Commercial (DC)	200-49-0460	Acreage .09

**1**

**Owner's Permission Form and 207 Waiver for**

**Kari Maud**

**APN 200-48-053B**

# 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: Town of Florence

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 200-48-053B**

Owner(s)

Signature

KARI A. MAULD

Print or Type Name

Address

PO BOX 2953  
Florence AZ 85132

Telephone

520 868-4004

STATE OF ARIZONA )

County of PINAL )

ss

On this 01 day of APRIL, 20 14, before me, the undersigned Notary Public, personally appeared KARI A MAULD, known to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged that KARI A MAULD executed the same.

IN WITNESS WHEREOF, I hereto set my hand and official seal.

My commission expires:

APRIL 10, 2014

Yvonne Hazelton  
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-11-14-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-11-14-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-11-14-ZC. Except as expressly set forth in the Zone Change Application PZC-11-14-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.

APN 200-48-053B  
Parcel(s)

65 East Ruggles Street, Florence Arizona 85132  
Physical or Mailing Address

*[Handwritten Signature]*  
Owner(s) Signature

KARI A. MAUD  
Print or Type Name

STATE OF ARIZONA )  
County of PINAL ) ss

On this 21 day of April, 20 14, before me, the undersigned Notary Public, personally appeared KARI A MAUD, 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:  
*[Handwritten Signature]* April 10, 2015  
Notary Public



**2**

**Owner's Permission Form and 207 Waiver for**

**Barbara and Jack Moraga**

**APN 200-48-0630**

**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 the Zone Change Application PZC-11-14-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-11-14-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-11-14-ZC. Except as expressly set forth in the Zone Change Application PZC-11-14-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.

APN 200-48-0630

Parcel(s)

377 North Bailey Street

Physical or Mailing Address

Barbara Moraga  
Owner(s) Signature

BARBARA MORAGA  
Print or Type Name

STATE OF ARIZONA )

County of Pinal ) ss

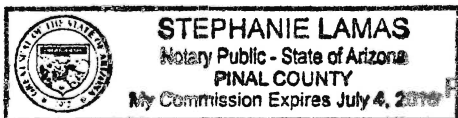
On this 4 day of April, 2014, before me, the undersigned Notary Public, personally appeared Barbara Moraga, known to me to be the person(s) whose name(s) is/are subscribed to the within instrument .

IN WITNESS WHEREOF, I hereto set my hand and official seal.

My commission expires:

Notary Public

7-4-14 James



207 Waiver  
PZC-11-14-ZC

# 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: Town of Florence

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 200-48-0630

Owner(s)

[Handwritten Signature]

Signature

BARBARA MORAGA

Print or Type Name

Address

PO Box 572

FLORENCE AZ 85132

Telephone

408-930-3704

STATE OF ARIZONA )

County of Pinal )

ss

On this 10 day of February, 2014, before me, the undersigned Notary Public, personally appeared Barbara Moraga, known to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged that Barbara Moraga executed the same.

IN WITNESS WHEREOF, I hereto set my hand and official seal.

My commission expires:

7-4-14



STEPHANIE LAMAS

Notary Public - State of Arizona

PINAL COUNTY

My Commission Expires July 4, 2018

[Handwritten Signature]  
Notary Public



# **3 and 4**

**Owner's Permission Form and 207 Waiver for**

**Town of Florence**

**APN 200-49-0110**

**APN 200-49-0130**

**N/A**

# **5, 6 and 7**

**Owner's Permission Form and 207 Waiver for**

**Dixie Legler Guerrero**

**APN 200-49-0120**

**APN 200-49-022B**

**APN 200-49-022A**

# 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: Town of Florence

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 : 200-49-0120, 200-49-022B and 200-49-022A

Owner(s) Dixie L. Guerrero  
Signature

Dixie L. Guerrero  
Print or Type Name

Address P.O. Box 2361  
Florence, AZ 85132

Telephone 520-850-1035

STATE OF ARIZONA )  
County of Pinal ) ss

On this 1 day of April, 2014, before me, the undersigned Notary Public, personally appeared Dixie Guerrero, known to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged that Dixie Guerrero executed the same.

IN WITNESS WHEREOF, I hereto set my hand and official seal.

My commission expires: 7-4-16

Stephanie Lamas



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-11-14-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-11-14-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-11-14-ZC. Except as expressly set forth in the Zone Change Application PZC-11-14-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.

APN: 200-49-0120, 200-49-022B and 200-49-022A  
Parcel(s)

Physical or Mailing Address

*Dixie L. Guerrero*

Owner(s)/Signature

DIXIE L. Guerrero

Print or Type Name

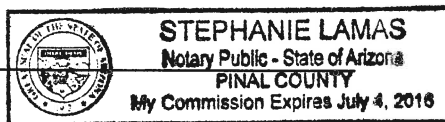
STATE OF ARIZONA )  
County of Pinal ) ss

On this 1 day of April, 20 14, before me, the undersigned Notary Public, personally appeared Dixie Guerrero, 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: 7-4-16

*S. Lamas*  
Notary Public



**8**

**Owner's Permission Form and 207 Waiver for**

**Mosaic Church**

**APN 200- 49- 0230**

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 the Zone Change Application PZC-11-14-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-11-14-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-11-14-ZC. Except as expressly set forth in the Zone Change Application PZC-11-14-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.

APN 200-49-0320

Parcel(s)

191 North Main Street

Physical or Mailing Address

*Kevin Brian McGinnis*  
Owner(s) Signature

Kevin Brian McGinnis  
Print or Type Name

STATE OF ARIZONA )  
County of Pinal ) SS

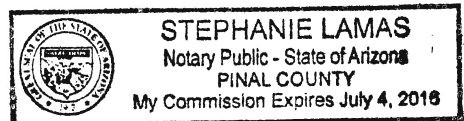
On this 28 day of March, 20 14, before me, the undersigned Notary Public, personally appeared Kevin Brian McGinnis known to me to be the person(s) whose name(s) is/are subscribed to the within instrument.

IN WITNESS WHEREOF, I hereto set my hand and official seal.

My commission expires:

Notary Public

7-4-16 *James*



# 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: Town of Florence

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 200-49-0320**

Owner(s) *Kevin Brian McGinnis*  
Signature

Kevin Brian McGinnis  
Print or Type Name

Address 7615 West Georgetown Way  
Florence, Az 85132

Telephone 520-708-0815

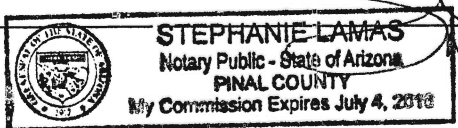
STATE OF ARIZONA )  
County of Pinal ) ss

On this 28 day of March, 2014, before me, the undersigned Notary Public, personally appeared Kevin Brian McGinnis, known to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged that Kevin Brian McGinnis executed the same.

IN WITNESS WHEREOF, I hereto set my hand and official seal.

My commission expires:

7-4-14 *Stephanie Lamas*  
Notary Public



**9**

**Owner's Permission Form and 207 Waiver for**

**Joel Meacham**

**APN 200-49-024C**



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 the Zone Change Application PZC-11-14-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-11-14-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-11-14-ZC. Except as expressly set forth in the Zone Change Application PZC-11-14-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.

APN 200-49-024C

Parcel(s)

131 East 8<sup>th</sup> Street

Physical or Mailing Address

*Joel David Meacham*  
Owner(s) Signature

JOEL DAVID MEACHAM  
Print or Type Name

STATE OF ARIZONA )  
County of Pinel ) ss

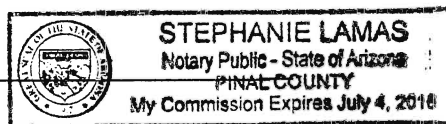
On this 8 day of April, 20 14, before me, the undersigned Notary Public, personally appeared Joel Meacham, known to me to be the person(s) whose name(s) is/are subscribed to the within instrument.

IN WITNESS WHEREOF, I hereto set my hand and official seal.

My commission expires:

7-4-16  
Notary Public

*Stephanie Lamas*



# 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: Town of Florence

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 200-49-024C**

Owner(s) Joel David Meacham  
Signature

JOEL DAVID MEACHAM  
Print or Type Name

Address 2533 E. Winston Dr  
Phoenix, AZ, 85042

Telephone (480) 820.0564

STATE OF ARIZONA )  
County of Pinal ) ss

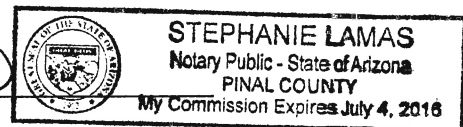
On this 8 day of April, 2014, before me, the undersigned Notary Public, personally appeared Joel Meacham, known to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged that Joel Meacham executed the same.

IN WITNESS WHEREOF, I hereto set my hand and official seal.

My commission expires:

7-4-16

Stephanie Lamas  
Notary Public



**10**

**Owner's Permission Form and 207 Waiver for**

**Catholic Church**

**APN 200-49-024B**

# 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: Town of Florence

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: 200-49-024B**

Owner(s)

JOSE MARIA A. CORVERA

Signature

FR. ASSUMPTION of the BLESSED VIRGIN MARY ROMAN CATHOLIC PARISH

Print or Type Name

Address

221 E. 8TH ST., P.O. BOX 2550  
FLORENCE, AZ 85132

Telephone

(520) 868-5940

STATE OF ARIZONA )

County of Pinal )

ss

On this 19<sup>th</sup> day of February, 20 14, before me, the undersigned Notary Public, personally appeared Jose Maria A. Corvera, known to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged that Jose Maria A. Corvera executed the same.

IN WITNESS WHEREOF, I hereto set my hand and official seal.

My commission expires:



Maria Hernandez  
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 the Zone Change Application PZC-11-14-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-11-14-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-11-14-ZC. Except as expressly set forth in the Zone Change Application PZC-11-14-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.

APN 200-49-024B

Parcel(s)

P.O. BOX 2550, FLORENCE, AZ 85132

Physical or Mailing Address

Owner(s) Signature

JOSE MARIA A. CORVERA

Print or Type Name

STATE OF ARIZONA )  
County of PINAL ) ss

On this 28 day of MARCH, 20 14, before me, the undersigned Notary Public, personally appeared JOSE MARIA A. CORVERA, 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



207 Waiver  
PZC-11-14-ZC

**11**

**Owner's Permission Form and 207 Waiver for**

**Richard and Elizabeth Smith**

**APN 200-49-0320**

# 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: Town of Florence

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 200-49-0230

Owner(s) Richard Smith

Signature

Richard Smith

Print or Type Name

Address 191 N Bailey St.  
Florence, AZ 85132

Telephone 520-744-0506

STATE OF ARIZONA )  
County of Pinal ) ss

On this 2 day of April, 20 14, before me, the undersigned Notary Public, personally appeared Richard Smith, known to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged that Richard Smith executed the same.

IN WITNESS WHEREOF, I hereto set my hand and official seal.

My commission expires:

7/21/16

Stephanie Lamas

Notary Public

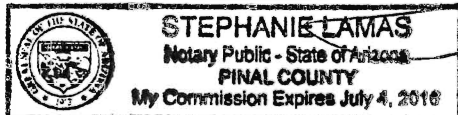


EXHIBIT B

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 the Zone Change Application PZC-11-14-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-11-14-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-11-14-ZC. Except as expressly set forth in the Zone Change Application PZC-11-14-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.

APN 200-49-0230

Parcel(s)

221 North Bailey Street

Physical or Mailing Address

*Richard Smith*

Owner(s) Signature

*Brian Smith*

Print or Type Name

STATE OF ARIZONA )

County of Pinal )

ss

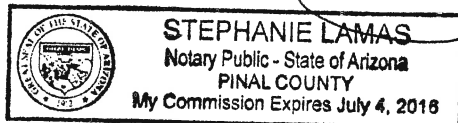
On this 2 day of April, 2014, before me, the undersigned Notary Public, personally appeared

Richard Smith, 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: 7-4-16

Notary Public



207 Waiver  
PZC-11-14-ZC



**12**

**Owner's Permission Form and 207 Waiver for**

**Annette McDougall**

**APN 200-49-0430**

# 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: Town of Florence

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 200-49-0430

Owner(s) Annette McDougall  
Signature

Annette McDougall  
Print or Type Name

Address 141 Ho. Bailey St.  
FLORENCE, AZ 85132

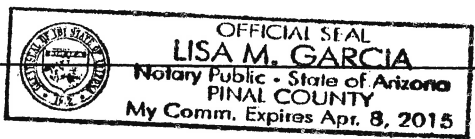
Telephone 520 / 868-1444

STATE OF ARIZONA )  
County of Pinal ) ss

On this 1 day of April, 2014, before me, the undersigned Notary Public, personally appeared Annette McDougall, known to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged that Annette McDougall executed the same.

IN WITNESS WHEREOF, I hereto set my hand and official seal.

My commission expires:



[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-11-14-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-11-14-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-11-14-ZC. Except as expressly set forth in the Zone Change Application PZC-11-14-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.

Dated this 1<sup>st</sup> day of APRIL, 2014.

Owner:

By: Annette M. DOUGALL  
Print Name

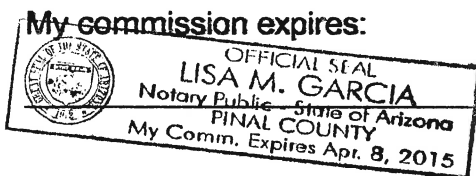
Annette M. Dougall  
Signature

Its: OWNER  
Title

STATE OF ARIZONA )  
County of Pinal ) ss

On this 1 day of April, 2014, before me, the undersigned Notary Public, personally appeared Annette McDougall, known to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged that Annette McDougall executed the same.

IN WITNESS WHEREOF, I hereto set my hand and official seal.



[Signature]  
Notary Public

**13**

**Owner's Permission Form and 207 Waiver for**

**Melissa Ritchey**

**APN 200-49-0450**

# 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: Town of Florence

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 200-49-0450**

Owner(s) Melissa M. Richey  
Signature

MELISSA RITCHEY  
Print or Type Name

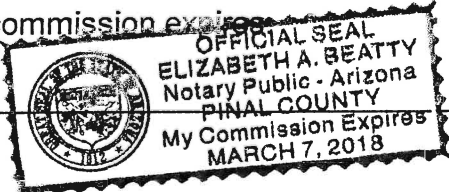
Address 74 EAST 12<sup>TH</sup> STREET  
FLORENCE AZ 85132

Telephone 520 868 4060

STATE OF ARIZONA )  
County of Pinal ) ss

On this 7<sup>th</sup> day of April, 20 14, before me, the undersigned Notary Public, personally appeared Melissa M. Richey, known to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged that she executed the same.

IN WITNESS WHEREOF, I hereto set my hand and official seal.

My commission expires  


Elizabeth A. Beatty  
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 the Zone Change Application PZC-11-14-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-11-14-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-11-14-ZC. Except as expressly set forth in the Zone Change Application PZC-11-14-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.

APN 200-49-0450

Parcel(s)

74 East 12<sup>th</sup> Street

Physical or Mailing Address

Melissa M Richey  
Owner(s) Signature

MELISSA RITCHEY  
Print or Type Name

STATE OF ARIZONA )  
County of Pinal ) SS

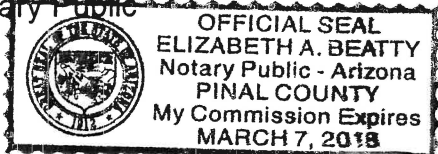
On this 7<sup>th</sup> day of April, 20 14, before me, the undersigned Notary Public, personally appeared Melissa M. Richey, known to me to be the person(s) whose name(s) is/are subscribed to the within instrument .

IN WITNESS WHEREOF, I hereto set my hand and official seal.

My commission expires:

Elizabeth A. Beatty

Notary Public



207 Waiver  
PZC-11-14-ZC

**14**

**Owner's Permission Form and 207 Waiver for**

**James and Noriene Tchida**

**APN 200-49-0460**

# 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: Town of Florence

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 200-49-0460**

Owner(s)

J. Tchida  
Norlene Tchida

Signature

JAMES AND NORLENE TCHIDA

Print or Type Name

Address

6840 W. TRENTON WAY  
FLORENCE AZ 85132

Telephone

928-205-8880

STATE OF ARIZONA )

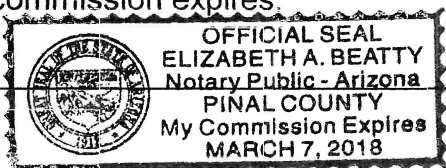
County of Pinal )

) ss

On this 2nd day of April, 20 14, before me, the undersigned Notary Public, personally appeared James and Norlene Tchida, known to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged that they executed the same.

IN WITNESS WHEREOF, I hereto set my hand and official seal.

My commission expires:



Elizabeth A Beatty  
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 the Zone Change Application PZC-11-14-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-11-14-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-11-14-ZC. Except as expressly set forth in the Zone Change Application PZC-11-14-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.

APN 200-49-0460

Parcel(s)

6840 W. TRENTON WAY  
FLORENCE AZ 85132

Physical or Mailing Address

*J Tchida*  
*Norlene Tchida*

Owner(s) Signature

JAMES TCHIDA  
NORLENE TCHIDA

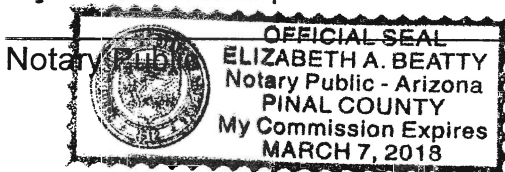
Print or Type Name

STATE OF ARIZONA )  
County of Pinal ) SS

On this 2nd day of April, 2014, before me, the undersigned Notary Public, personally appeared James Tchida and Norlene Tchida, 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:



*Elizabeth A Beatty*



## TOWN OF FLORENCE COUNCIL ACTION FORM

### AGENDA ITEM 12a.

**MEETING DATE:** May 19, 2014

**DEPARTMENT:** Community Development

**STAFF PRESENTER:** Mark Eckhoff, AICP  
Community Development Director

**SUBJECT:** Changes to the Planning and Zoning  
Commission Membership

- Action
- Information Only
- Public Hearing
- Resolution
- Ordinance
  - Regulatory
  - 1<sup>st</sup> Reading
  - 2<sup>nd</sup> Reading
- Other

### RECOMMENDED MOTION/ACTION:

Motion to approve the following:

- The appointment of Gary Pranzo to the Planning and Zoning Commission, with a term expiring 12/31/15
- The appointment of Billie Jo Garcia to the Planning and Zoning Commission, with a term expiring 12/31/14
- The appointment of Lee Olson to the Planning and Zoning Commission, as an alternate member

### BACKGROUND/DISCUSSION:

The Chairman and Vice-Chairman of the Planning and Zoning Commission, conducted interviews with three of the four applicants interested in serving on the Town's Planning and Zoning Commission. The fourth applicant was asked to interview, but declined.

The Chairman and Vice-Chairman conducted the interviews at Town Hall on May 6, 2014, and it is their recommendation that is provided herein.

### FINANCIAL IMPACT:

No fiscal impact with this request.

### RECOMMENDATION:

Motion to approve the following:

- The appointment of Gary Pranzo to the Planning and Zoning Commission, with a term expiring 12/31/15
- The appointment of Billie Jo Garcia to the Planning and Zoning Commission, with a term expiring 12/31/14

- The appointment of Lee Olson to the Planning and Zoning Commission, as an alternate member.

**ATTACHMENTS:**

Boards and Commission Applications  
Planning and Zoning Commission Membership List



# Board and Commission Application

NAME Gary J. Pranzo

DATE 3/25/14

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

Appointed on: \_\_\_\_\_ to \_\_\_\_\_ Board/Commission

Term Expires: \_\_\_\_\_

### Board and Commission Application

Name: Gary J. Pranzo	Date: 3/25/14
E-Mail Address: Gary@PranzoCarpentry.com	
Street Address: 420 N. Quartz St	Mailing Address: P.O. Box 577
Home Telephone: 520 868 0591	Work Telephone: 520 709 0707
Occupation: Contractor	Best Time to Call: 8:AM to 6:PM <small>WORK</small> Phone
Do you own commercial property or operate a business in Florence? <b>yes</b>	
Work/Business Name: Pranzo Enterprises Inc.	
Work/Business Address: P.O. Box 2580 Florence AZ 85132	
Length of Residency in Florence: 12 yrs	Are you a Registered Voter <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Are you now, or have you ever served on a board, commission or committee for the Town of Florence? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If yes, please give name of board, commission and/or committee and dates served:	
PTZ	

BOARD OR COMMISSION PREFERENCE(S): Refer to last page for list of boards and commissions (Please list <u>no more</u> than two boards, commissions in order of preference)	
1 PTZ	2

If appointed, how much time would you be able to devote to the board or commission?	
Hours per week? 10 hrs	Hours per month? 40 hrs

Employment History		
Employment Period	Employer's Name and Address	Title
2002 to present	Pranzo Enterprises Inc.	Owner/Employee

Education		
Name of School, College or University you attended	Degree	Year
U.S. Navy Marine & Sentinancy Eng.	BS	1975

Civic Activities – Service Organizations
Main Street Program - No activities @ present

What personal and professional experience or background can you contribute to the board or commission? mach eng / Project Mgmt / Business Owner

What is the most significant contribution you can make as a member of the board or commission for which you are applying? Unbiased opinions - Due diligence

Please state in what ways you have been involved in the Florence community and what prompted you to apply for appointment to the Town's boards and commissions.

Post P12 experience - Various volunteering / Main Street

I understand that if a subject is presented for discussion to a board or commission where you have a conflict of interest, I will excuse myself from the discussion and abstain from voting. (For more information on conflict of interest, please contact the Town Attorney).

I understand that boards and commissions shall have no administrative authority unless specifically required by Federal or State Law, or Intergovernmental Agreement. Members of boards and commissions shall serve without compensation.

I further understand that to be considered for appointment to a board or commission I must be at least eighteen (18) years of age (except youth representatives), a qualified elector, and a resident of Florence unless a motion, resolution, or ordinance creating a board or commission specifies otherwise.

I further understand that my attendance at all regularly scheduled meetings is critical even if I am an alternate member and that the Town Council may appoint a replacement for members who are chronically absent from regular meetings. If a member is absent without an excuse from three (3) or more consecutive meetings, the Town Council may remove this member from the board or commission and appoint another (subject to Town Council approval) to serve the remainder of the term. I also understand that this application is considered a public record.

Applicant's Signature: \_\_\_\_\_

D. Lyons

All applications are kept on file for one year. During that time, your application will be considered when there is an opening for the board or Commission for which you have applied.

- Please notify the Town Clerk's Office at 520-868-7552 if you move or no longer wish to be considered for appointment.
- Please feel free to attach a resume and/or copies of any certificates pertinent to the appointment you are seeking.
- Mail or deliver your completed application to: Town of Florence, Town Clerk's Office, 775 North Main Street, P.O. Box 2670, Florence, AZ 85132

**\* Application must be completely filled out in order to be considered \***  
**THANK YOU FOR YOUR INTEREST IN THE TOWN OF FLORENCE**

# CITIZEN'S GUIDE.....Florence's Boards and Commissions

## Board of Adjustment

*Duties:* Serves as a quasi-judiciary board that hears variances, appeals and ordinance interpretations relating to regulations contained in the Zoning Ordinance.

*Membership:* The seven members of Council serve as the Board of Adjustments.

*Meetings:* As needed during regular Council Meetings

## Downtown Redevelopment Commission

*Duties:* Agent for exercise of powers prescribed in A.R.S. Section 36-1476- Downtown Redevelopment Commission.

*Membership:* Five members appointed by the Town Council for a term of four years. The Mayor designates both the chair and vice-chair of the commission. Commissioners may or may not be residents of the municipality and may or may not be serving concurrently on other Town boards or commissions.

*Meetings:* Meetings are held the 4<sup>th</sup> Tuesday of the month at 6 pm at Florence Town Hall, 775 North Main Street

## Historic District Advisory Commission

*Duties:* Maintains the historical integrity of the buildings within the district.

*Membership:* Seven members appointed by the Mayor and Council for a three year term, 4 of which shall be property owners within the district. Three or fewer shall have qualifications in one of the following areas historic preservation, architecture, planning, history, archeology, or related field. Three or fewer may also be filled by elected or appointed representatives of the municipality and its various commissions and authorities. Three or fewer places may be filled by at large residents of the municipality.

*Meetings:* Meetings are held the last Wednesday of the month at 7 pm at Florence Town Hall, 775 North Main Street

## Industrial Development Authority

*Duties:* In addition to the powers granted to an industrial development authority bylaw, the authority has the powers to acquire, whether by purchase, exchange, gift, and lease or otherwise establish, construct, improve, maintain equip and furnish one or more projects. The authority has the power to lease, sell, exchange, or donate any or all of its projects. The authority as all other powers as defined by ARS 35-706.

*Membership:* Seven regular members appointed by the Town Council for Six-year terms.

*Meetings:* The authority meetings are posted 24 in advance with time, date, and location of meeting

## Library Advisory Board

*Duties:* To promote the interests of the Florence Public Library.

*Membership:* Five regular members appointed by the Town Council for two-year terms. Member must reside within the Florence Unified School District.

*Meetings:* Meetings are held the 3<sup>rd</sup> Wednesday of the month at 6 pm at Florence Community Library, 1000 South Willow Street

## Parks & Recreation Board

*Duties:* Advises Town Council and staff on issues pertaining to parks, open space, trails and recreation.

*Membership:* Five members appointed by the Town Council for a three-year terms.

*Meetings:* Meetings are held the 4<sup>th</sup> Thursday of the quarter at 6 pm at Florence Town Hall, 775 North Main Street

## Planning & Zoning Commission

*Duties:* Analyze, review and make recommendations to the Council regarding land use and development related issues.

*Membership:* Five members and one alternate\* appointed by the Town Council for three-year terms.

*Meetings:* Meetings are held the 1<sup>st</sup> and 3<sup>rd</sup> Thursday of the month at 6:30 pm at Florence Town Hall, 775 North Main Street

\* Alternates are not selected to fill in for board, commission or committee members that do not attend meetings. Alternates may attend meetings and are encouraged to do so as their attendance will enhance their overall knowledge and abilities and help them prepare for future appointment. However, alternates may not formally participate in the board, committee or commission decisions unless and until there is a vacancy, at which time they are automatically appointed to the open position.



# Board and Commission Application

NAME Billie Jo Garcia

DATE 3-26-2014

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

Appointed on: \_\_\_\_\_ to \_\_\_\_\_ Board/Commission

Term Expires: \_\_\_\_\_



## Board and Commission Application

Name: <u>Billie Jo Garcia</u>	Date: <u>3-26-2014</u>
E-Mail Address: <u>bigjog@gmail.com</u>	
Street Address: <u>8079 W. Rushmore way Florence 85132</u>	Mailing Address: <u>P.O. Box 2185 Coolidge AZ 85128</u>
Home Telephone: <u>919-704-6895</u>	Work Telephone: <u>520-866-7366</u>
Occupation: <u>Director Conciliation Court</u>	Best Time to Call: <u>Any</u>
Do you own commercial property or operate a business in Florence? <u>No</u>	
Work/Business Name: <u>Family Services of Conciliation Court 119 W. Central Ave. Coolidge 85128</u>	
Work/Business Address: <u>119 W. Central Ave. Coolidge 85128</u>	
Length of Residency in Florence: <u>11 mos</u>	Are you a Registered Voter <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Are you now, or have you ever served on a board, commission or committee for the Town of Florence? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If yes, please give name of board, commission and/or committee and dates served:	

BOARD OR COMMISSION PREFERENCE(S): Refer to last page for list of boards and commissions (Please list <u>no more</u> than two boards, commissions in order of preference)			
1	<u>Planning and Zoning</u>	2	<u>N/A</u>

If appointed, how much time would you be able to devote to the board or commission?	
Hours per week? <u>10</u>	Hours per month? <u>40 or as needed</u>

Employment History		
Employment Period	Employer's Name and Address	Title
<u>12/11 - Present</u>	<u>Superior Court Pinal County</u>	<u>Director</u>
<u>2007 - 20011</u>	<u>Admin Office of Court - NC</u>	<u>Program Manager</u>
<u>2004 - 2007</u>	<u>D.C. Superior Court, Washington</u>	<u>Case Manager</u>
Education		
Name of School, College or University you attended	Degree	Year
<u>Georgetown University -</u>	<u>LAS / Gov.</u>	<u>'04</u>
<u>University of NC - Chapel Hill</u>	<u>P.S. / LAS</u>	<u>'00</u>
Civic Activities - Service Organizations		
<u>Clean Sweep - Cary, NC; Hab. Fat for Humanity - Chatham County</u>		
<u>Volunteer Mediator - 4 programs, others</u>		

What personal and professional experience or background can you contribute to the board or commission? I am a homeowner, a former farmer; Served on Covledge, P+Z and have experience in Federal, State + County government.

What is the most significant contribution you can make as a member of the board or commission for which you are applying? I have a strong interest in the development of Florence and Pinal County, while considering the relevance of its rich history and key location. I emphasize the importance of community, business, family and culture.

Please state in what ways you have been involved in the Florence community and what prompted you to apply for appointment to the Town's boards and commissions. I am employed in Florence, work for the County, familiar with many Florence citizens and contributors. I would like to be part of the process of enhancing the future of Florence, while respecting

I understand that if a subject is presented for discussion to a board or commission where you have a past conflict of interest, I will excuse myself from the discussion and abstain from voting. (For more information on conflict of interest, please contact the Town Attorney).

I understand that boards and commissions shall have no administrative authority unless specifically required by Federal or State Law, or Intergovernmental Agreement. Members of boards and commissions shall serve without compensation.

I further understand that to be considered for appointment to a board or commission I must be at least eighteen (18) years of age (except youth representatives), a qualified elector, and a resident of Florence unless a motion, resolution, or ordinance creating a board or commission specifies otherwise.

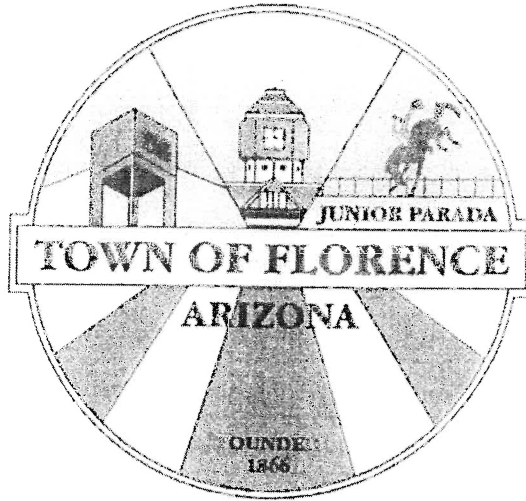
I further understand that my attendance at all regularly scheduled meetings is critical even if I am an alternate member and that the Town Council may appoint a replacement for members who are chronically absent from regular meetings. If a member is absent without an excuse from three (3) or more consecutive meetings, the Town Council may remove this member from the board or commission and appoint another (subject to Town Council approval) to serve the remainder of the term. I also understand that this application is considered a public record.

Applicant's Signature: Billie Jo Lanza 3/26/2014

All applications are kept on file for one year. During that time, your application will be considered when there is an opening for the board or Commission for which you have applied.

- Please notify the Town Clerk's Office at 520-868-7552 if you move or no longer wish to be considered for appointment.
- Please feel free to attach a resume and/or copies of any certificates pertinent to the appointment you are seeking.
- Mail or deliver your completed application to: Town of Florence, Town Clerk's Office, 775 North Main Street, P.O. Box 2670, Florence, AZ 85132

\* Application must be completely filled out in order to be considered \*  
**THANK YOU FOR YOUR INTEREST IN THE TOWN OF FLORENCE**



# Board and Commission Application

NAME Lee Olsen

DATE April 11, 2014

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

Appointed on: \_\_\_\_\_ to \_\_\_\_\_ Board/Commission

Term Expires: \_\_\_\_\_

## Board and Commission Application

Name: Lee Olsen	Date: April 11, 2014
E-Mail Address: thirt1313@gmail.com	
Street Address: 3929 N. Coconino Ave. Florence, AZ. 85132	Mailing Address: same
Home Telephone: (907) 262-4619	Work Telephone: NA
Occupation: Retired-CRW Engineering	Best Time to Call:
Do you own commercial property or operate a business in Florence? In process	
Work/Business Name: Beauty Salon	
Work/Business Address: 749 Gila Blvd.	
Length of Residency in Florence: <u>8 years</u>	Are you a Registered Voter <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are you now, or have you ever served on a board, commission or committee for the Town of Florence? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If yes, please give name of board, commission and/or committee and dates served:	

BOARD OR COMMISSION PREFERENCE(S): Refer to last page for list of boards and commissions (Please list no more than two boards, commissions in order of preference)	
1 Planning & Zoning Commission	2

If appointed, how much time would you be able to devote to the board or commission?  
 Hours per week? As required Hours per month? As required

Employment History		
Employment Period	Employer's Name and Address	Title
See attached		
Resume		
Education		
Name of School, College or University you attended	Degree	Year
See attached Resume		
Civic Activities - Service Organizations		
Elks, VFW, American Legion		

What personal and professional experience or background can you contribute to the board or commission. 35 years in construction.

What is the most significant contribution you can make as a member of the board or commission for which you are applying?

Please state in what ways you have been involved in the Florence community and what prompted you to apply for appointment to the Town's boards and commissions. Obtaining bldg permits

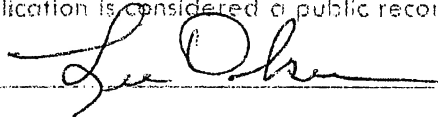
I understand that if a subject is presented for discussion to a board or commission where you have a conflict of interest, I will excuse myself from the discussion and abstain from voting. (For more information on conflict of interest, please contact the Town Attorney).

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I further understand that to be considered for appointment to a board or commission I must be at least eighteen (18) years of age (except youth representatives), a qualified elector, and a resident of Florence unless a motion, resolution, or ordinance creating a board or commission specifies otherwise.

I further understand that my attendance at all regularly scheduled meetings is critical even if I am an alternate member and that the Town Council may appoint a replacement for members who are chronically absent from regular meetings. If a member is absent without an excuse from three (3) or more consecutive meetings, the Town Council may remove this member from the board or commission and appoint another (subject to Town Council approval) to serve the remainder of the term. I also understand that this application is considered a public record.

Applicant's Signature: \_\_\_\_\_



All applications are kept on file for one year. During that time, your application will be considered when there is an opening for the board or Commission for which you have applied.

- Please notify the Town Clerk's Office at 520-868-7552 if you move or no longer wish to be considered for appointment.
- Please feel free to attach a resume and/or copies of any certificates pertinent to the appointment you are seeking.
- Mail or deliver your completed application to: Town of Florence, Town Clerk's Office, 775 North Main Street, P.O. Box 2670, Florence, AZ 85232

\* Application must be completely filled out in order to be considered \*\*  
**THANK YOU FOR YOUR INTEREST IN THE TOWN OF FLORENCE**

# CITIZEN'S GUIDE.....Florence's Boards and Commissions

## Board of Adjustment

*Duties:* Serves as a quasi-judiciary board that hears variances, appeals and ordinance interpretations relating to regulations contained in the Zoning Ordinance.

*Membership:* The seven members of Council serve as the Board of Adjustments.

*Meetings:* As needed during regular Council Meetings

## Downtown Redevelopment Commission

*Duties:* Agent for exercise of powers prescribed in A.R.S. Section 36-1476- Downtown Redevelopment Commission.

*Membership:* Five members appointed by the Town Council for a term of four years. The Mayor designates both the chair and vice-chair of the commission. Commissioners may or may not be residents of the municipality and may or may not be serving concurrently on other Town boards or commissions.

*Meetings:* Meetings are held the 4<sup>th</sup> Tuesday of the month at 6 pm at Florence Town Hall, 775 North Main Street

## Historic District Advisory Commission

*Duties:* Maintains the historical integrity of the buildings within the district.

*Membership:* Seven members appointed by the Mayor and Council for a three year term, 4 of which shall be property owners within the district. Three or fewer shall have qualifications in one of the following areas historic preservation, architecture, planning, history, archeology, or related field. Three or fewer may also be filled by elected or appointed representatives of the municipality and its various commissions and authorities. Three or fewer places may be filled by at large residents of the municipality.

*Meetings:* Meetings are held the last Wednesday of the month at 7 pm at Florence Town Hall, 775 North Main Street

## Industrial Development Authority

*Duties:* In addition to the powers granted to an industrial development authority bylaw, the authority has the powers to acquire, whether by purchase, exchange, gift, and lease or otherwise establish, construct, improve, maintain equip and furnish one or more projects. The authority has the power to lease, sell, exchange, or donate any or all of its projects. The authority as all other powers as defined by ARS 35-706.

*Membership:* Seven regular members appointed by the Town Council for Six-year terms.

*Meetings:* The authority meetings are posted 24 in advance with time, date, and location of meeting

## Library Advisory Board

*Duties:* To promote the interests of the Florence Public Library.

*Membership:* Five regular members appointed by the Town Council for two-year terms. Member must reside within the Florence Unified School District.

*Meetings:* Meetings are held the 3<sup>rd</sup> Wednesday of the month at 6 pm at Florence Community Library, 1000 South Willow Street

## Parks & Recreation Board

*Duties:* Advises Town Council and staff on issues pertaining to parks, open space, trails and recreation.

*Membership:* Five members appointed by the Town Council for a three-year terms.

*Meetings:* Meetings are held the 4<sup>th</sup> Thursday of the quarter at 6 pm at Florence Town Hall, 775 North Main Street

## Planning & Zoning Commission

*Duties:* Analyze, review and make recommendations to the Council regarding land use and development related issues.

*Membership:* Five members and one alternate\* appointed by the Town Council for three-year terms.

*Meetings:* Meetings are held the 1<sup>st</sup> and 3<sup>rd</sup> Thursday of the month at 6:30 pm at Florence Town Hall, 775 North Main Street

**\* Alternates are not selected to fill in for board, commission or committee members that do not attend meetings. Alternates may attend meetings and are encouraged to do so as their attendance will enhance their overall knowledge and abilities and help them prepare for future appointment. However, alternates may not formally participate in the board, committee or commission decisions unless and until there is a vacancy, at which time they are automatically appointed to the open position.**

# Archie Lee Olsen

CRW Engineering Group, LLC | Construction Manager

*Archie Lee Olsen has more than 30 years of experience in state, municipal, and private sector construction project administration, including materials supply and control. Major responsibilities have included project bid preparation, budget preparation, and materials purchasing; cost analyses utilizing computer spreadsheets; Quality Assurance and Quality Control inspections; technical studies and investigations; negotiations and public relations; value engineering research into alternatives; supervision of technical and clerical personnel; and computer system administration.*

## Project Experience

**July 2002 to Present.** CRW Engineering Group, LLC. Construction Manager for piped water and sewer systems, remodel of an existing water treatment plant, new main lift station and force main in Bethel. The project includes both contractor bid services and force account construction. Lee also provided oversight for boardwalks, two water treatment plants, two water storage tanks, a washeteria, lift station, new lagoon, lagoon closure in Napaskiak, a lift station and force main construction in Mekoryuk, directionally drilled pipeline in Nunapitchuk, and a sewage lagoon in Quinhagak, a haul garage, water treatment plant refurb, new lagoon and twenty five new residential bathrooms in Beaver, a three hundred thousand gallon water storage tank in Deering, three lift station enclosures in Gambell, buried water and sewer project in Seldovia.

**November 2001 to July 2002.** Bristol Environmental & Engineering Services Corporation. Construction Manager for various bulk fuel tank farm upgrades throughout Rural Alaska.

**August 2001 to November 2001.** Village Safe Water (Port Alexander Water Upgrade Project). Project Superintendent responsible for construction of 900-linear-foot boardwalk/utilidor, installation of 900 linear feet of 10-inch PE water main, construction of new 560 SF chlorinator building, and all associated processing piping.

**January 2000 to August 2001.** Alaska Native Tribal Health Consortium (Goodnews Bay Water & Sewer Project); Goodnews Bay, Alaska. Project Superintendent responsible for construction of water & sewer system for 70 homes; construction of new 212,000-gallon water storage tank and pad with concrete ring wall; 1,500 SF equipment storage building and pad with concrete foundation; 2,400 SF new water treatment plant; addition to existing lagoon; new well house pad; access road to pad; and new structure with associated piping. Responsible for job cost for construction in Forefront Spreadsheet; review plans, specs, contract documents for GNU Project. Hired and trained force account employees and processed payroll and daily progress reports. Procured equipment and materials and coordinated associated freight.

## Education

*Graduated: June, 1962,  
Major: Business  
Administration*

*Spokane Community  
College, Spokane,  
Washington, 1964-1966,  
Business Adm.*

## OTHER TRAINING

*United Association of  
Plumbers and Pipefitters  
Apprenticeship program:  
five years, 1969-1974*

**April 1996 to January 2000.** Village Safe Water (Alakanuk Water & Sewer); Alakanuk, Alaska. Project Superintendent for construction of vacuum sewer system and installation of related house plumbing for 140 homes, construction of new water treatment facility, construction of new 300,000-gallon water holding tank; add insulation package to exterior of a 212,000-gallon water holding tank, construction of new Sewage Lagoon, and remodel of Sauna/Washeteria.

**April 1995 to April 1996.** Aman Environmental Construction Inc., Anchorage, Alaska Project Superintendent for construction of Fire Training Facility, Eielson AFB, AK., UST. Tank removal and Laundry Facility update, U.S. Coast Guard Base, Kodiak, AK. Responsibilities also included processing submittals, change orders, and as-builts.

**August 1992 to April 1995.** H. Watt & Scott, Anchorage, Alaska. Project Superintendent, Welder, Equipment Operator, Plumber for construction and remodeling projects throughout Alaska. Projects included construction of a solid waste transfer station in Nikiski, remodeling the Public Health Building in Anchorage for the Municipality of Anchorage, additions to the AFK Fish Hatchery in Prince William Sound, a Mormon church in Barrow, Carr-Gottstein remodel, Plumbing & Heating installation in the Kidney Center in Tudor Center in Anchorage and the National Weather Forecast Station in Anchorage. Additional responsibilities included processing submittals, change orders, and as-builts.

**May 1992 to August 1992.** Environmental Remediation Inc., Anchorage, Alaska. Project Superintendent. Cleanup of major fuel oil spill and site reconstruction on shore of Portage Lake in Chugach National Forest for Holland-America, operators of Portage Glacier cruise boat on the lake.

**May 1991 to May 1992.** H. Watt & Scott, Anchorage, Alaska. Project Superintendent, Foreman, Plumber, on various projects throughout the State of Alaska. Projects included repair and replacement of heating system and boilers in Cordova School, Cordova, Alaska, and installation of diesel driven electric generators and waste heat recovery system in the San Juan Island Fish Hatchery in Prince William Sound.

**October 1990 to February 1991.** Global Environmental Systems Inc., Anchorage Alaska. Project Superintendent. Set up fabrication shop at Sterling, Alaska, for construction of fully winterized three-skid drilling mud processing and injection system for the North Slope. Involved with construction of ice road (North Slope) to drill pad for processing unit. Responsibilities included personnel; materials take-off, purchasing, and control; cost control; planning and scheduling; fabrication supervision; and transportation of the finished units.

**April 1990 to October 1990.** Martech Inc., Anchorage, Alaska. Supervisor and Spill Clean-up Technician. Projects included cleanup of Dowell's North Slope pad following the fire of summer 1990, an Alaska Railroad spill resulting from a derailed tank car, and a major oil spill on the West Side of Cook Inlet.

**September 1989 to November 1989.** H. Watt & Scott, Anchorage, Alaska. Supervisor, Pipefitter-Welder. Supervised and performed tank farm and marine fuel terminal modifications at Glacier Bay National Park.

**December 1988 to March 1989.** Blaze Construction, Anchorage, Alaska. Project Superintendent, based in Bethel, Alaska. Responsible for supervision, materials control, and logistics for project to replace and or upgrade home heating and domestic hot water systems in more than 480 homes in villages throughout the Yukon-Kuskokwim Delta area.



**August 1984 to December 1988.** Laidlaw Transit Inc. Soldotna, Alaska. Division Manager. Responsible for all contracts, proposals, budgeting, cost control, hiring and firing, for Kenai Peninsula school bus operation. Combined work force consisting of office staff, drivers, and mechanics peaked at 107. Annual gross operation was \$3.5 million.

**May 1982 to November 1983.** Chugach Electric, Anchorage, Alaska. Maintenance Mechanic Welder, Maintenance Mechanic. Welder for major and minor overhauls of steam and gas turbines. Various welding responsibilities on piping and equipment.

**April 1979 to October 1981.** Scott Company, Compton, California. Project Superintendent. Responsible for installation and maintenance of various industrial and process projects, including power and heating boilers, refineries, breweries, waste water treatment facilities, and miscellaneous other projects.

**August 1972 to April 1979.** Warren Little & Lund Inc., Spokane, Washington. Progressed from Pipefitter and Welder to Supervisor of fitters and welders on various maintenance and new construction projects, including the Pearl Harbor, HI. U.S. Navy Submarine Base.

**Planning and Zoning Commission**  
**(3 Year Term)**  
**Meets the First and Third Thursday of the Month at 6:00p.m.**  
**5 members**

**Jeff Wooley, Chairman**

P.O. Box 2896  
373 E. Ashley Way  
Florence, AZ 85132  
Home: 520-868-2398  
Cell: 520-431-5710  
[jkwooley@pinalinternet.net](mailto:jkwooley@pinalinternet.net)  
[jkwooley@cox.net](mailto:jkwooley@cox.net)  
Appointed: 1/20/2009  
Expires: 12/31/2014

**Vacant**

Expires: 12/31/2014

**Vacant:**

Expires: 12/31/2015

**James Petty**

566 E. Echo Lane  
Florence, AZ 85132  
Home: 520-868-4564  
Work: 520-866-6545  
[nobasura@earthlink.net](mailto:nobasura@earthlink.net)  
Appointed: 1/7/2013  
Expires: 12/31/2015

**Larry R. Putrick, Vice-Chairman**

6434 W. Willow Way  
Florence, AZ 85132  
Home: 520-709-3389  
Alternate: 425-641-3898  
[premaero@cox.net](mailto:premaero@cox.net)  
Appointed: 1/7/2013  
Expires: 12/31/2015

**Alternate:**

**Vacant**

**Staff Liaison**

**Mark Eckhoff**  
P.O. Box 2670  
Florence, AZ 85132  
Work: (520) 868-7540  
[mark.eckhoff@florenceaz.gov](mailto:mark.eckhoff@florenceaz.gov)


**Council Liaisons**

**Councilmember Bill Hawkins**

130 Campbell Road  
P O Box 1378  
Florence, AZ 85132  
Home: 520-868-9647  
Cell: 520-705-1601

**Councilmember Ruben Montaño**

360 E. Ruggles Rd.  
P O Box 801  
Florence AZ 85132  
520-705-1402

	<b>TOWN OF FLORENCE COUNCIL ACTION FORM</b>	<b><u>AGENDA ITEM</u> 12b.</b>
<b>MEETING DATE:</b> May 19, 2014  <b>DEPARTMENT:</b> Community Development  <b>STAFF PRESENTER:</b> Mark Eckhoff, AICP Community Development Director  <b>SUBJECT:</b> Resolution No. 1443-14: Pre-Annexation and Development Agreement with MP Florence, LLC.		<input checked="" type="checkbox"/> Action <input type="checkbox"/> Information Only <input type="checkbox"/> Public Hearing <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <ul style="list-style-type: none"> <li><input type="checkbox"/> Regulatory</li> <li><input type="checkbox"/> 1<sup>st</sup> Reading</li> <li><input type="checkbox"/> 2<sup>nd</sup> Reading</li> </ul> <input type="checkbox"/> Other

**RECOMMENDED MOTION/ACTION:**

Motion to adopt Resolution No. 1443-14 entering into a Pre-Annexation and Development Agreement (PADA) with MP FLORENCE, LLC.

**BACKGROUND/DISCUSSION:**

The proposed Arizona Farms annexation area encompasses a land area of approximately 1,171 acres or 1.89 square miles. The annexation area is generally bound by the Copper Basin Railroad to the west, Felix Road to the east, Arizona Farms Road to the north and the Anthem at Merrill Ranch community to the south.

MP Florence, LLC owns approximately 23 acres within the subject annexation area, all of which are contained within the platted Crestfield Manor subdivision. Within the 23 acres, the owner has 111 lots that are ready for new home development and three lots with existing homes. The owner expects to commence development on these lots within the next one to three years, depending upon market conditions.

**FINANCIAL IMPACT:**

Overall positive, entering into this PADA facilitates the successful completion of the Arizona Farms annexation and promotes new development and population growth within the Town of Florence. It is noted that the PADA commits to not increase development impact fees for the subject lots for the first five years of the term of the PADA.

**RECOMMENDATION:**

Motion to adopt Resolution No. 1443-14, entering into a Pre-Annexation and Development Agreement with MP Florence, LLC.

**ATTACHMENT:**

Resolution No. 1443-14  
PADA with MP Florence, LLC.

When recorded, return to:

Town Clerk  
Town of Florence  
PO Box 2670  
775 North Main Street  
Florence, AZ 85132

**RESOLUTION NO. 1443-14**

**A RESOLUTION APPROVING THE PRE-ANNEXATION AND DEVELOPMENT AGREEMENT WITH MP FLORENCE, LLC., AN OREGON LIMITED LIABILITY COMPANY, AND AUTHORIZING EXECUTION OF SUCH PRE-ANNEXATION AND DEVELOPMENT AGREEMENT (ANNEXATION NO. 2013-02 – “CRESTFIELD MANOR MP FLORENCE” PROPERTY).**

**WHEREAS**, the Town of Florence is authorized pursuant to A.R.S. § 9-500.05 to enter into development agreements and generally is authorized to enter into contracts; and

**WHEREAS**, MP Florence, the “Owner” plans to develop approximately 23 acres of land located as legally described on Exhibit “A” and shown on Exhibit “B” attached hereto (the “Property”), and desires to annex the Property into the town limits of Florence; and

**WHEREAS**, the proposed development of the Property and the Pre-Annexation and Development Agreement are consistent with the Town of Florence General Plan applicable to the Property as of the date of this Resolution; and

**WHEREAS**, the Pre-Annexation and Development Agreement provides for various matters relating to the development of the Property, including the approval of a development plan, duration of the Pre-Annexation and Development Agreement, the conditions, terms and requirements applicable to public services and infrastructure and the financing of same, the permitted uses of the Property and the density and intensity of such uses, the phasing over time of construction and development on the Property and other matters related to the development of the Property.

**THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Town of Florence, Arizona, as follows:

1. The Pre-Annexation and Development Agreement between the Town of Florence and the Owner, which sets forth a development plan and the terms and conditions for the annexation and development of approximately 23 acres of property is hereby approved, adopted, and made a part hereof as if fully set out in this Resolution. If the Town does not annex the Property in a timely manner following adoption of the Pre-

Annexation and Development Agreement, or if the Town rescinds the Resolution annexing the Property, the Town promptly and within thirty days of the adoption of this Resolution shall rescind this Resolution.

2. The Mayor of the Town of Florence is authorized to and shall execute the Pre-Annexation and Development Agreement.

**PASSED AND ADOPTED** by the Mayor and Council of the Town of Florence, Arizona this 19<sup>th</sup> day of May 2014.

\_\_\_\_\_  
Tom J. Rankin, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

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

\_\_\_\_\_  
James E. Mannato, Town Attorney

**Exhibit A**

APN	Physical_Address	Name1	Acres
200136000	24111 N ROOSTER RD	MP FLORENCE LLC	0.22
200135720	10101 E COTTON RD	MP FLORENCE LLC	0.19
200135930	24114 N ROOSTER RD	MP FLORENCE LLC	0.20
200136170	24075 N WHEAT RD	MP FLORENCE LLC	0.22
200136300	24113 N CORN CIR	MP FLORENCE LLC	0.20
200136120	24098 N WHEAT RD	MP FLORENCE LLC	0.20
200135710	10119 E COTTON RD	MP FLORENCE LLC	0.19
200136340	24134 N CORN CIR	MP FLORENCE LLC	0.23
200135940	24136 N ROOSTER RD	MP FLORENCE LLC	0.20
200135990	24135 N ROOSTER RD	MP FLORENCE LLC	0.25
200135700	10145 E COTTON RD	MP FLORENCE LLC	0.20
200136160	24087 N WHEAT RD	MP FLORENCE LLC	0.19
200135880	9773 E COTTON RD	MP FLORENCE LLC	0.22
200135830	9867 E COTTON RD	MP FLORENCE LLC	0.19
200135840	9849 E COTTON RD	MP FLORENCE LLC	0.19
200135850	9827 E COTTON RD	MP FLORENCE LLC	0.19
200135860	9809 E COTTON RD	MP FLORENCE LLC	0.19
200135870	9791 E COTTON RD	MP FLORENCE LLC	0.18
200135820	9875 E COTTON RD	MP FLORENCE LLC	0.19
200135810	9895 E COTTON RD	MP FLORENCE LLC	0.21
200135800	9919 E COTTON RD	MP FLORENCE LLC	0.23
200135890	24032 N ROOSTER RD	MP FLORENCE LLC	0.25
200135790	9941 E COTTON RD	MP FLORENCE LLC	0.21
200135780	9965 E COTTON RD	MP FLORENCE LLC	0.19
200135900	24054 N ROOSTER RD	MP FLORENCE LLC	0.19
200135770	9983 E COTTON RD	MP FLORENCE LLC	0.19
200135760	10001 E COTTON RD	MP FLORENCE LLC	0.19
200136040	9828 E COTTON RD	MP FLORENCE LLC	0.19
200136020	9792 E COTTON RD	MP FLORENCE LLC	0.21
200136070	9884 E COTTON RD	MP FLORENCE LLC	0.20
200135910	24072 N ROOSTER RD	MP FLORENCE LLC	0.20
200136090	9942 E COTTON RD	MP FLORENCE LLC	0.21
200136320	24084 N CORN CIR	MP FLORENCE LLC	0.26
200136140	24072 N WHEAT RD	MP FLORENCE LLC	0.21
200136010	24085 N ROOSTER RD	MP FLORENCE LLC	0.20
200135740	10061 E COTTON RD	MP FLORENCE LLC	0.19
200135920	24096 N ROOSTER RD	MP FLORENCE LLC	0.19
200135730	10083 E COTTON RD	MP FLORENCE LLC	0.19
200136130	24084 N WHEAT RD	MP FLORENCE LLC	0.20
200136330	24112 N CORN CIR	MP FLORENCE LLC	0.23
200136110	24114 N WHEAT RD	MP FLORENCE LLC	0.18
200136290	24135 N CORN CIR	MP FLORENCE LLC	0.20
200136180	24110 N SEED CIR	MP FLORENCE LLC	0.22
200135690	10163 E COTTON RD	MP FLORENCE LLC	0.24
200136150	24101 N WHEAT RD	MP FLORENCE LLC	0.19
200136100		MP FLORENCE LLC	0.18
200136190	24136 N SEED CIR	MP FLORENCE LLC	0.18
200135950	24158 N ROOSTER RD	MP FLORENCE LLC	0.20
200136200	24152 N SEED CIR	MP FLORENCE LLC	0.22
200136280	9925 E ORANGE GROVE ST	MP FLORENCE LLC	0.20
200135670	24177 N COTTON RD	MP FLORENCE LLC	0.27
200136270	9939 E ORANGE GROVE ST	MP FLORENCE LLC	0.19
200136360	9804 E ORANGE GROVE ST	MP FLORENCE LLC	0.26
200136350	9786 E ORANGE GROVE ST	MP FLORENCE LLC	0.21
200136370	9816 E ORANGE GROVE ST	MP FLORENCE LLC	0.29
200136380	9830 E ORANGE GROVE ST	MP FLORENCE LLC	0.29
200136260	9961 E ORANGE GROVE ST	MP FLORENCE LLC	0.20
200136390	9860 E ORANGE GROVE ST	MP FLORENCE LLC	0.31
200135660	24199 N COTTON RD	MP FLORENCE LLC	0.22
200135970	24200 N ROOSTER RD	MP FLORENCE LLC	0.19
200136250	9985 E ORANGE GROVE ST	MP FLORENCE LLC	0.20
200136400	9888 E ORANGE GROVE ST	MP FLORENCE LLC	0.28
200136240	10009 E ORANGE GROVE ST	MP FLORENCE LLC	0.20
200136230	10067 E ORANGE GROVE ST	MP FLORENCE LLC	0.20
200136220	10099 E ORANGE GROVE ST	MP FLORENCE LLC	0.19
200136210	10129 E ORANGE GROVE ST	MP FLORENCE LLC	0.19
200135650	24215 N COTTON RD	MP FLORENCE LLC	0.20
200135980	24220 N ROOSTER RD	MP FLORENCE LLC	0.19
200136410	9920 E ORANGE GROVE ST	MP FLORENCE LLC	0.26
200136650	9785 E HARVEST RD	MP FLORENCE LLC	0.19
200136640	9803 E HARVEST RD	MP FLORENCE LLC	0.22
200136630	9821 E HARVEST RD	MP FLORENCE LLC	0.24
200136420	9934 E ORANGE GROVE ST	MP FLORENCE LLC	0.20
200136620	9839 E HARVEST RD	MP FLORENCE LLC	0.22
200136610	9855 E HARVEST RD	MP FLORENCE LLC	0.21
200135640	24237 N COTTON RD	MP FLORENCE LLC	0.20
200136430	9952 E ORANGE GROVE ST	MP FLORENCE LLC	0.20
200136600	9873 E HARVEST RD	MP FLORENCE LLC	0.24
200136440	9982 E ORANGE GROVE ST	MP FLORENCE LLC	0.20
200135630	24255 N COTTON RD	MP FLORENCE LLC	0.20
200136590	9905 E HARVEST RD	MP FLORENCE LLC	0.23
200136450	10016 E ORANGE GROVE ST	MP FLORENCE LLC	0.20
200136460	10042 E ORANGE GROVE ST	MP FLORENCE LLC	0.20
200136580	9919 E HARVEST RD	MP FLORENCE LLC	0.19
200136470	10070 E ORANGE GROVE ST	MP FLORENCE LLC	0.20
200136480	10100 E ORANGE GROVE ST	MP FLORENCE LLC	0.19
200136490	10130 E ORANGE GROVE ST	MP FLORENCE LLC	0.20
200136570	9937 E HARVEST RD	MP FLORENCE LLC	0.19
200135420	9780 E HARVEST RD	MP FLORENCE LLC	0.19
200135620	24271 N COTTON RD	MP FLORENCE LLC	0.20
200135430	9802 E HARVEST RD	MP FLORENCE LLC	0.19
200135410	9766 E HARVEST RD	MP FLORENCE LLC	0.19
200135440	9820 E HARVEST RD	MP FLORENCE LLC	0.19
200135400	9748 E HARVEST RD	MP FLORENCE LLC	0.20
200136560	9955 E HARVEST RD	MP FLORENCE LLC	0.19
200135450	9838 E HARVEST RD	MP FLORENCE LLC	0.19
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200136550	9983 E HARVEST RD	MP FLORENCE LLC	0.19
200135470	9874 E HARVEST RD	MP FLORENCE LLC	0.19
200135610	24299 N COTTON RD	MP FLORENCE LLC	0.20
200136540	10015 E HARVEST RD	MP FLORENCE LLC	0.19
200136530	10041 E HARVEST RD	MP FLORENCE LLC	0.19
200135480	9892 E HARVEST RD	MP FLORENCE LLC	0.19
200136520	10069 E HARVEST RD	MP FLORENCE LLC	0.19
200136510	10101 E HARVEST RD	MP FLORENCE LLC	0.19
200136500	10131 E HARVEST RD	MP FLORENCE LLC	0.20
200135490	9910 E HARVEST RD	MP FLORENCE LLC	0.19
200135500	9928 E HARVEST RD	MP FLORENCE LLC	0.19
200135600	24319 N COTTON RD	MP FLORENCE LLC	0.20
200135510	9946 E HARVEST RD	MP FLORENCE LLC	0.19
200135520	9964 E HARVEST RD	MP FLORENCE LLC	0.20
200135570	10104 E HARVEST RD	MP FLORENCE LLC	0.19
200135580	10132 E HARVEST RD	MP FLORENCE LLC	0.18
200135590	10160 E HARVEST RD	MP FLORENCE LLC	0.18



**23.35 Total**



# Town of Florence

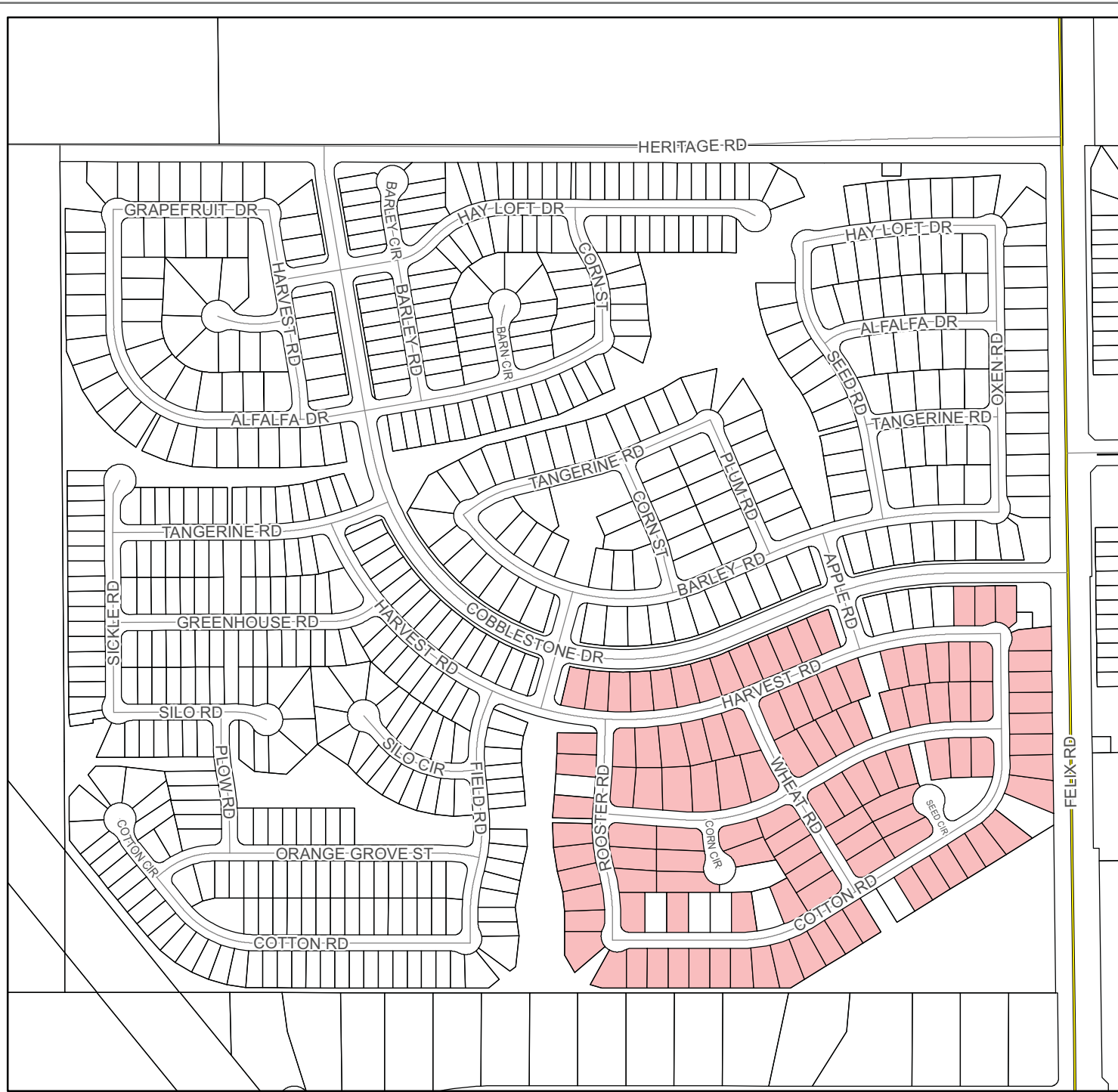
## Exhibit B: Legal Description Map

### Parcel Owners

-  Others
-  MP FLORENCE LLC



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.





**WHEN RECORDED, RETURN TO:**

Town of Florence  
Attn: Town Clerk  
PO Box 2670  
775 North Main Street  
Florence, AZ 85132

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**PRE-ANNEXATION AND DEVELOPMENT AGREEMENT FOR  
ARIZONA FARMS ANNEXATION: ANNEXATION 2013-02  
CRESTFIELD MANOR "MP FLORENCE" PROPERTY**

TOWN OF FLORENCE, ARIZONA, an Arizona municipal corporation

AND

MP FLORENCE, LLC, an Oregon limited liability company

---

DATE:   MAY     9  , 2014

**PRE-ANNEXATION AND DEVELOPMENT AGREEMENT  
FOR  
ARIZONA FARMS ANNEXATION  
CRESTFIELD MANOR “MP FLORENCE” PROPERTY**

THIS PRE-ANNEXATION AND DEVELOPMENT AGREEMENT (the “Agreement”) is entered into this 9<sup>TH</sup> day of MAY, 2014 (the “Effective Date”) by and between the TOWN OF FLORENCE, an Arizona municipal corporation (the “Town”), and MP Florence, LLC, an Oregon limited liability company (the “Owner”).

**RECITALS**

A. The Owner is the owner of certain property, or has received the necessary consent to include certain property located in Pinal County, Arizona consisting of approximately 23 acres all as legally described in Exhibit “A” and Exhibit “B” attached hereto and incorporated herein by reference (the “Property”).

B. Owner and the Town desire that the Property, which consists of finished undeveloped lots, be annexed into the corporate limits of the Town and be developed as an integral part of the Town. The annexation and development of the Property pursuant to this Agreement and the Arizona Farms Planned Area Development Narrative approved by Pinal County, is acknowledged by the parties hereto to be consistent with the Town’s General Plan. The annexation of the Property would allow the Town to provide for high-quality development in the area and ensure orderly, controlled and quality growth in the Town.

C. Owner and the Town are entering into this Agreement pursuant to the provisions of Arizona Revised Statutes (“A.R.S.”) § 9-500.05 in order to facilitate the annexation, proper municipal zoning designation and development of the Property by providing for, among other things: (i) conditions, terms, restrictions and requirements for the annexation of the Property by the Town; (ii) the permitted uses for the Property; (iii) the density and intensity of such uses; and (iv) other matters related directly or indirectly to the development of the Property.

D. A blank annexation petition has been filed with Pinal County and meetings and hearings have been held in connection with the annexation of the Property into the Town. The Town agrees that the Planned Unit Development zoning (“PUD”) designation allowing underlying land usage consistent with Town of Florence R1-6 Zoning District, as modified per the Arizona Farms Planned Area Development Narrative, is an appropriate designation for this Property and that the PUD zoning is designed to establish proper and beneficial land use designations and regulations, densities, provisions for public facilities, design regulations, procedures for administration and implementation and other matters related to the development of the Property in accordance with the PUD zoning designation.

E. Owner and the Town acknowledge that the ultimate development of the Property within the Town is a project of such magnitude that Owner requires assurances from the Town that Owner has the right to complete the development of the Property pursuant to, amongst other things, the PUD plan before it will expend substantial efforts and costs in the development of the Property,

and the Town requires assurances from Owner that development of the Property will be in accordance with the Plan and the terms and conditions of this Agreement.

F. Without limiting the foregoing, the Town and Owner acknowledge that the development of the Property pursuant to this Agreement will result in significant planning and economic benefits to the Town by: (i) encouraging investment in and commitment to comprehensive planning, which will result in efficient utilization of municipal and other public resources; (ii) requiring development of the Property to be consistent with the Town's General Plan and the approved PUD plan; (iii) providing for the planning, design, engineering, construction, acquisition, and/or installation of public infrastructure in order to support anticipated development of the Property and the larger land area that includes the Property; (iv) increasing tax and other revenues to the Town based on improvements to be constructed on the Property; (v) creating employment through development of the Property consistent with this Agreement; and/or (vi) creating quality housing and other uses for citizens of the Town. The Town and Owner acknowledge that the development of the Property pursuant to this Agreement will result in significant benefits to Owner, including present and future assurances to Owner that it will have the ability to develop the Property in accordance with this Agreement and the PUD plan.

G. Among other things, development of the Property in accordance with this Agreement and the PUD plan will result in the planning, design, engineering, construction, acquisition, installation, and/or provision of public services/infrastructure improvements that will support development of the Property.

H. The public services/infrastructure improvements to be provided by Owner, while necessary to serve development within the Property, may also be needed in certain instances to facilitate and support the ultimate development of a larger land area that includes the Property.

I. Town acknowledges that the Property has been entitled and developed within unincorporated Pinal County and Town will apply comparable zoning on the Property and accept existing recorded plats and infrastructure improvements with no extended warranty period upon annexation.

**NOW, THEREFORE**, in consideration of the foregoing premises and the mutual promises and agreements set forth herein, the parties hereto state, confirm and agree as follows:

### **AGREEMENT**

1. Incorporation of Recitals. The foregoing Recitals are hereby incorporated into this Agreement as though fully restated.

2. Annexation. Subsequently or concurrently with its approval of this Agreement, the Town, having held public meetings thereon, will duly consider final approval of the annexation of the Property into the Town. Prior to or concurrently with the execution of this Agreement by the Town and Owner, Owner will deliver to the Town an appropriate Petition for Annexation duly executed by all necessary property owners and satisfying the applicable statutory requirements (the "Annexation Petition"). Upon receipt of the Annexation Petition, the Town shall comply with the provisions of A.R.S. § 9-471 et seq. and, if determined to be in the best interest of the

Town, adopt a final ordinance annexing the Property into the corporate limits of the Town (the "Annexation Ordinance"). The Town and Owner hereby acknowledge and agree that this Agreement shall automatically terminate and be of no force or effect if the Town's annexation of the Property does not become effective and final pursuant to A.R.S. § 9-471(D).

3. Zoning. Upon annexation, the Town shall follow the legally prescribed procedures under State and Town statutes and ordinances to give the property comparable zoning, which shall be a Planned Unit Development zoning ("PUD") designation allowing underlying land usage consistent with Town of Florence R1-6 Zoning District, as modified per the Arizona Farms Planned Area Development Narrative. The Owner on behalf of itself and all other parties having an interest in the Property intends to encumber the Property with the following agreements and waivers. Owner agrees and consents to all the conditions imposed by this Agreement and the comparable zoning, and by signing this Agreement waives any and all claims, suits, damages, compensation and causes of action for diminution in value of the Property the owner of the Property may have now or in the future under the provisions of the Private Property Rights Protection Act, A.R.S. 12-1131 et seq., (the "Act") resulting from this Agreement, the comparable zoning, the underlying land uses or from any "land use law" (as such term is defined in the Act) enacted, adopted or applied by the Town during the term of this Agreement. Owner acknowledges and agrees the terms and conditions set forth in this Agreement and the comparable zoning cause an increase in the fair market value of the Property and such increase exceeds any possible reduction in the fair market value of the Property caused by any future land use laws, rules, ordinances, resolutions or actions permitted by this Agreement and adopted or applied by the Town to the Property. Owner and the Town understand and agree that the waivers contained in this Paragraph 3 are binding upon Owner's successors in interest and assigns pursuant to the provisions of A.R.S. 9-500.05(D). The Town agrees to cooperate reasonably in processing, in a timely manner, any approvals of issuance of permits, plans, plats, or otherwise as may be necessary in order to allow for the development to be constructed in general conformance with the PUD.

4. PUD Amendment. The Town and the Owner acknowledge that amendments to the PUD may be necessary from time to time. When the parties agree that changes or adjustments are necessary or appropriate from time to time they shall, unless otherwise required by Town ordinance, by state or federal statute, effectuate minor changes or adjustments through administrative amendments which may be approved by the Town's Community Development Director, and which, after execution, shall be attached to the PUD as an addendum and become a part thereof. If, in the future, the Town amends one or more of its zoning designations and/or districts, Owner shall have the option to convert the zoning designation(s) under the PUD to the equivalent zoning designations under such amended development ordinance(s), subject to notice and hearing requirements of applicable law. The exercise by Owner of such option and any approval by the Town shall not be deemed to constitute or to require an amendment of this Agreement, and, unless otherwise required by law, no such minor amendments shall require prior notice or hearing. All major changes or amendments shall be reviewed by the Planning Commission and approved by the Town Council. The following are major changes:

- (a) Any substantial alteration to the list of permitted uses of the Property or locations of planned land uses set forth in the PUD as reasonably deemed to be substantial by the Community Development Director;
- (b) Any increase in the overall residential density set forth in the PUD;
- (c) Any substantial change in the development standards except as otherwise allowed by the PUD; and/or
- (d) Additional circumstances as described in the PUD Narrative and PUD Ordinance.

5. Additional Property. The Town hereby agrees to consider, and, if determined in its sole discretion to be in the best interest of the Town, amend this Agreement, from time to time and in accordance with typically applicable notice and hearing requirements solely at the request of Owner, to incorporate into this Agreement the whole or any portion of additional properties adjacent to or proximate to the Property (the “Additional Property”). The Town and Owner agree that if Owner elects to request from Town the incorporation of such Additional Property or portions thereof: (1) thereafter, such Additional Property may be included in the Property and shall be subject to and shall benefit from all provisions of the Agreement applicable thereto and any reference herein to the Property shall include such Additional Property, which may increase the maximum density of the Property; (2) the Town and Owner shall cooperate in order for the Additional Property to receive the necessary land use approvals, including any necessary amendment to the PUD; and (3) the plans and land use designations approved for any Additional Property shall thereafter apply to the applicable Additional Property.

6. Regulation of Development.

- (a) The Applicable Rules. Except as provided in Paragraph 6 (c) and 6 (g) below, all exactions, fees, ordinances, rules and regulations of the Town applicable to and governing the development of the Property, shall be those ordinances, rules, regulations, permit requirements, development fees, impact fees, other exactions and requirements and/or official policies that are existing and in force for the Town as of the execution of this Agreement.
- (b) The Permissible Additions to the Applicable Rules. Notwithstanding the provisions of subparagraph (a) above and the provisions enumerated below, the Town may enact the following provisions, and take the following actions, which shall be applicable to and binding on the development of the Property:
  - (i) rules that the Owner may agree in writing apply to the development of the Property;
  - (ii) rules of the Town enacted as necessary to comply with mandatory requirements imposed on the Town by the state or federal governments, including decisions of courts having competent jurisdiction, and other similar superior external authorities beyond the control of the Town, provided that, in the event any such mandatory requirement prevents or

precludes compliance with this Agreement, if permitted by law such affected provisions of this Agreement shall be modified as may be necessary to achieve the required level of compliance with such mandatory requirement;

- (iii) rules of the Town reasonably necessary to alleviate legitimate severe threats to public health and safety, including, but not limited to, fire, flood, periodic inundation and acts of war or terrorism, in which event any rules, imposed in an effort to contain or alleviate such a legitimate severe threat to public health and safety shall be the most minimal and the least intrusive alternative practicable and, except in a bona fide emergency, may be imposed only after public hearing and shall not, in any event, be imposed arbitrarily; and
  - (iv) technical codes adopted by the Town pursuant to the Florence Development Code, as well as future updates of, and amendments to, existing building, construction, plumbing, mechanical, electrical, drainage, and similar construction and safety related codes, such as the International Building Code, which updates and amendments are generated by a nationally recognized construction or safety organization, such as the International Conference of Building Officials, or by the county, state or federal governments or by the Maricopa Association of Governments (the "MAG") provided that such code updates and amendments shall be applied uniformly and not arbitrarily.
- (c) Development Impact Fees. The Town's Development Impact Fees that shall be imposed upon the Property for a period of five (5) years commencing from the effective date of the Annexation shall be the fees then in effect and applicable at the time the blank annexation petition was filed as shown in Exhibit "C", unless a lesser fee is applicable at the time a building permit is issued by the Town. Thereafter, and for the duration of this Agreement, the Town's Development Impact Fees that will be imposed upon the Property shall be the fees then in effect and applicable as of the date of the respective residential building permit. Any fees that are due on residential dwelling units shall be payable when construction permits for the dwelling units are issued.
- (d) Filing, Review and Permit Fees. Notwithstanding anything to the contrary in this Agreement, Owner will be required to pay the then applicable filing fees, plan review fees, permit fees and building fees in effect at the time of issuance of any filing, review or permit issuance. Development Impact Fees shall be paid in accordance with Paragraph 5(c) above.
- (f) Flood Control. Flood control measures for the property shall comply with the requirements of the United States Army Corp of Engineers and all applicable state and local laws, regulations and ordinances; and, to the extent they are not superseded by the requirements of the United States Army Corp of Engineers or

state and local laws, regulations and ordinances, the requirements of the Pinal County Flood Control District.

- (g) Building Codes. For development in progress at the time this Agreement becomes effective, the Town will grandfather construction plans, including standard production home plans within active recorded subdivisions, approved by Pinal County. New subdivisions and plans introduced after annexation shall comply with minimum applicable Town standards and codes.

7. Plat and Plan Approval. The Town hereby agrees to take in a timely manner all action necessary, including but not limited to processing plats which are in conformation with the PUD, so that the Owner is not unreasonably delayed in the development of the Property as provided in the PUD. In taking such actions, the Town may exercise its discretion in the manner provided by law. Town further agrees that Preliminary Plat approvals shall be valid for a period of two years, with possible extensions as permitted by Town codes. Preliminary/Tentative Plats and Final Plats, as well as accompanying civil improvement plans, approved by Pinal County and consistent with the PUD shall be transferable to the Town so long as approvals are current at the time of annexation, approved plans are provided to the Town and any applicable public safety concerns are adequately addressed. Transferred approved plans and plats shall be valid for two years from the effective date of annexation, except in the case of recorded Final Plats, which shall remain valid if infrastructure assurances are in place per paragraph 9 (c) and/or subdivision improvements are completed and accepted by the Town. The Town accepts that the Property currently consists of finished undeveloped lots within a recorded subdivision and hereby agrees that the existing Final Plat for the Property is vested.

8. Vested Rights. The types of land uses, together with the densities of such uses for each development parcel on the Property, as shown in the PUD are hereby established. The Town agrees that, for the term of this Agreement, Owner shall have an immediate right to develop the Property in accordance with this Agreement, the PUD, the land uses established within the PUD and the Town's General Plan.

9. Infrastructure. Town acknowledges that this section generally applies to new infrastructure for the Property and not the existing infrastructure that has been previously accepted by applicable authorities.

- (a) Infrastructure Plan. Except as otherwise provided in this Agreement, so long as Owner proceeds with the development of the Property, Owner may implement and phase the infrastructure improvements to the Property in conformance with an infrastructure plan jointly approved by the Town and Owner (the "Infrastructure Plan"), which Infrastructure Plan may be modified from time to time with the Town's approval, which approval shall not unreasonably be withheld, conditioned or delayed. Town hereby agrees that the Infrastructure Plan shall exclude, and the Owner shall not be required to obtain the approval by the Town, of water infrastructure improvements or wastewater infrastructure improvements, which improvements shall be the responsibility of the Owner and/or the Water Service Provider (as hereinafter defined) and Wastewater Service Provider (as hereinafter defined) to construct pursuant to Paragraphs 10 (a) and 10 (b). Owner agrees to

construct the water infrastructure improvements and wastewater infrastructure improvements in accordance with all other applicable regulations, laws and ordinances. The Town agrees to consider Owner's request for the condemnation of sewer, utility, and drainage easements and rights-of-way if such easements and rights-of-way are determined by the Town to be necessary to complete the infrastructure anticipated by this Agreement, but in any event the use of eminent domain or condemnation is in the sole discretion of the Town. Owner agrees to reimburse Town for the costs of any such condemnation, including, but not limited to, land and property rights acquisition costs, attorneys' fees and costs of suit. Town agrees to consult with Owner regarding offers of settlement in the event of eminent domain or condemnation actions.

- (b) Construction. The parties hereto acknowledge and agree that to the extent the Owner develops the Property, the Owner shall have the right and the obligation, at any time after the execution of this Agreement, to construct or cause to be constructed and installed, in accordance with all applicable rules, regulations, construction standards, and governmental review processes, all portions of the Infrastructure Plan that relate to the phase or portion of the Property to be developed by Owner at any given time. All such construction performed by Owner shall be performed in a good and workmanlike manner and in compliance with all applicable requirements, standards, codes, rules or regulations of the Town. The parties hereto acknowledge and agree that the Town, as necessary to implement the Infrastructure Plan, shall cooperate reasonably in facilitating construction of the infrastructure, including, but not limited to, the abandonment of any unnecessary public rights-of-way or easements currently located on the Property at such time as such rights-of-way or easements are demonstrated to be unnecessary by the final plat.
- 
- (i) The construction and installation of public or private streets, curbs, gutters, sidewalks, traffic control, directional signs and other public infrastructure and public facilities on the Property as required by the PUD and any applicable state and local regulations, laws and ordinances (collectively, the "Infrastructure") shall be subject to and in compliance with applicable state and local regulations, laws and ordinances. Owner shall cause all Infrastructure required by the PUD to be constructed and installed at no cost to the Town. Such Infrastructure may be constructed in segments that correspond to the phases, if any, set forth in the PUD. All Infrastructure shall be installed in a workmanlike manner in conformity with the plans and specifications that are submitted to and approved by the Town in connection with the PUD or each phase.
- (ii) Dedication of Infrastructure by Owner shall not constitute acceptance of the Infrastructure for purposes of transferring the obligation to maintain and repair the Infrastructure to the Town or for purposes of starting the Town's warranty period. Acceptance of any and all Infrastructure by the Town for purposes of the Town assuming any maintenance and repair



obligations and for purposes of commencing the warranty period shall be expressly evidenced in writing by the Town as provided herein.

- (iii) Upon completion by Owner of any Infrastructure pursuant to Paragraph 9, Owner shall notify the Town in writing of the presumptive completion of such Infrastructure. So long as such Infrastructure is constructed substantially in accordance with the approved plans and the requirements of Paragraph 9, as verified by the inspection of the completed improvements by the Town Engineer including the completion of all punch list items, the Town shall accept the Infrastructure, unless such Infrastructure is to be owned or accepted by some other governmental entity. The Town shall notify Owner, in writing, of the Town's acceptance of the Infrastructure as of the day of the final inspection. Acceptance of any Infrastructure is expressly conditioned upon the usual and customary Town warranty for such Infrastructure. Owner, at no cost to Town, shall dedicate rights-of-way or convey public easements reasonably necessary for the construction, installation, operation and maintenance of the Infrastructure as required by Town, which rights-of-way or easements may be located adjacent to or in other public and private rights-of-way or easements.
- (iv) Owner shall give to Town a one (1) year warranty for all Infrastructure, which warranty shall begin on the date that Town accepts the Infrastructure as provided in this section or such other date as set forth in a service agreement. Any deficiencies in material or workmanship identified by Town's staff during the warranty period that would adversely impact the public health and safety of residents shall be brought to the attention of Owner, who shall promptly remedy or cause to be remedied such deficiencies to the reasonable satisfaction of Town's staff. Any other deficiencies in material or workmanship identified by Town's staff during the warranty period shall be remedied collectively to the reasonable satisfaction of Town's staff at the conclusion of the warranty period. Continuing material deficiencies in a particular portion of the Infrastructure shall be sufficient grounds for Town to require (1) an extension of the warranty for an additional period, or (2) the proper repair of, or (3) the removal and reinstallation of that portion of the Infrastructure that is subject to such continuing deficiencies. Regardless of whether the warranty period has expired, the Owner agrees to repair any damage to the Infrastructure caused by Owner's construction activities on the Property. Nothing contained herein shall prevent the Town or Owner from seeking recourse against any other third party for damage to the Infrastructure caused by such third party.
- (v) The Owner agrees to forever maintain or cause to be maintained all (i) rights-of-way designated as private rights-of-way by the PUD, unless such rights-of-way are dedicated by Owner and accepted by the Town; and (ii) landscaping located within the public easements and rights-of-way located

on the Property and such obligations shall survive the termination or expiration of this Agreement; provided, however, Owner may assign these obligations to one or more home owners associations (“HOA” ) provided such HOA is legally bound to such rights-of-way and landscaping maintenance obligations and has adequate financial ability, reasonably acceptable to the Town, to bear such obligations. Once the Town has consented to the assignment of these obligations to an HOA, Owner shall be relieved of any further obligation to maintain the rights-of-way and landscaping.

- (c) Infrastructure Assurance. The parties hereto acknowledge and agree that the Town, prior to the recording of the final plat for each phase of the subdivision within the Property, shall require the Owner and/or its designees, successors, assigns, grantees or buyers under contract, to provide assurances which are appropriate and necessary to assure that the installation of Infrastructure within that subdivision, or other subdivision improvements directly related to such building permit or permits, will be completed (“Infrastructure Assurance”). In such case, the Owner may elect, with the approval of the Town, which approval shall not be unreasonably withheld, any one or a combination of the following methods of Infrastructure Assurance. All Infrastructure Assurances provided by the Owner shall comply with the applicable provisions of the Town’s Subdivision Ordinance relating to such Infrastructure Assurances. Final Plats recorded in Pinal County shall have their Infrastructure Assurances transferred to the Town promptly following annexation. The options are as follows:
- (i) Owner and/or its assignees, designees, grantees and purchasers under contract is required to file with the Town a performance bond; or
  - (ii) Owner and/or its assignees, designees, grantees and purchasers under contract is required to deliver to the Town an irrevocable and unconditional declining letter of credit which, if necessary, will be acknowledged by the Town in accordance with the appropriate Lender’s requirements; or
  - (iii) Letter of financial assurance from Owner’s lender or the lender of Owner’s assignees, designees, grantees and purchasers under contract; or
  - (iv) Contractor’s performance bond; or
  - (v) Dual beneficiary declining letter of credit; or
  - (vi) Performance deed of trust; or
  - (vii) Third party trust; or
  - (viii) Any other method approved by the Town and Owner consistent with State statutes and Town’s subdivision ordinance.

Once the required Infrastructure Assurance has been complied with, the Owner (or, as applicable, the Owner's assignees, designees, grantees and purchasers under contract) shall have the right, with the approval of the Town, which approval shall not be unreasonably withheld, to replace such initial method of Infrastructure Assurance, either in whole or in part, with any of the other above methods of Infrastructure Assurance. The Town agrees that within ten (10) working days from the Town's approval of the particular completed Infrastructure for which the Town has required and the Owner has provided Infrastructure Assurance, the Town shall release such Infrastructure Assurance, in whole or in part, as may be appropriate under the circumstances, in the manner provided in the applicable Subdivision Ordinance.

- (d) Infrastructure and Improvement Financing. The Parties acknowledge that a primary purpose of this Agreement is to provide for the coordinated planning, design, engineering, construction and/or provision of the range of public services/infrastructure improvements necessary to serve new development of the Property. The Town acknowledges and agrees that such infrastructure improvements may be constructed, at Owner's request, through the formation of a Community Facilities District (the "CFD") pursuant to Arizona law, including, but not limited to, A.R.S. § 48-701 et seq. In the event Owner requests the Town to form any CFD, the Town will consider such request in accordance with the Town's adopted CFD Policies and Procedures, and if approved, shall adopt the necessary resolution of intention, and conduct such procedures as are necessary to form the applicable CFDs as required by Arizona law. However, nothing contained herein shall be construed to compel the Town to form a CFD or for the CFD, if formed, to finance any Infrastructure. Owner shall provide all necessary information and shall pay all reasonable and customary Town costs, including costs of legal review by Town counsel, as specified in the Town's CFD Policies and Procedures and the Town's Schedule of Fees, as such may be amended from time to time, in connection with its request for any CFD formation. The Parties agree that the Town must act in accordance with its CFD Policies and Procedures as to the formation of any CFD contemplated under this Paragraph 9(d).
- (e) Street Lights. There will be no Street Lighting Improvement District (SLID) on the Property excepted as mutually agreed upon, however, streetlights will be required within the Property and will be constructed according to either of: 1) Town standards; 2) as grandfathered by existing development; or 3) as may be approved in the PUD.

#### 10. Utility Services.

- (a) Potable Water Service. The Town acknowledges and agrees that Johnson Utilities, L.L.C. ("JUC"), or another entity under the common control of JUC (collectively, the "Water Service Provider") has, or is in the process of obtaining the necessary governmental approvals (collectively, the "Water Service Approvals") to become the potable water service provider to the Property. At no cost or expense to the Town, the Town agrees to cooperate with and support the Water Service Provider in obtaining the Water Service Approvals if necessary. Upon the Water Service Provider's receipt of the Water Service Approvals, the

Property will no longer be considered within the municipal service area of the Town with respect to water service and Owner shall have no responsibility to the Town to construct water infrastructure improvements of any kind or to pay water hook-up fees, water impact fees or other similar fees to the Town.

- (b) Wastewater Service. The Town acknowledges and agrees that JUC, or another entity under the common control of JUC (collectively, the “Wastewater Service Provider”) has, or is in the process of obtaining the necessary governmental approvals (collectively, the “Wastewater Service Approvals”) to become the wastewater service provider to the Property. At no cost or expense to the Town, the Town agrees to cooperate with and support the Wastewater Service Provider in obtaining the Wastewater Service Approvals if necessary. Upon the Wastewater Service Provider’s receipt of the Wastewater Service Approvals, the Property will no longer be considered within the municipal service area of the Town with respect to wastewater service and Owner shall have no responsibility to the Town to construct wastewater infrastructure improvements of any kind or to pay wastewater hook-up fees, wastewater impact fees or other similar fees to the Town.
- (c) Assured Water Supply. If Owner expends funds to obtain a Certificate of Assured Water Supply to the Property or the Water Service Provider expends funds to receive a Designation of Assured Water Supply, Town agrees to consider formation of a CFD to permit reimbursement of additional costs incurred to provide water to the Property through public financing.
- (d) Other Services. The Town, or an entity designated by Town, shall provide trash collection services to the Property. The Town shall provide police and fire protection services to the same extent and upon the same terms, conditions and timeliness as those services are being provided to other properties throughout the Town. Owner, or an entity designated by Owner, shall provide cable television service to the Property, provided that any such cable television service provider has obtained a franchise agreement with the Town.
- (e) Reclaimed Water. Owner shall supply reclaimed water or effluent to the Property as needed by Owner, any successor to Owner, or to any HOA.

11. Plans Submittal. Owner shall submit all plats and plans to Town Staff. Development of the Property cannot occur until the Town has concurred that the plans comply with the PUD and Town standards. Town shall review said plans and provide Owner with its comments on these submittals in a timely manner. The Town may retain the services of a private company or individual (“Outside Review Agency”) to provide expedited development review processes only upon the request of Owner. The Town and Owner shall mutually agree on the Outside Review Agency selected from the Town’s list and the fee for such expedited review.

12. Entire Agreement. This Agreement constitutes the entire agreement between the parties hereto pertaining to the subject matter hereof. All prior and contemporaneous agreements, representations, and understanding of the parties, oral or written, are hereby superseded and merged herein.

13. Amendment. No change or addition is to be made to this Agreement except by a written amendment executed by the Owner and the Town. Within ten (10) days after any amendment to this Agreement has been executed, such amendment shall be recorded in the official records of Pinal County, Arizona.

14. Default; Remedies. Failure or unreasonable delay by any Party to perform any term or provision of this Agreement for a period of ten (10) days after written notice thereof from another Party shall constitute a default under this Agreement. If the default is of a nature which is not capable of being cured within ten (10) days, the cure shall be commenced within such period, and diligently pursued to completion. The notice shall specify the nature of the alleged default and the manner in which the default may be satisfactorily cured. In the event of a default hereunder by any Party, the non-defaulting Party shall be entitled to all remedies at both law and in equity, including, without limitation, specific performance.

(a) Dispute Resolution. To further the cooperation of the parties in implementing this Agreement, the Town and the Owner each shall designate and appoint a representative to act as a liaison between the Town and its various departments and the Owner. The initial representative for the Town (the "Town Representative") shall be the Town Manager and the initial representative for the Owner shall be its project manager, as identified by the Owner from time to time (the "Owner Representative"). The representatives shall be available at all reasonable times to discuss and review the performance of the Parties and the development of the Property.

(b) Mediation. If a dispute arises out of or relates to this Agreement, or the breach thereof, and if the dispute cannot be settled through negotiations, the Parties agree first to try to settle the dispute through mediation before resorting to arbitration, litigation or some other dispute procedure. In the event that the Parties cannot agree upon the selection of a mediator within seven (7) days, either Party may request the Presiding Judge of the Pinal County Superior Court to assign a mediator from a list of mediators maintained by the Arizona Municipal Risk Retention Pool.

15. Arbitration. If the mediation procedure set forth in Paragraph 14(b) above does not resolve a dispute within a reasonable time, as determined in either party's reasonable discretion, either party may submit, by demand letter, correspondence or notice, to the other party, such dispute to arbitration pursuant to this Paragraph 15. In such event, the dispute shall be subject to and decided by arbitration in accordance with the Rules for Non-Administered Arbitration of Business Disputes (the "Rules") of the Center for Public Resources (the "CPR") currently in effect, except as provided herein and except where modified by the provisions hereof.

- (a) Any arbitration arising out of this Agreement may include, by consolidation or joinder, or in any other manner, at the discretion of either the Owner or the Town, any other entities or persons whom the Owner of the Town, as the case may be, reasonably believes to be substantially involved in a common question of law or fact and who consent to jurisdiction of the arbitrator.
- (b) The parties agree that the remedies available for the award by the arbitrator(s) under this Paragraph 15 in a dispute arising out of or relating to this Agreement or breach thereof shall be limited to specific performance and declaratory relief and the arbitrator may not issue an award of monetary damages, whether characterized as actual, consequential or otherwise, except as provided in Sub-paragraphs 15(e) and 15(h), and provided, however, that the arbitrator(s) may award the payment of an amount owed or may enjoin the withholding of amounts due under this Agreement.
- (c) Demand for arbitration shall be filed with the other party in accordance with the Rules and the notice provisions of the Agreement. A demand for arbitration shall be made within a reasonable time after the claim, dispute, or other matter in question has arisen. In no event shall the demand for arbitration be made after the date when institution of legal or equitable proceedings based upon such claim, dispute or other matter in question could be barred by the applicable statute of limitations.
- (d) In the event the amount in controversy is less than \$100,000, a sole arbitrator shall be appointed in accordance with the Rules. In the event the amount in controversy is \$100,000 or more, the demanding party shall appoint one party-appointed arbitrator in its notice demand for arbitration. The responding party may within ten (10) days, appoint a second party-appointed arbitrator. The party-arbitrators shall appoint a third arbitrator in accordance with the Rules. If the party-arbitrators fail to appoint a third arbitrator, the third arbitrator shall be appointed in accordance with the Rules. If the responding party fails to appoint a second party-arbitrator within the time so provided, selection of the second arbitrator shall be in accordance with the Rules.
- (e) The decision of the arbitrator(s) shall be in accordance with the laws of the State of Arizona and the United States. The arbitrator(s) shall prepare written findings of fact and conclusions of law upon which the decision and award shall be based. The arbitrator(s) may award compensatory damages pursuant to Paragraphs 15(b), 15(g) and 15(h) and reasonable attorneys' fees and reasonable costs to the prevailing party.
- (f) The arbitration shall occur within the municipal limits of the Town unless the parties agree otherwise in writing.
- (g) This agreement to arbitrate shall be specifically enforceable by either party under the prevailing laws of the State of Arizona and the United States. Any award rendered by the arbitrator(s) shall be final and enforceable by any party to the

arbitration, and judgment shall be made upon it in accordance with the applicable laws of any court having jurisdiction thereof. The arbitrator(s) decision shall be final and conclusive as to the facts. Either party may appeal manifest errors of law to a court of competent jurisdiction within fifteen (15) days of the award. Notwithstanding anything in this Agreement to the contrary, if either party fails to take action consistent with the arbitrator(s) award within fifteen (15) days after demand, then the other party may either utilize the arbitration process set forth in this Paragraph 16 (but without limitation on remedy) or pursue in court any remedy available to it at law or in equity, including, without limitation, monetary damages, resulting from the failure to take action consistent with the arbitrator(s) award and/or the underlying dispute that was the subject of the arbitration.

- (h) Notwithstanding anything in this Agreement to the contrary, if either party believes the other party is exercising the rights under this Agreement in bad faith, the aggrieved party must notify the other party of the facts forming the basis of the aggrieved party's assertion of bad faith. If the other party fails to cure the facts forming the basis of the aggrieved party's assertion of bad faith within fifteen (15) days after notice thereof, then such dispute shall be submitted to arbitration. If the arbitrator finds that a party has acted in bad faith, then the aggrieved party may request, and the arbitrator may award, any remedy available to the aggrieved party, at law or in equity, including without limitation, monetary damages.
- (i) Unless otherwise agreed in writing, and notwithstanding any other rights or obligations of either party under the Agreement, the Owner and the Town shall carry on with the performance of their respective duties, obligations and services hereunder during the pendency of any claim, dispute, or other matter in question giving rise to arbitration or mediation, as the case may be.
- (j) The dispute resolution process set forth in this Paragraph 15 shall not apply to an action by the Town to condemn or acquire by inverse condemnation all or any portion of the Property or to claims for injunctive relief or mandamus by either party. The failure by either party to perform or otherwise act in accordance with any term or provision of this Agreement for a period of thirty (30) days (the "Cure Period") after written notice thereof from the other party shall constitute a default. In the event such default is not cured within the Cure Period, the non-defaulting party shall have the right to seek injunctive relief or mandamus in a court of competent jurisdiction.
- (k) Notwithstanding anything in this Agreement to the contrary, the provisions of Paragraphs 14 and 15 shall not be construed or applied so as to prevent Owner or Town from seeking injunctive relief on an emergency basis to prevent immediate or irreparable harm.

16. Waiver. No delay in exercising any right or remedy shall constitute a waiver thereof, and no waiver by the Town or the Owner of the breach of any covenant of this Agreement shall be construed as a waiver of any preceding or succeeding breach of the same or any other covenant or condition of this Agreement.

17. Future Effect. Time is of the essence of this Agreement. All of the provisions hereof shall inure to the benefit of and be binding upon the successors and assigns of the parties hereof including, without limitation, to third party builders; provided, however, the Owner's rights and obligations hereunder may only be assigned to a person or entity that has acquired the Property or a portion thereof and only by a written instrument, recorded in the Official Records of Pinal County, Arizona, expressly assigning such rights and obligations.

Notwithstanding the foregoing, the Town agrees that the ongoing ownership, operation and maintenance obligations provided by this Agreement, other than those pertaining to construction of public infrastructure improvements, may be assigned to one or more HOAs to be established by the Owner. The Owner agrees to provide the Town with written notice of any assignment of the Owner's rights or obligations within 15 days after such assignment. In the event of a complete assignment by Owner of all rights and obligations of Owner hereunder, Owner's liability hereunder shall terminate effective upon the assumption by Owner's assignee. Nothing in this Agreement shall operate to restrict the Owner's ability to assign any of its rights and obligations under this Agreement to those entities that acquire all or any portion of the Property.

18. Names and Plans. The Owner shall be the sole owner of all names, plans, drawings, specifications, ideas, programs, designs and work products of every nature at any time developed, formulated or prepared by or at the instance of the Owner in connection with the Property; provided, however, that in connection with any conveyance of portions of the Property to the Town such rights pertaining to the portions of the Property so conveyed shall be assigned, to the extent that such rights are assignable to the Town.

19. No Owner Representations. Nothing contained herein or in the PUD shall be deemed obligate the Town or the Owner to complete any part or all of the development of the Property.

20. Good Standing; Authority. Each of the parties and their assigns represents (and will represent) and warrants to the other that: (i) it is duly formed and validly existing under the laws of Arizona, with respect to the Owner, or a municipal corporation within the State of Arizona, with respect to the Town; (ii) that it is an Arizona corporation or municipal corporation or limited liability company duly qualified to do business in the State of Arizona and is in good standing under applicable state laws, and (iii) that the individual(s) executing this Agreement (or who will execute this Agreement) on behalf of their respective parties are authorized and empowered to bind the party on whose behalf each such individual is signing.

21. Severability. If any provision of this Agreement is declared void or unenforceable, such provision shall be severed from this Agreement, which shall otherwise remain in full force and effect. If any applicable law or court of competent jurisdiction prohibits or excuses the Town from undertaking any contractual commitment to perform any act hereunder, this Agreement shall remain in full force and effect, but the provision requiring such action shall be deemed to permit the Town to take such action at its discretion, if such a construction is permitted by law.

22. Governing Law. This Agreement is entered into in Arizona and shall be construed and interpreted under the laws of Arizona.



23. Choice of Forum. Notwithstanding A.R.S. § 12-408, any suit or action brought under this Agreement shall be commenced in Superior Court of the State of Arizona in and for the County of Pinal and may be removed therefrom only upon the mutual agreement of the Town and Owner.

24. Recordation. This Agreement shall be recorded in its entirety in the official records of Pinal County, Arizona, not later than ten (10) days after this Agreement is executed by the Town and the Owner.

25. Notice. Any notice, (delivered by mail, hand or federal express) assignment, payment or other communication provided for or required by this Agreement shall be in writing and shall be deemed to have been given when delivered by hand or when deposited in the United States Postal Service, certified or registered, return receipt requested, postage prepaid, properly addressed to the person to whom such notice is intended to be given at its respective addresses as follows:

The Town:                   Town Manager  
Town of Florence  
775 N. Main Street  
PO Box 2670  
Florence, Arizona 85132

With Copy To:           Town Attorney  
Town of Florence  
775 N. Main Street  
PO Box 2670  
Florence, Arizona 85132

The Owner:               MP Florence, LLC  
PO Box 2619  
Oregon City, OR 97045  
Attention: Paul W. Ables

The parties entitled to notice, including any assignees of this Agreement, may be changed by sending notice to the other parties of the name and address of the individual thereafter entitled to notice under this Agreement.

26. Effective Date and Term. This Agreement shall become effective and shall be binding upon and enforceable by all parties hereto, their successors and assigns, immediately upon the approval by the Town Council of this document. The term of this Agreement (the "Term") shall be for a period of the earlier of: (i) complete build-out of the Property, (ii) mutual termination by the parties, or (iii) fifteen (15) years from the date of recordation of this Agreement.

27. Attorneys' Fees. If any legal proceeding is initiated by any party hereto (or their successor(s)) with respect to this Agreement, the prevailing party shall be entitled to recover, in addition to any other relief to which it is entitled, its cost of suit incurred in connection with such legal proceeding, and its reasonable attorneys' fees.

28. Insurance Requirements. The Owner, at its own expense, shall purchase and maintain the herein stipulated minimum insurance with companies duly licensed, possessing a current A.M. Best, Inc. rating of "A", or approved and licensed to do business in the State of Arizona with policies and forms satisfactory to the Town. All insurance required herein shall be maintained in full force and effect during the time that construction improvements are being made during the term of this Agreement; failure to do so may, at the sole discretion of the Town, constitute an event of default by the Owner under this Agreement. The Owner's insurance shall be primary insurance, and any insurance or self-insurance maintained by the Town shall not contribute to it. Any failure to comply with the claim reporting provisions of the policies or any breach of an insurance policy warranty shall not affect coverage afforded under the policy to protect the Town. The insurance policies required by this Agreement shall name the Town, its agents, officers, officials and employees as additional Insureds.

- (a) General Liability. The Owner shall, at its expense, maintain a policy of comprehensive public liability insurance with a limit of not less than \$1,000,000 for each occurrence and with a \$1,000,000 general aggregate limit. The policy shall include coverage for bodily injury, broad form property damage, personal injury, and blanket contractual coverage including, but not limited to, the liability assumed under the indemnification provisions of this Agreement, which coverage will be at least as broad as Insurance Service Office, Inc., Policy Form CG 000211093 (October 2001 version). The coverage shall not exclude X, C, and U. Such policy shall contain a severability of interest provision, and shall not contain a sunset provision or commutation clause, or any provision which would serve to limit third party action over claims. The Commercial General Liability additional insured endorsement shall be at least as broad as Insurance Service Office, Inc., Additional Insured, Form B, CG20101185 (October 2001 version).
- (b) Automobile Liability. The Owner shall, at its expense, maintain a commercial / business automobile liability insurance policy with a combined single limit for bodily injury and property damage of not less than \$1,000,000.00 each occurrence with respect to any of the Owner's owned, hired and non-owned vehicles assigned to or used in performance of this Agreement. Coverage will be at least as broad as coverage code I, "any auto", Insurance Service Office, Inc., Policy Form CA 00011293, or any replacements thereof. Such insurance shall include coverage for loading and off loading hazards. If hazardous substances, materials or wastes are to be transported, MCS 90 endorsement shall be included and \$5,000,000.00 per accident limits for bodily injury and property shall apply.
- (c) Indemnification. Except as otherwise specifically provided in this Agreement, to the fullest extent permitted by law, the Owner shall protect, defend, indemnify and hold harmless the Town, its Council members, agents, officers, officials and employees from and against all suits, claims, demands, damages, losses, liabilities, fines, charges, penalties, administrative and judicial proceedings and orders, judgments, remedial actions of any kind, and all costs and cleanup actions of any kind, together with expenses (including but not limited to attorneys' fees, court costs, the cost of appellate proceedings, and all claim adjusting and handling expenses), relating to, arising out of, resulting from or alleged to have resulted

from the Owner's acts, errors, mistakes or omissions relating to any action or inaction of the Owner under this Agreement, including but not limited to the acts, errors, mistakes, omissions, work or services of the Owner's agents, employees, contractors, subcontractors or anyone for whose acts they or the Owner may be liable in the performance of this Agreement, and regardless of whether or not such claims, demands, damages, losses, liabilities, fines, charges, penalties, administrative and judicial proceedings, orders, judgments, remedial actions, costs, cleanup actions and expenses are caused in part by the passive negligence of the Town, its Council members, agents, officers, officials and employees. The Town shall remain responsible to the fullest extent permitted by law for any acts of active negligence by the Town, its Council members, agents, officers, officials and employees.

- (i) The Owner's duty to defend, hold harmless and indemnify the Town, its Council members, agents, officers, officials and employees shall arise in connection with any suits, claims, damages, losses or expenses that are attributable to or otherwise relate to, result from, or are alleged to have resulted from the Owner's acts, errors, mistakes or omissions relating to any action or inaction of the Owner under this Agreement, including but not limited to the acts, errors, mistakes, omissions, work or services of the Owner's agents, employees, contractors or anyone for whose acts they or Owner may be liable in the performance of this Agreement, regardless of the legal or equitable grounds upon which such suits, claims, damages, losses and expenses are based.
- (ii) The amount and type of insurance coverage requirements set forth herein are separate and independent from the indemnity provisions of this Agreement and shall not be construed in any way to limit the scope and magnitude of the indemnity provisions of this Agreement. The indemnity provisions of this Agreement shall not be construed in any way to limit the scope, magnitude and applicability of the insurance provisions of this Agreement.
- (iii) The indemnity provisions of this Agreement shall survive the termination of this Agreement.

29. Lot Sale. It is the intention of the parties that although recorded, this Agreement shall not create conditions or exceptions to title or covenants running with any individual lots into which the Property is subdivided. Any title insurer can rely on this section when issuing any commitment to insure title to any individual lot or when issuing a title insurance policy for any individual lot. So long as not prohibited by law, this Agreement shall automatically terminate as to any individual lot (and not in bulk), without the necessity of any notice, agreement or recording by or between the parties, upon conveyance of the lot to a homebuyer by a recorded deed. For this section, "lot" shall be any lot upon which a home has been approved by the Town.

30. No Partnership; Third Parties. This Agreement is not intended to, and nothing contained in this Agreement shall, create any partnership, joint venture or other arrangement between Owner and the Town or between any parties comprising Owner.

31. Compliance With Certain Federal and State Laws. The Owner hereby agrees to comply with all applicable provisions of the American with Disabilities Act, the Immigration Reform and Control Act of 1986 and the Drug Free Workplace Act of 1989. If the Agreement contains provisions relating to the construction of public infrastructure improvements or the formation of a Community Facilities District pursuant to A.R.S. § 48 - 701 et seq., the Owner hereby agrees to comply with all applicable provisions of Arizona Revised Statutes (“A.R.S.”) § 34 - 301 “Employment of Aliens on Public Works Prohibited”, A.R.S. § 34 - 302 “Residence Requirements for Employees”, and A.R.S. § 41-4401 “Government Procurement” (hereinafter referred to as the “Immigration Laws”). A breach of the Immigration Laws shall constitute a default of this Agreement and, if uncured, may subject the Owner to additional penalties including termination of the Agreement at the sole discretion of the Town. Notwithstanding anything contained in this Agreement to the contrary, Town retains the legal right to inspect the immigration papers or other residency documents of the Owner’s, contractor’s or any subcontractor’s employees who perform work under this Agreement, to ensure that Owner, contractor and any subcontractors are complying with the Immigration Laws. Owner agrees not to hinder the Town in regard to any such inspections. The Town may, in its sole discretion, conduct random verification of the employment records of the Owner, contractor and any subcontractors to ensure compliance with the Immigration Laws. Owner shall not be deemed to have materially breached the Immigration Laws if the Owner establishes that it has complied with the employment verification requirements of the federal Immigration and Nationality Act, 8 U.S.C.A. §1324(a) and 8 U.S.C.A. §1324 (b)(1)(A), et seq., the E-Verify requirements of A.R.S. § 23 - 214(A) and if Owner includes the provisions of this section in any contract the Owner enters into with any and all of its contractors, which contracts shall contain provisions which require such contractors to include the provisions of this section in such contractors’ contracts with any subcontractors who provide services relating to the construction of public infrastructure improvements. “Services”, as used herein, are defined as the furnishing of labor, time or effort in the State of Arizona by Owner, a contractor or any subcontractor. “Services” also includes construction or maintenance of any structure, building, transportation facility or improvement of real property.

32. Estoppel Certificate. Either party may request of the other party, and the requested party shall, within twenty-one (21) calendar days, respond and certify by written instrument to the requesting party that (a) this Agreement is unmodified and in full force and effect, or if there have been modifications, that this Agreement is in full force and effect as modified, stating the nature and date of such modification; (b) the existence of any default under this Agreement and the scope and nature of the default; (c) the existence of any counterclaims, which the requested party has against the other party; and (d) any other matters that may reasonably be requested in connection with the development of land, development of the Property, or any material aspect of this Agreement. In the event the requesting party has not received the foregoing within such twenty-one (21) day period, then in such event, the requesting party shall be entitled to prepare a certificate attesting to the foregoing and deliver the same to the other party, which certificate shall be binding upon the requested party.

33. Lien Financing. Owner shall have the right at any time, and as often as it desires, to finance the Property and to secure the financing with a lien or liens against the Property.

34. Anti-Moratorium. The parties hereby acknowledge and agree that the for the term of this agreement, no moratorium, or future ordinance, resolution or other land use rule or regulation imposing a limitation on the conditioning, rate, timing or sequencing of development of property within the Town and affecting the Property or any portion thereof shall apply to or govern the development of the Property during the term hereof, whether affecting parcel or subdivision maps, building permits, occupancy permits or other entitlements to use issued or granted by the Town, except as otherwise expressly provided in this Agreement.

**IN WITNESS WHEREOF**, the parties have executed this Agreement on the dates written above.

**TOWN OF FLORENCE, an Arizona municipal corporation**

\_\_\_\_\_  
Tom J. Rankin, Mayor

\_\_\_\_\_  
Date

**ATTEST:**

**APPROVED AS TO FORM:**

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

\_\_\_\_\_  
James Mannato, Town Attorney

MP Florence, LLC, an Oregon limited liability company

*Paul W. Ables*

By: PAUL W. ABLES

Its: MANAGER

STATE OF <sup>OREGON</sup> ~~ARIZONA~~ )  
County of CLATSOP ) ss.



The foregoing Development Agreement for MP FLORENCE was acknowledged before me this day of MAY 9, 2014, by PAUL W. ABLES, of MP FLORENCE, LLC, an Arizona limited liability company, and being authorized to do so executed the foregoing instrument on behalf of the company for the purposes therein stated.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

*Matthew J Leptich*  
Notary Public

My Commission Expires:  
2.20.2017

# EXHIBITS

Exhibit A - Legal Description

Exhibit B – Legal Description Map

Exhibit C - Development Impact Fee Schedule

Exhibit A

APH	Physical Address	Name1	Acres
200135600	24111 N ROOSTER RD	MP FLORENCE LLC	0.22
200135720	10101 E COTTON RD	MP FLORENCE LLC	0.19
200135830	24114 N ROOSTER RD	MP FLORENCE LLC	0.20
200136170	24075 N WHEAT RD	MP FLORENCE LLC	0.22
200136300	24113 N CORN CIR	MP FLORENCE LLC	0.20
200136120	24088 N WHEAT RD	MP FLORENCE LLC	0.20
200135710	10119 E COTTON RD	MP FLORENCE LLC	0.19
200136340	24134 N CORN CIR	MP FLORENCE LLC	0.23
200135940	24136 N ROOSTER RD	MP FLORENCE LLC	0.20
200135990	24135 N ROOSTER RD	MP FLORENCE LLC	0.25
200135700	10145 E COTTON RD	MP FLORENCE LLC	0.20
200136160	24037 N WHEAT RD	MP FLORENCE LLC	0.19
200135860	9773 E COTTON RD	MP FLORENCE LLC	0.22
200135830	9567 E COTTON RD	MP FLORENCE LLC	0.19
200135840	9849 E COTTON RD	MP FLORENCE LLC	0.19
200135850	9327 E COTTON RD	MP FLORENCE LLC	0.19
200135860	9809 E COTTON RD	MP FLORENCE LLC	0.19
200135870	9791 E COTTON RD	MP FLORENCE LLC	0.18
200135820	9375 E COTTON RD	MP FLORENCE LLC	0.19
200135810	9595 E COTTON RD	MP FLORENCE LLC	0.21
200135800	9919 E COTTON RD	MP FLORENCE LLC	0.23
200135990	24032 N ROOSTER RD	MP FLORENCE LLC	0.25
200135790	9941 E COTTON RD	MP FLORENCE LLC	0.21
200135780	9965 E COTTON RD	MP FLORENCE LLC	0.19
200135900	24054 N ROOSTER RD	MP FLORENCE LLC	0.19
200135770	9583 E COTTON RD	MP FLORENCE LLC	0.19
200135760	10001 E COTTON RD	MP FLORENCE LLC	0.19
200135040	9528 E COTTON RD	MP FLORENCE LLC	0.19
200135020	9792 E COTTON RD	MP FLORENCE LLC	0.21
200135070	9584 E COTTON RD	MP FLORENCE LLC	0.20
200135910	24072 N ROOSTER RD	MP FLORENCE LLC	0.20
200135090	9942 E COTTON RD	MP FLORENCE LLC	0.21
200136320	24084 N CORN CIR	MP FLORENCE LLC	0.26
200136140	24072 N WHEAT RD	MP FLORENCE LLC	0.21
200136010	24055 N ROOSTER RD	MP FLORENCE LLC	0.20
200135740	10061 E COTTON RD	MP FLORENCE LLC	0.19
200135920	24096 N ROOSTER RD	MP FLORENCE LLC	0.19
200135730	10033 E COTTON RD	MP FLORENCE LLC	0.19
200136130	24084 N WHEAT RD	MP FLORENCE LLC	0.20
200136330	24112 N CORN CIR	MP FLORENCE LLC	0.23
200136110	24114 N WHEAT RD	MP FLORENCE LLC	0.18
200136290	24135 N CORN CIR	MP FLORENCE LLC	0.20
200136180	24110 N SEED CIR	MP FLORENCE LLC	0.22
200135690	10163 E COTTON RD	MP FLORENCE LLC	0.24
200136150	24101 N WHEAT RD	MP FLORENCE LLC	0.19
200136100		MP FLORENCE LLC	0.18
200136190	24136 N SEED CIR	MP FLORENCE LLC	0.18
200135950	24158 N ROOSTER RD	MP FLORENCE LLC	0.20
200136200	24152 N SEED CIR	MP FLORENCE LLC	0.22
200136280	9925 E ORANGE GROVE ST	MP FLORENCE LLC	0.20
200135670	24177 N COTTON RD	MP FLORENCE LLC	0.27
200136270	9939 E ORANGE GROVE ST	MP FLORENCE LLC	0.19
200136360	9534 E ORANGE GROVE ST	MP FLORENCE LLC	0.26
200136350	9766 E ORANGE GROVE ST	MP FLORENCE LLC	0.21
200136370	9816 E ORANGE GROVE ST	MP FLORENCE LLC	0.29
200136380	9830 E ORANGE GROVE ST	MP FLORENCE LLC	0.29
200136260	9561 E ORANGE GROVE ST	MP FLORENCE LLC	0.20
200136390	9560 E ORANGE GROVE ST	MP FLORENCE LLC	0.31
200135660	24199 N COTTON RD	MP FLORENCE LLC	0.22
200135970	24200 N ROOSTER RD	MP FLORENCE LLC	0.19
200136250	9565 E ORANGE GROVE ST	MP FLORENCE LLC	0.20
200136400	9883 E ORANGE GROVE ST	MP FLORENCE LLC	0.28
200136240	10009 E ORANGE GROVE ST	MP FLORENCE LLC	0.20
200136230	10067 E ORANGE GROVE ST	MP FLORENCE LLC	0.20
200136220	10099 E ORANGE GROVE ST	MP FLORENCE LLC	0.19
200136210	10129 E ORANGE GROVE ST	MP FLORENCE LLC	0.19
200135650	24215 N COTTON RD	MP FLORENCE LLC	0.20
200135980	24220 N ROOSTER RD	MP FLORENCE LLC	0.19
200136410	9920 E ORANGE GROVE ST	MP FLORENCE LLC	0.26
200136650	9765 E HARVEST RD	MP FLORENCE LLC	0.19
200136640	9503 E HARVEST RD	MP FLORENCE LLC	0.22
200136630	9521 E HARVEST RD	MP FLORENCE LLC	0.24
200136420	9934 E ORANGE GROVE ST	MP FLORENCE LLC	0.20
200136620	9839 E HARVEST RD	MP FLORENCE LLC	0.22
200136610	9555 E HARVEST RD	MP FLORENCE LLC	0.21
200135640	24237 N COTTON RD	MP FLORENCE LLC	0.20
200136430	9552 E ORANGE GROVE ST	MP FLORENCE LLC	0.20
200136400	9573 E HARVEST RD	MP FLORENCE LLC	0.24
200136440	9592 E ORANGE GROVE ST	MP FLORENCE LLC	0.20
200135630	24255 N COTTON RD	MP FLORENCE LLC	0.20
200136590	9505 E HARVEST RD	MP FLORENCE LLC	0.23
200136450	10016 E ORANGE GROVE ST	MP FLORENCE LLC	0.20
200136460	10042 E ORANGE GROVE ST	MP FLORENCE LLC	0.20
200136580	9919 E HARVEST RD	MP FLORENCE LLC	0.19
200136470	10070 E ORANGE GROVE ST	MP FLORENCE LLC	0.20
200136480	10100 E ORANGE GROVE ST	MP FLORENCE LLC	0.19
200136490	10130 E ORANGE GROVE ST	MP FLORENCE LLC	0.20
200136570	9937 E HARVEST RD	MP FLORENCE LLC	0.19
200135420	9780 E HARVEST RD	MP FLORENCE LLC	0.19
200135620	24271 N COTTON RD	MP FLORENCE LLC	0.20
200135430	9502 E HARVEST RD	MP FLORENCE LLC	0.19
200135410	9766 E HARVEST RD	MP FLORENCE LLC	0.19
200135440	9820 E HARVEST RD	MP FLORENCE LLC	0.19
200135400	9748 E HARVEST RD	MP FLORENCE LLC	0.20
200136560	9555 E HARVEST RD	MP FLORENCE LLC	0.19
200135450	9838 E HARVEST RD	MP FLORENCE LLC	0.19
200135460	9556 E HARVEST RD	MP FLORENCE LLC	0.19
200136550	9583 E HARVEST RD	MP FLORENCE LLC	0.19
200135470	9874 E HARVEST RD	MP FLORENCE LLC	0.19
200135610	24299 N COTTON RD	MP FLORENCE LLC	0.20
200136540	10015 E HARVEST RD	MP FLORENCE LLC	0.19
200136530	10041 E HARVEST RD	MP FLORENCE LLC	0.19
200135480	9592 E HARVEST RD	MP FLORENCE LLC	0.19
200136520	10059 E HARVEST RD	MP FLORENCE LLC	0.19
200136510	10101 E HARVEST RD	MP FLORENCE LLC	0.19
200136500	10131 E HARVEST RD	MP FLORENCE LLC	0.20
200135490	9910 E HARVEST RD	MP FLORENCE LLC	0.19
200135500	9928 E HARVEST RD	MP FLORENCE LLC	0.19
200135600	24319 N COTTON RD	MP FLORENCE LLC	0.20
200135510	9946 E HARVEST RD	MP FLORENCE LLC	0.19
200135520	9964 E HARVEST RD	MP FLORENCE LLC	0.20
200135570	10104 E HARVEST RD	MP FLORENCE LLC	0.19
200135580	10132 E HARVEST RD	MP FLORENCE LLC	0.18
200135590	10160 E HARVEST RD	MP FLORENCE LLC	0.18

23.35 Total







# Town of Florence

## Exhibit B: Legal Description Map

### Parcel Owners

-  Others
-  MP FLORENCE LLC



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 C

## UTILITY DEVELOPMENT IMPACT FEES

### WATER

Meter Size	Fee
5/8" - 3/4"	\$3,330
1"	\$5,550
1 1/2"	\$11,101
2"	\$22,201
3"	\$35,522
4"	\$55,503
6"	\$111,007
8"	\$266,415
10"	\$421,825
12"	\$555,031

### WASTEWATER

Meter Size	Fee
5/8" - 3/4"	\$4,105
1"	\$6,841
1 1/2"	\$13,684
2"	\$27,369
3"	\$43,789
4"	\$68,422
6"	\$136,843
8"	\$328,422
10"	\$522,154
12"	\$684,213

**Single family:** Attached and detached one-family dwelling units, modular, and manufactured homes;

**Multi-family:** All attached dwelling units such as duplexes and condominiums, mobile homes, apartments, and dormitories;

**Commercial:** All commercial, office, retail, institutional, and hotel/motel development;

**Industrial:** All manufacturing and warehouse development.

Ordinance # 568-11, November 21, 2011

# NON-UTILITY DEVELOPMENT IMPACT FEES

## TRANSPORTATION

Land Use Category	Unit	Fee Per Unit
Single Family	Housing Unit	\$583
Multi-Family	Housing Unit	\$410
Commercial	1,000 sq. ft.	\$2,618
Industrial	1,000 sq. ft.	\$425

## POLICE

Land Use Category	Unit	Fee Per Unit
Single Family	Housing Unit	\$913
Multi-Family	Housing Unit	\$657
Commercial	1,000 sq. ft.	\$171
Industrial	1,000 sq. ft.	\$98

## FIRE / EMERGENCY MEDICAL SERVICES

Land Use Category	Unit	Fee Per Unit
Single Family	Housing Unit	\$1,096
Multi-Family	Housing Unit	\$788
Commercial	1,000 sq. ft.	\$629
Industrial	1,000 sq. ft.	\$362

## PARKS AND OPEN SPACE

Land Use Category	Unit	Fee Per Unit
Single Family	Housing Unit	\$857
Multi-Family	Housing Unit	\$617
Commercial	1,000 sq. ft.	\$162
Industrial	1,000 sq. ft.	\$92

## LIBRARY

Land Use Category	Unit	Fee Per Unit
Single Family	Housing Unit	\$0
Multi-Family	Housing Unit	\$0
Commercial	1,000 sq. ft.	\$0
Industrial	1,000 sq. ft.	\$0

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**Multi-family:** All attached dwelling units such as duplexes and condominiums, mobile homes, apartments, and dormitories;

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**Industrial:** All manufacturing and warehouse development.

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