

## **ACTION MINUTES**

**MINUTES OF THE FLORENCE TOWN COUNCIL MEETING HELD ON MONDAY, DECEMBER 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 6:01 pm.**

### **2. ROLL CALL:**

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

**Absent: Woolridge**

### **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. PUBLIC HEARING AND PRESENTATIONS**

- a. Public Hearing on Resolution No. 1568-15: A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FLORENCE, ARIZONA, PROPOSING A ONE-TIME SPECIFIC AMOUNT IN EXCESS OF THE STATE-IMPOSED EXPENDITURE LIMITATION AND SETTING A SPECIAL ELECTION FOR MAY 17, 2016.**

**Mayor Rankin opened the Public Hearing.**

**Mayor Rankin closed the Public Hearing.**

- b. Presentation and acceptance of the Town's Comprehensive Annual Financial Report, Impact Fees Acceptable Use Policy Report and Annual Expenditure Limitation Report for Fiscal Year Ended June 30, 2015.**

**On motion of Councilmember Guilin, seconded by Vice-Mayor Walter, and carried to accept the Town's Comprehensive Annual Financial Report, Impact**

**Fees Acceptable Use Policy Report and Annual Expenditure Limitation Report for Fiscal Year Ended June 30, 2015.**

- c. Presentation of appreciation to Jeff Moser for 25 years of service to the Town of Florence.
  - d. Presentation by the Greater Florence Chamber of Commerce recognizing Power Tags Titles and More, LLC, as the Business of the Month.
7. **CONSENT: All items on the consent agenda will be handled by a single vote as part of the consent agenda, unless a Councilmember or a member of the public objects at the time the agenda item is called.**
- a. **Adoption of Resolution No. 1571-15: A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING AND AUTHORIZING MAYOR TOM J. RANKIN AND TOWN MANAGER BRENT BILLINGSLEY TO ACT AS SIGNATORIES FOR THE TRANSACTION OF BUSINESS ON THE POLICE EVIDENCE TRUST FUND AT NATIONAL BANK OF ARIZONA, AND DECLARING AN EMERGENCY.**
  - b. **Adoption of Resolution No. 1572-15: A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, AUTHORIZING MAYOR TOM J. RANKIN, TOWN MANAGER BRENT BILLINGSLEY AND FINANCE DIRECTOR GABRIEL GARCIA TO ACT AS SIGNATORIES FOR THE TRANSACTION OF BUSINESS ON ALL TOWN OF FLORENCE BANK ACCOUNTS, AND DECLARING AN EMERGENCY.**
  - c. **Adoption of Resolution No. 1573-15: A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, ACCEPTING A LIMITED, NON-EXCLUSIVE ACCESS EASEMENT FROM CEMEX CONSTRUCTION MATERIALS SOUTH, LLC, A DELAWARE LIMITED LIABILITY COMPANY, FOR EMERGENCY INGRESS AND EGRESS PURPOSES RELATED TO THE SANDSTONE SOLAR PROJECT AND AUTHORIZING EXECUTION BY THE TOWN MANAGER OF SUPPORTING DOCUMENTS.**
  - d. **Approval of the Florence Gardens Mobile Home Association applications for a Special Event License for January 7, January 14, January 26, February 4, February 18, March 3, March 17, November 17 and December 8, 2016, at Florence Gardens Club House.**
  - e. **Discussion/Approval/Disapproval of Change Order No. 3 to the Library/Recreation Complex design-build contract with Low Mountain Construction, increasing the Guaranteed Maximum Price by \$39,651, to \$13,178,876, and reimbursing \$6,960 from the CIP Fund to the HURF Fund.**

- f. Approval of a Municipal Effluent Purchase and Sales Agreement with Adamsville 650, LLC (Formerly Dobson Group Limited Partnership).
- g. Approval of the October 13, November 2, November 12, November 13, November 16, and November 23, 2015 Council minutes.
- h. Receive and file the following board and commission minutes:
  - i. September 10, and October 8, 2015 Arts and Culture Commission minutes.
  - ii. October 15, 2015 Planning and Zoning Commission minutes.

**On motion of Councilmember Hawkins, seconded by Vice-Mayor Walter, and carried to approve the Consent Agenda, as written, with the exception of item 7e. and 7f.**

**e. Discussion/Approval/Disapproval of Change Order No. 3 to the Library/Recreation Complex design-build contract with Low Mountain Construction, increasing the Guaranteed Maximum Price by \$39,651, to \$13,178,876, and reimbursing \$6,960 from the CIP Fund to the HURF Fund.**

**f. Approval of a Municipal Effluent Purchase and Sales Agreement with Adamsville 650, LLC (Formerly Dobson Group Limited Partnership).**

**On motion of Councilmember Anderson, seconded by Councilmember Guilin, and carried to approved items 7e. and 7f.**

## **8. NEW BUSINESS**

- a. Ordinance No. 644-15: Discussion/Approval/Disapproval of AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, RELATING TO THE PRIVILEGE LICENSE TAX; AMENDING THE TOWN TAX CODE BY DECREASING THE RATE OF USE TAXATION FROM THREE PERCENT (3%) TO TWO PERCENT (2%); PROVIDING PENALTIES FOR THE VIOLATION THEREOF; PROVIDING FOR SEVERABILITY; AND DESIGNATING AN EFFECTIVE DATE.

**On motion of Councilmember Guilin, seconded by Councilmember Anderson, and carried to adopt Ordinance No. 644.15.**

## **9. CALL TO THE PUBLIC**

## **10. CALL TO THE COUNCIL – CURRENT EVENTS ONLY**

## **11. 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 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)
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 Maricopa County Superior Court: Town of Florence v. Florence Copper, Inc. CV2015-000325.
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 regards to pending litigation in the U.S. District Court for the District of Arizona: (Case No. CV-14-01304-PHX- BSB) 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.

## 12.ADJOURNMENT FROM EXECUTIVE SESSION

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

## 13.ADJOURNMENT

On motion of Councilmember Wall, seconded by Councilmember Hawkins, and carried to adjourn the meeting at 7:30 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 22<sup>nd</sup> day of December 2015, on the Town of Florence website at [www.florenceaz.gov](http://www.florenceaz.gov) by Maria Hernandez, Deputy Town Clerk.