

ACTION MINUTES

MINUTES OF THE FLORENCE TOWN COUNCIL MEETING HELD ON MONDAY, SEPTEMBER 21, 2015, AT 6:00 P.M., IN THE CHAMBERS OF TOWN HALL, LOCATED AT 775 NORTH MAIN STREET, FLORENCE, ARIZONA.

1. CALL TO ORDER

Mayor Rankin called the meeting to order at 6:03 pm.

2. ROLL CALL:

Present: Rankin, Walter, Woolridge, Hawkins, Guilin, Anderson, Wall.

3. MOMENT OF SILENCE

4. PLEDGE OF ALLEGIANCE

5. CALL TO THE PUBLIC

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

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

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

- a. Discussion and possible approval authorizing the District Manager to execute an Officer's Certificate, relating to Merrill Ranch Community Facilities District No. 1 and the Indenture of Trust and Security Agreement dated July 1, 2012, to which it is a party, necessary for omitting the requirement of the Indenture Trustee to transfer certain monies to the Prepayment Account.**

On motion of Boardmember Guilin, seconded by Vice-Chairman Walter, and carried to approve and authorize the District Manager to execute an Officer's Certificate, relating to Merrill Ranch Community Facilities District No. 1 and the Indenture of Trust and Security Agreement dated July 1, 2012, to which it is a party, necessary for omitting the requirement of the Indenture Trustee to transfer certain monies to the Prepayment Account.

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

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

8. PUBLIC HEARING AND PRESENTATIONS

- a. **Public Hearing on a Minor General Plan Amendment to amend the Town of Florence's 2020 General Plan Future Land Use Map to change the land use designation from Open Space to Employment/Light Industrial on approximately a nine acre site that is located along the subject site's Diversion Dam Road frontage, which is generally bounded by Diversion Dam Road to the south, the Bonnybrooke Road alignment to the north, Padilla Road to the west and the Quail Run Road alignment to the east; and for Discussion/Approval/Disapproval of Resolution No. 1562-15: A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING THE BONNYBROOKE SOLAR PROJECT MINOR GENERAL PLAN AMENDMENT FOR CASE PZ-15-47-MGPA.**

Mayor Rankin opened the public hearing. Mayor Rankin closed the public hearing.

On motion of Councilmember Anderson, seconded by Vice-Mayor Walter, and carried to adopt Resolution No. 1562-15.

- b. **Presentation by Chris Knutsen, Assistant Superintendent, Florence Unified School District, regarding the Proposed Partial Consolidation and Plan for Coolidge/Florence School Districts.**
- c. **Presentation by the Greater Florence Chamber of Commerce recognizing LB Cantina as the Business of the Month.**
- d. **Acceptance of a 2015 Award of Merit from Arizona Forward for the Silver King Marketplace and Padilla Park Project.**
- e. **Presentation of Mayor's proclamation of appreciation.**

Mayor Rankin proclaimed September 25, 2015 as Bonnie Bariola Day and presented Ms. Barioia with the proclamation.

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

- a. **Authorization to enter into a Memorandum of Understanding with Corrections Corporation of America, Central Arizona Detention Center and Florence Correctional Center to provide guidance to both the Florence Fire and Police Departments in the event of an incident that requires an emergency response.**
- b. **Authorization to enter into an Intergovernmental Agreement to participate in Pinal County Narcotics Task Force's ACJC Grant # DC-16-010 for the reimbursement of overtime and related expenses.**
- c. **Approval of the resignation of Shawn Gibson from Parks and Recreation Advisory Board.**
- d. **Approval of the resignation of Judy Hughes from the Industrial Development Authority.**
- e. **Recommendation of approval of the Coolidge-Florence Elks Lodge #2350 Special Event Liquor License Application for the Hell's Angels Demolition Derby, on Sunday, October 4, 2015, from 9:00 am to 6:00 pm, at the Charles Whitlow Rodeo Grounds.**
- f. **Recommendation of approval of the Coolidge-Florence Elks Lodge #2350 Special Event Liquor License Application for a community event for the Anthem at Merrill Ranch community, on Friday, October 16, 2015, from 4:00 pm to 9:00 pm, at Anthem at Merrill Ranch Union Center.**
- g. **Recommendation of approval of the 100 Club of Arizona's Special Event Liquor License Application for the Anthem Celebrates the Arts event, on Saturday, November 14, 2015, from 12:00 pm to 5:00 pm, at 3313 N. Anthem Way, Florence, Arizona.**
- h. **Resolution No. 1563-15: Discussion/Approval/Disapproval of A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY ARIZONA, APPROVING THE FINAL PLAT FOR MERRILL RANCH UNIT 53; REQUIRING THE PROVISION OF AN INFRASTRUCTURE IMPROVEMENT ASSURANCE OR WITHHOLDING OF RECORDATION TO SECURE THE SATISFACTORY CONSTRUCTION, INSTALLATION AND DEDICATION OF REQUIRED IMPROVEMENTS; ESTABLISHING A DEADLINE FOR REQUIRED IMPROVEMENTS TO BE COMPLETED; AND AUTHORIZING EXECUTION BY THE TOWN MANAGER OF SUPPORTING DOCUMENTS.**
- i. **Resolution No. 1564-15: Discussion/Approval/Disapproval of A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY ARIZONA, APPROVING THE FINAL PLAT FOR MERRILL RANCH UNIT 50; REQUIRING THE PROVISION OF AN INFRASTRUCTURE IMPROVEMENT ASSURANCE**

OR WITHHOLDING OF RECORDATION TO SECURE THE SATISFACTORY CONSTRUCTION, INSTALLATION AND DEDICATION OF REQUIRED IMPROVEMENTS; ESTABLISHING A DEADLINE FOR REQUIRED IMPROVEMENTS TO BE COMPLETED; AND AUTHORIZING EXECUTION BY THE TOWN MANAGER OF SUPPORTING DOCUMENTS.

- j. Approval of the August 3, August 10, August 17, and August 24, 2015 Council minutes.
- k. Receive and file the following board and commission minutes:
 - i. July 9 and August 13, 2015 Arts and Culture Commission minutes.
 - ii. June 25, 2015 Parks and Recreation Advisory Board minutes
 - iii. August 6, 2015 Planning and Zoning Commission minutes.

On motion of Councilmember Woolridge, seconded by Vice-Mayor Walter, and carried to approve the Consent Agenda, as written, with the exception of item 7h. and 7i.

- h. Resolution No. 1563-15: Discussion/Approval/Disapproval of A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY ARIZONA, APPROVING THE FINAL PLAT FOR MERRILL RANCH UNIT 53; REQUIRING THE PROVISION OF AN INFRASTRUCTURE IMPROVEMENT ASSURANCE OR WITHHOLDING OF RECORDATION TO SECURE THE SATISFACTORY CONSTRUCTION, INSTALLATION AND DEDICATION OF REQUIRED IMPROVEMENTS; ESTABLISHING A DEADLINE FOR REQUIRED IMPROVEMENTS TO BE COMPLETED; AND AUTHORIZING EXECUTION BY THE TOWN MANAGER OF SUPPORTING DOCUMENTS.

On motion of Councilmember Anderson, seconded by Vice-Mayor Walter, and carried to adopt Resolution No. 1563-15.

Resolution No. 1564-15: Discussion/Approval/Disapproval of A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY ARIZONA, APPROVING THE FINAL PLAT FOR MERRILL RANCH UNIT 50; REQUIRING THE PROVISION OF AN INFRASTRUCTURE IMPROVEMENT ASSURANCE OR WITHHOLDING OF RECORDATION TO SECURE THE SATISFACTORY CONSTRUCTION, INSTALLATION AND DEDICATION OF REQUIRED IMPROVEMENTS; ESTABLISHING A DEADLINE FOR REQUIRED IMPROVEMENTS TO BE COMPLETED; AND AUTHORIZING EXECUTION BY THE TOWN MANAGER OF SUPPORTING DOCUMENTS.

On motion of Councilmember Anderson, seconded by Vice-Mayor Walter, and carried to adopt Resolution No. 1564-15.

10. UNFINISHED/NEW BUSINESS

- a. Ordinance No. 635-15: Discussion/Approval/Disapproval of AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE TOWN OF FLORENCE PURSUANT TO THE PROVISIONS OF TITLE 9, CHAPTER 4, ARTICLE 7, ARIZONA REVISED STATUTES AND AMENDMENTS THERETO, BY ANNEXING THERETO CERTAIN TERRITORY CONTIGUOUS TO THE EXISTING TOWN LIMITS OF THE TOWN OF FLORENCE, ARIZONA, (BONNYBROOKE SOLAR PROJECT ANNEXATION NO. 2015-02). (First reading September 8, 2015)

On motion of Councilmember Anderson, seconded by Councilmember Woolridge, to adopt Ordinance No. 635-15.

Roll Call Vote:

Councilmember Anderson: Yes
Councilmember Woolridge: Yes
Councilmember Hawkins: Yes
Councilmember Wall: Yes
Councilmember Guilin: Yes
Vice-Mayor Walter: Yes
Mayor Rankin: Yes

Motion Passed: Yes: 7; No: 0

- b. Ordinance No. 636-15: Discussion/Approval/Disapproval of AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, AMENDING THE TOWN OF FLORENCE ZONING MAP BY CHANGING THE ZONING CLASSIFICATIONS OF CERTAIN PARCELS OF LAND FROM PINAL COUNTY GENERAL RURAL ZONE TO TOWN OF FLORENCE SINGLE-RESIDENTIAL RANCHETTE ZONING DISTRICT.

On motion of Vice-Mayor Walter, seconded by Councilmember Guilin, to adopt Ordinance No. 636-15.

Roll Call Vote:

Vice-Mayor Walter: Yes
Councilmember Guilin: Yes
Councilmember Anderson: Yes
Councilmember Hawkins: Yes
Councilmember Wall: Yes
Councilmember Woolridge: Yes
Mayor Rankin: Yes

Motion Passed: Yes: 7; No: 0

- c. Ordinance No. 637-15: Discussion/Approval/Disapproval of AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING THE BONNYBROOKE SOLAR PROJECT PLANNED UNIT DEVELOPMENT (CASE PZ 15-48-PUD). (First reading September 8, 2015)

On motion of Councilmember Woolridge, seconded by Councilmember Wall, to adopt Ordinance No. 637-15.

Roll Call Vote:

Councilmember Woolridge: Yes

Councilmember Wall: Yes

Councilmember Hawkins: Yes

Councilmember Anderson: Yes

Councilmember Guilin: Yes

Vice-Mayor Walter: Yes

Mayor Rankin: Yes

Motion Passed: Yes: 7; No: 0

- d. Ordinance No. 639-15: Discussion/Approval/Disapproval of AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, AMENDING THE FLORENCE TOWN CODE BY STRIKING SECTION 10.15 AND 30.45 TO 30.51 AND CREATING NEW SECTION 10.15 AND 30.45 to 30.53 ENTITLED ORDINANCES AND RESOLUTIONS. (First reading September 8, 2015)

On motion of Councilmember Woolridge, seconded by Councilmember Hawkins, and carried to adopt Ordinance No. 639-15.

- e. Resolution No. 1561-15: Discussion/Approval/Disapproval of A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, AMENDING THE FLORENCE TOWN COUNCIL RULES OF PROCEDURE, EFFECTIVE OCTOBER 21, 2015. (Item reviewed September 8, 2015).

On motion of Councilmember Anderson, seconded by Councilmember Guilin, and carried to adopt Resolution No. 1561-15.

11. MANAGER'S REPORT

12. CALL TO THE PUBLIC

13. CALL TO THE COUNCIL – CURRENT EVENTS ONLY

14. ADJOURN TO EXECUTIVE SESSION

An Executive Session will be held during the Council Meeting for legal matters pursuant to A.R.S. Section 38-431.03(A)(3) and (A)(4) as follows:

1. For the purpose of discussion and consultation with the Town's attorneys for legal advice and to consider the Town's position and instruct its attorneys in regard to the consolidated litigation: Hollins v. Town of Florence, et al; Pinal County Superior Court Case No. CV2014-02265/02266; Dantico v. Town of Florence, et al; Pinal County Superior Court Case No. CV2014-02327.
2. For the purpose of discussion and consultation with the Town's attorneys for legal advice and to consider the Town's position and instruct its attorneys in regard to pending litigation in the U.S. District Court for the District of Arizona: Association of Florence Fire Fighters, International Association of Fire Fighters Local 4512 v. Town of Florence. (Case No. CV-15-00327-PHX-SPL)
3. For the purpose of discussion and consultation with the Town's attorneys for legal advice and to consider the Town's position and instruct its attorneys in regard to pending litigation in Maricopa County Superior Court: Town of Florence v. Florence Copper, Inc. CV 2015-0001325.
4. For the purpose of discussion and consultation with the Town's attorneys for legal advice and to consider the Town's position and instruct its attorneys in regards to pending litigation in the U.S. District Court for the District of Arizona: (Case No. CV-14-01304-PHX-DMF) Walt Hunter and Jarris A. H. Varnrobinson Von Zombie v. Town of Florence, et al.

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

15.ADJOURNMENT FROM EXECUTIVE SESSION

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

16.ADJOURNMENT

On motion of Councilmember Hawkins, seconded by Councilmember Anderson, and carried to adjourn the meeting at 8:55 pm.

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 this 22nd day of September 2015, on the Town of Florence website at www.florenceaz.gov by Maria Hernandez, Deputy Town Clerk.