

TOWN OF FLORENCE REGULAR MEETING AGENDA

Mayor Tom J. Rankin
Vice-Mayor Tara Walter
Councilmember Vallarie Woolridge
Councilmember Bill Hawkins
Councilmember Becki Guilin
Councilmember John Anderson
Councilmember Karen Wall



Florence Town Hall
775 N. Main Street
Florence, AZ 85132
(520) 868-7500
www.florenceaz.gov
Meet 1st and 3rd Mondays

Monday, August 15, 2016

6:00 PM

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the Town of Florence Council and to the general public that a Regular Meeting of the Florence Town Council will be held on Monday, August 15, 2016, at 6:00 p.m., in the Florence Town Council Chambers, located at 775 N. Main Street, Florence, Arizona. The agenda for this meeting is as follows:

1. CALL TO ORDER

2. ROLL CALL: 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. PUBLIC HEARING AND PRESENTATION

- a. **Public hearing to** receive comments on a Text Amendment, requested by Swaback Partners, on behalf of Florence Artisan Acres, LLC to to update the Territory Square Zoning District book per Section 150.070 Territory Square of the Land Usage section of the Town of Florence Development Code; and first reading of Ordinance No. 649-16: AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, TO AMEND THE TERRITORY SQUARE ZONING BOOK PER SECTION 150.070 TERRITORY SQUARE (TS) CONTAINED WITHIN THE LAND USAGE SECTION OF THE TOWN OF FLORENCE CODE OF ORDINANCES (CASE PZ 16-51 ORD). (Mark Eckhoff)

- b. **Public hearing on** a Minor General Plan Amendment, requested by Swaback Partners, on behalf of Florence Artisan Acres, LLC, to amend the Town of Florence's 2020 General Plan Future Land Use Map to change the land use designation on approximately 40 acres from Community Commercial and Medium Density Residential 1 to Master Planned Community for property located at the southeast corner of Butte Avenue and Plant Road and first reading of Resolution No 1596-16: A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING THE TERRITORY SQUARE EXPANSION MINOR GENERAL PLAN AMENDMENT FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF BUTTE AVENUE AND PLANT ROAD (CASE PZ 16-49 GPA). (Mark Eckhoff)
- c. **Public Hearing to** receive comments on a zone change, requested by Swaback Partners, PLLC, on behalf of Florence Artisan Acres, LLC, on approximately 40 acres located at the southeast corner of Butte Avenue and Plant Road from Rural Agricultural (RA-10) Zoning District to Territory Square (TS) Zoning District (APN 202-05-001C); and first reading of Ordinance No. 652-16: AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING THE TERRITORY SQUARE ZONE CHANGE ON APPROXIMATELY 40 ACRES LOCATED AT THE SOUTHEAST CORNER OF BUTTE AVENUE AND PLANT ROAD (PZ 16-50 ZC). (Mark Eckhoff)
- d. **Presentation by** Human Resources Director Scott Barber.
- e. **Presentation of** the Town Manager Work Plan (Brent Billingsley)

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

- a. **Approval of the** Pinal County Historical Society's application for their Special Event Liquor License application to the Arizona Department of Liquor Licenses and Control for their event to be held on October 2, 2016. (Lisa Garcia)
- b. **Approval of the** Pinal County Historical Society's application for their Special Event Liquor License application to the Arizona Department of Liquor Licenses and Control for their event to be held on November 18, 2016. (Lisa Garcia)
- c. **Approval of Letter** of Support for the designation of Historic Arizona U.S. Route 80 as an Arizona Historic Road. (Jennifer Evans)
- d. Approval of the **July 5** and **July 18, 2016** Council minutes.

8. NEW BUSINESS

- a. **Discussion/Approval/Disapproval** of a modification to the Intergovernmental Agreement with the Arizona Department of Revenue related to Uniform Administration of the Town's Transaction Privilege Tax. (Gabe Garcia)

9. TOWN MANAGER'S REPORT

10. CALL TO THE PUBLIC

11. CALL TO THE COUNCIL – CURRENT EVENTS ONLY

12. 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), (A)(4), and (A)(7) for the purpose of discussion and consultation with the Town's attorneys for legal advice on the following items:

- a. 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 2015-000325.
- b. Town's position and instruct its attorneys in regard to Arizona Department of Environmental Quality proceedings.
- c. Town's attorneys for legal advice on a pending and threatened claim filed by Johnson Utilities.


13. ADJOURN FROM EXECUTIVE SESSION

14. 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 ON AUGUST 11, 2016, BY LISA GARCIA, TOWN CLERK, AT 775 NORTH MAIN STREET, FLORENCE, ARIZONA, AND AT 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.

	TOWN OF FLORENCE COUNCIL ACTION FORM	<u>AGENDA ITEM</u> 6a.
MEETING DATE: August 15, 2016 DEPARTMENT: Community Development STAFF PRESENTER: Mark Eckhoff, AICP Community Development Director SUBJECT: Ordinance No. 649-16: Territory Square Expansion Text Amendment (PZ 16-51 ORD)		<input type="checkbox"/> Action <input type="checkbox"/> Information Only <input checked="" type="checkbox"/> Public Hearing <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance <ul style="list-style-type: none"> <input type="checkbox"/> Regulatory <input checked="" type="checkbox"/> 1st Reading <input type="checkbox"/> 2nd Reading <input type="checkbox"/> Other

REQUEST:

A Text Amendment by Swaback Partners, PLLC, on behalf of Florence Artisan Acres, LLC, to update the Territory Square Zoning District book per Section 150.070 Territory Square of the Land Usage section of the Town of Florence Development Code. The update is related to the proposed addition of a 40 acre, m.o.l., site located at the southeast corner of Butte Avenue and Plant Road into the Territory Square project.

RECOMMENDED MOTION/ACTION:

On August 15, 2016: Public hearing and first reading of Ordinance No. 649-16: AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, TO AMEND THE TERRITORY SQUARE ZONING BOOK PER SECTION 150.070 TERRITORY SQUARE (TS) CONTAINED WITHIN THE LAND USAGE SECTION OF THE TOWN OF FLORENCE CODE OF ORDINANCES (CASE PZ 16-51 ORD).

On September 6, 2016, motion to adopt Ordinance No. 649-16 for a Text Amendment required for the update of the Territory Square Zoning District book referenced, per Section 150.070 Territory Square of the Land Usage section of the Town of Florence Development Code.

BACKGROUND/ANALYSIS:

Over the past several years, the Town orchestrated a series of community oriented planning initiatives with the goal of creating a more plausible framework for future development in and around the downtown area. The North End Framework Vision Plan (NEFVP) resulted in a dynamic vision for the northern most boundary of downtown Florence directly south of the Gila River. The comprehensive planning process for the NEFVP led to a roadmap for future development within the study area that addressed physical planning, programming, engineering and cost ramifications.

The NEFVP was initiated in November 2009, and after numerous months of study and community oriented workshops, the Town Council endorsed the plan in June 2011. The NEFVP identified a series of on-going tasks moving forward that would help to set the stage for future development.

One specific recommendation was for the creation of a new zoning district. The intent was to create a zoning district that represented the vision cast for the NEFVP area and at the same time, create a framework to help incentivize future development within this area. The NEFVP initiative lead to the creation of the Territory Square (TS) Zoning District.

The Territory Square Zoning District was developed to implement the NEFVP. The Territory Square Zoning District provides a clear and concise methodology as to future development expectations and requirements. The zoning and associated components are intended to help ensure that the intended vision meets the high expectations of the Town, property owners and community members for the subject study area. Territory Square is an innovative mixed-use hybrid zoning district because it combines features of traditional Euclidian zoning with Form Based Code and hybrid components. This approach is much different from the typical regulatory approach to zoning, which generally works well in most cases, but not with a highly innovative project such as Territory Square. Council endorsed the creation and subsequent application of the Territory Square Zoning District as it provided a clear and concise methodology as to future development requirements. The zoning and associated components are intended to help ensure that the intended vision meets the expectations of the Town, property owners and all community members.

Much has occurred over the past few years towards the implementation of the vision for the subject area. In addition to major public investments in planning, engineering, floodplain mitigation and the additional of the new Library and Community Center and Aquatic Center, the Windmill project on the west end of Territory Square has experienced significant growth and success. So much so that there is now an opportunity for the project to spin off on adjacent land that is currently outside of the Territory Square Zoning District. The intent of this text amendment application is to consider the expansion and applicability of the Territory Square Zoning District on a 40 acre site that is adjacent to the existing Windmill site.

The original Territory Square Zoning Ordinance was adopted by Town Council on October 1, 2012. If the Territory Square Zoning District is expanded as requested, the Zoning Book for this District, which is a freestanding document that is referenced by a Resolution as if contained within the Zoning Code, would be modified. All changes to the Zoning District are specifically related to the expansion of the Territory Square Zoning District and the plans proposed for the 40 acre site. The details of the plans for the 40 acre site will be addressed within companion applications. Furthermore, separate actions are required to amend the General Plan land use designation for the subject 40 acre site and to apply the Territory Square Zoning District to the subject site.

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 300 feet of the site. Property posting for notice of public hearing was posted on two sites per Town requirements. Advertisements in the local Town paper have been posted per Town requirements.

The Town conducted a neighborhood meeting on June 29, 2016, at the Windmill Winery with several members of the public in attendance. Staff has received one verbal comment in opposition to this case. That comment concerned the possibility of this expansion creating noise. All other comments have been supportive.

FINANCIAL IMPACT:

None directly applicable to this request.

RECOMMENDATION:

The Planning and Zoning Commission forwarded a unanimous favorable recommendation on this ordinance to the Town Council.

Public hearing and first reading of Ordinance No. 649-16 on August 15, 2016.

On September 6, 2016, motion to adopt Ordinance No. 649-16 for a Text Amendment required for the update of the Territory Square Zoning District book referenced per Section 150.070 Territory Square of the Land Usage section of the Town of Florence Development Code, subject the following conditions contained within said Ordinance.

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. The updated Territory Square Zoning District book shall be adopted in its entirety by reference by a separate resolution.
3. Any additional conditions deemed necessary by the Town Council.

ATTACHMENT:

Ordinance No. 649-16
Exhibit A: Territory Square Zoning District Book
Exhibit B: 207 Waiver
Application Material

ORDINANCE NO. 649-16

AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, TO AMEND THE TERRITORY SQUARE ZONING BOOK PER SECTION 150.070 TERRITORY SQUARE (TS) CONTAINED WITHIN THE LAND USAGE SECTION OF THE TOWN OF FLORENCE CODE OF ORDINANCES (CASE PZ 16-51 ORD).

WHEREAS, a request has been made to approve a text amendment proposing an update of the Territory Square Zoning District book per Section 150.070 Territory Square (TS) contained within the Land Usage Section of the Town of Florence Code of Ordinances; and

WHEREAS, the proposed text amendment is related to the proposed addition of a forty acre site located at the southeast corner of Butte Avenue and Plant Road into the previously approved Territory Square project; and

WHEREAS, if this text amendment is approved, the updated Territory Square Zoning District book shall be adopted in its entirety by reference by a separate resolution; and

WHEREAS, Property owners have agreed 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; and .

WHEREAS, the Planning and Zoning Commission, after having held a public hearing on the case, has forwarded the Mayor and Town Council a unanimous favorable recommendation for the text amendment; and

WHEREAS, the Town Council has determined that, for the reasons set forth above and for the purpose of protecting the public health, safety and welfare of the residents and visitors of Florence, it is in the best interest of the Town of Florence to amend the Code of Ordinances approving the updated Territory Square Zoning District book, which shall be adopted by reference into the Town Code per a companion Resolution.

NOW, THEREFORE BE IT ORDAINED by the Mayor and Council of the Town of Florence, Arizona, that the updated Territory Square Zoning District Book, dated July 27, 2016 (included herein as Exhibit A) is hereby approved and shall be adopted by reference into the Town Code of Ordinances by a separate resolution as if fully contained within the Town Code of Ordinances.

PASSED AND ADOPTED by the Mayor and Council of the Town of Florence, Arizona, this 5th day of September 2016.

Tom J. Rankin, Mayor

ATTEST:

APPROVED AS TO FORM:

Lisa Garcia, Town Clerk

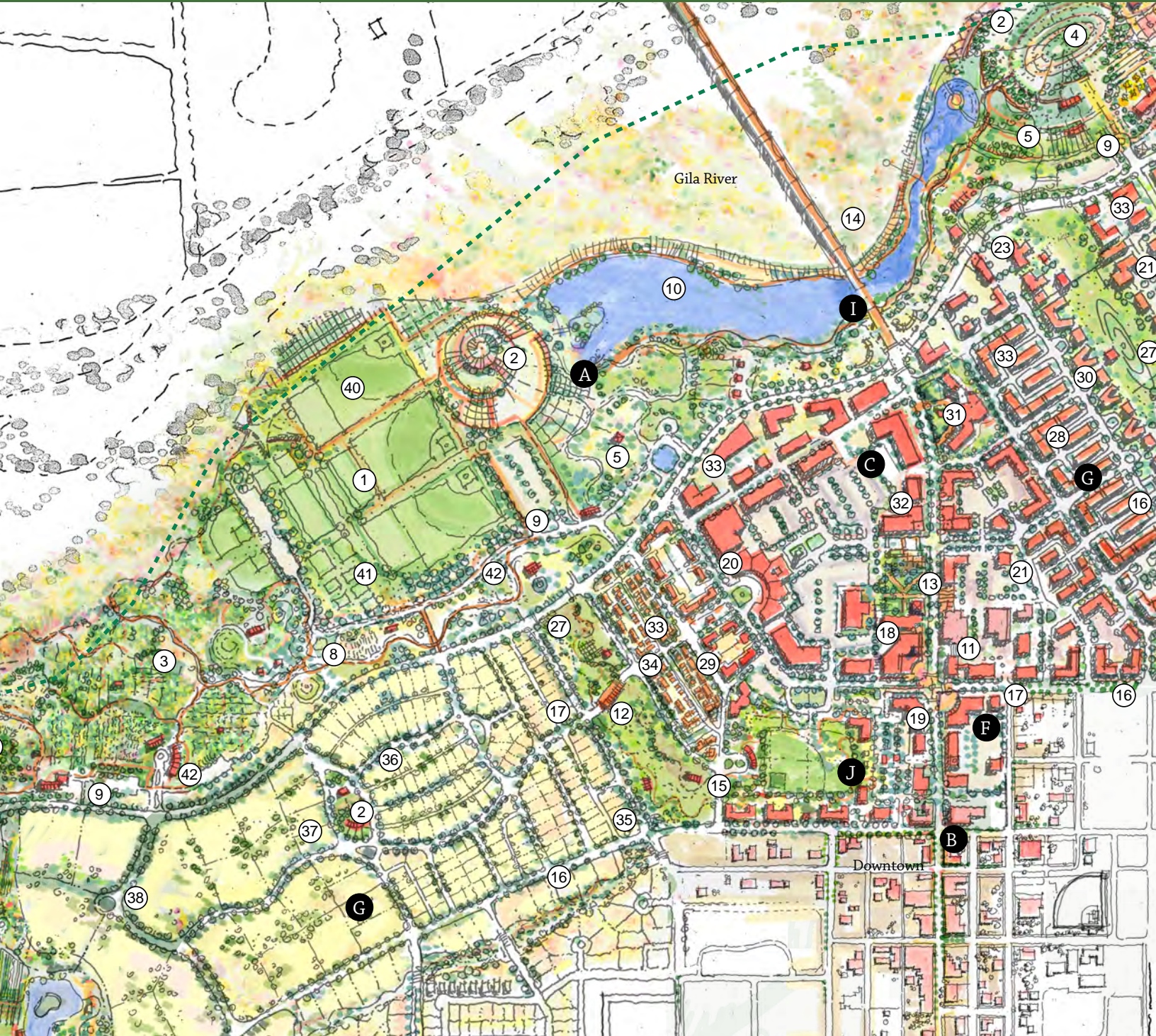
Clifford L. Mattice, Town Attorney

Exhibit A
Territory Square Zoning District Book (July 27, 2016)

TERRITORY SQUARE

Zoning District

JULY 27, 2016



TERRITORY SQUARE

ZONING DISTRICT

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1. Introduction

The following conditions, standards, features, photographs and illustrations provide the expectation for the future built environment associated with Territory Square. The information provides the regulatory standards governing land use and building form within the Zoning District. These standards represent the community's and series of landowner's vision for this northern area of the downtown. The document and contents is made part of the Town's Development Code by reference and per ordinance.

Over a several year period, the Town has orchestrated a series of community oriented planning initiatives with the goal of creating a more plausible framework for future development in and around the downtown area. The most recent of these projects, the North End Framework Vision Plan (NEFVP), has resulted in a dynamic vision for the northern most boundary of the downtown directly south of the Gila River. The comprehensive planning process provides a roadmap for future develop that address physical planning, programming, engineering and cost ramifications.

The NEFVP was initiated in November of 2009 and after numerous months of study and community oriented workshops; the Town Council endorsed the Plan in June of 2011. The NEFVP identified a series of on-going tasks moving forward that would help to set the stage for future development. One specific recommendation was for the creation of a new zoning district. The intent was a create a zoning district that represented the vision cast for the NEFVP area and, at the same time, create a framework to help incentivize future development within this area.

The resulting document, zoning for Territory Square provides a clear and concise methodology as to future development requirements. The zoning and associated components are intended to help ensure that the intended vision meets the expectations of the Town, property owners and all community members.

The accompanying figures in this first section provide a reference to the planning process and associated issues. They are included for reference only.

The document is organized as follows:

- The Transect and Regulatory Plan- General visual description of the anticipated built environment for this area as described from most urban to most rural.
- Land Use Groups (LUGs) Summary- Narrative descriptions of the zones associated with each section of the Transect. These sections represent Land Use Groups and associated characteristics of the built environment.
- Land Use Budget- Chart identifying the maximum number of housing units as well as non-residential maximum building square footage allowed within each Land Use Group.
- Function and Use- Identifies the spectrum of uses allowed in each Land Use Group.
- Land Use Group Summary- Narrative and pictorial description of the associated physical form within each LUG and typical lot characteristic development criteria.
- Frontage Types- Articulation of private and public frontage conditions for the range of LUGs.
- Build to Line- Description of areas within the Zoning District that will require build to line development.
- Open Space- Narrative and visual description of the range of civic open space opportunities within the LUGs.
- Design Guidelines- Design Guidelines within the zoning District that articulates the anticipated quality and character of design.
- Use Glossary- Definition of terms

Figure 1: Vision Plan



Key Components

- A** Riverfront Park
- B** Main Street Extension
- C** Civic / Municipal Campus
- D** Corporate Office Complex
- E** Regional Commercial Center
- F** Mixed-Use Core
- G** Residential Village
- H** Agrarian Cornerstone
- I** Gateway Crossing
- J** Heritage Park Enhancement
- K** Agrarian Support Facilities

Special Features

- 1** Sport Fields
- 2** Community Gardens
- 3** Farm Fields (leased)
- 4** Amphitheater
- 5** Urban Gardens
- 6** Orchards
- 7** The Grove
- 8** Path and Trails
- 9** Access Parking
- 10** Irrigation Pond
- 11** Re-Purposed Ex-Town Hal
- 12** Covered Bridge
- 13** Village Green
- 14** Bridge
- 15** Park Improvements
- 16** On-Street Parking
- 17** Shaded Sidewalks
- 18** New Town Hall
- 19** Clock Tower
- 20** Focal Civic Building
- 21** Parking Pods
- 22** Landscape Buffer
- 23** Offices Suites
- 24** Incubator Facilities
- 25** Route 79 Corridor
- 26** Big Box Brand Retail
- 27** Green Belt
- 28** Residential Town Homes
- 29** Residential Duplexes
- 30** Live Work
- 31** Neighborhood Retail
- 32** Specialty Office
- 33** Multi-Family
- 34** Duplexes
- 35** Small Lot SFD
- 36** Medium Lot SFD
- 37** Garden Lots
- 38** Farmstead Lots
- 39** The Windmill Winery
- 40** Multi-Purpose Fields
- 41** Playgrounds
- 42** Pavilions

Figure 2: Property Ownership

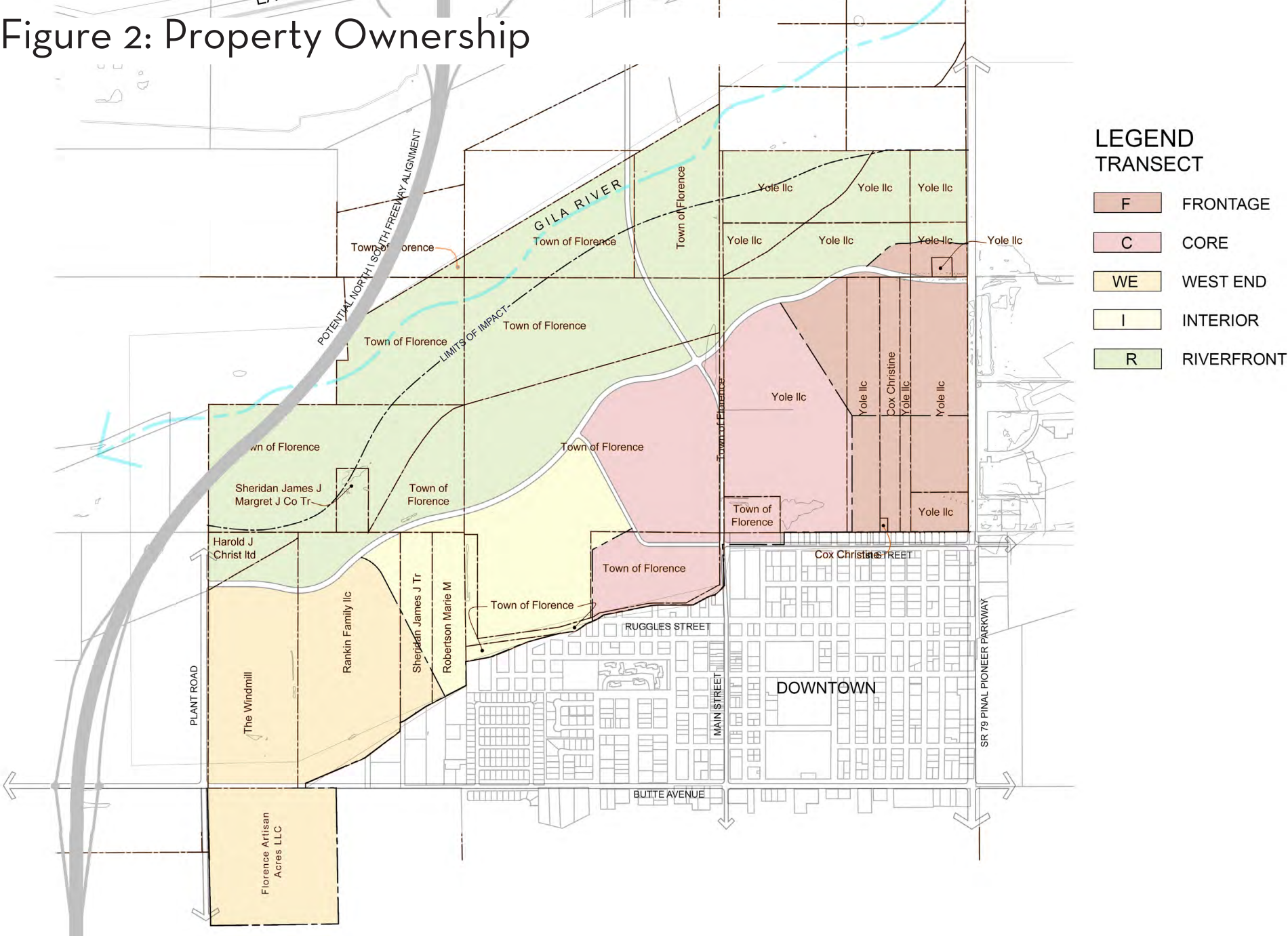
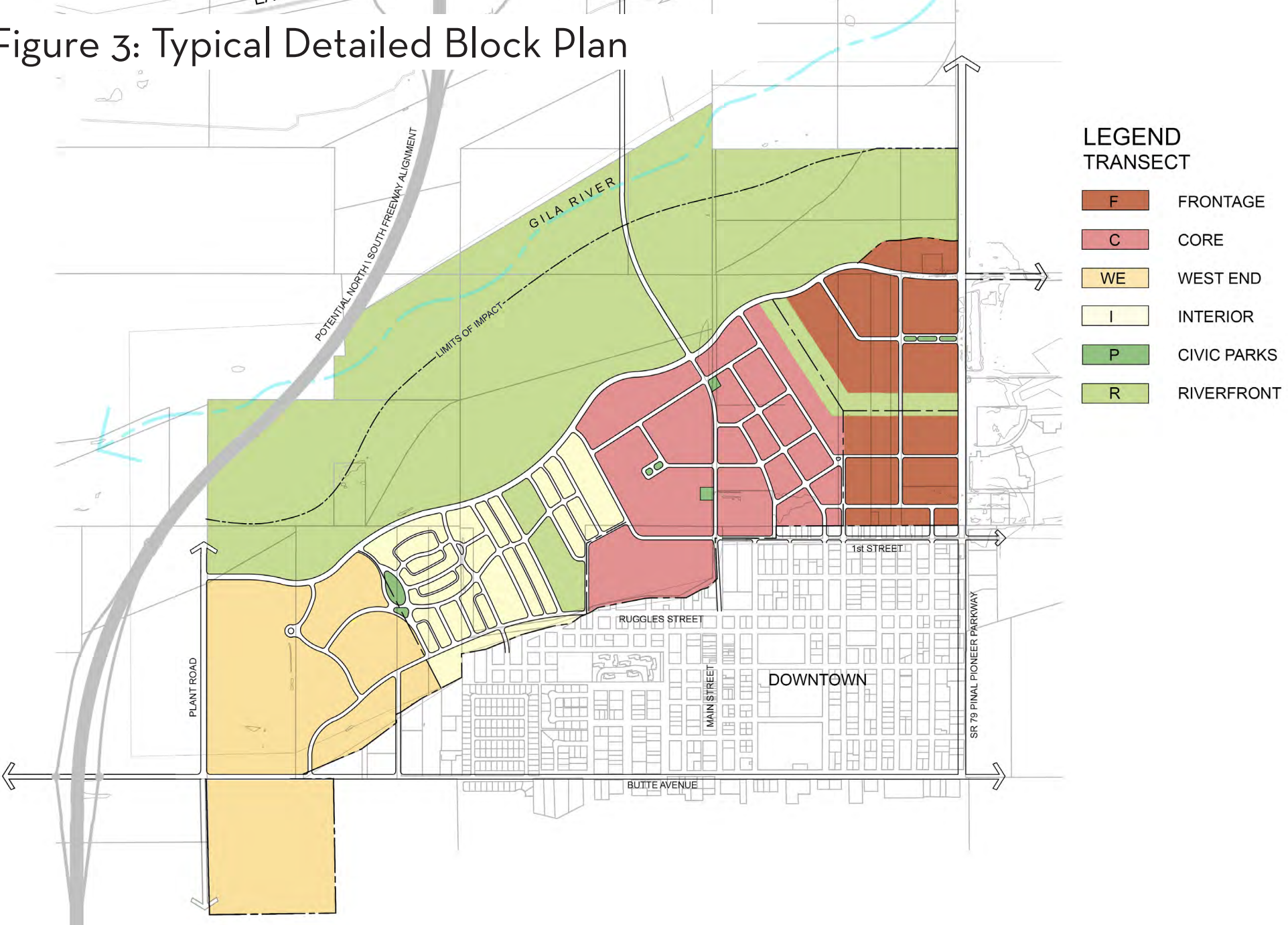


Figure 3: Typical Detailed Block Plan



2. The Transect and Regulatory Plan

The rural to urban transect is divided into five LUGs for application related to the associated Regulatory Plan. These five LUGs vary by the level of density and intensity of their physical character. One of the key principles of Transect-based zoning is that forms and elements belong in certain environments. For example, any proposed apartment building belongs in a more urban setting, a ranch house in a more rural setting and a community park might be found in several environments. The intent of these distinctions is not to limit choices, but to expand them.

The LUGs associated with the defined Transect provide the bases for patterns of development that engage sustainability, smart growth, compact and mixed-use environments. While conventional zoning looks to separate uses, the Transect and form-based code looks to integrate uses.

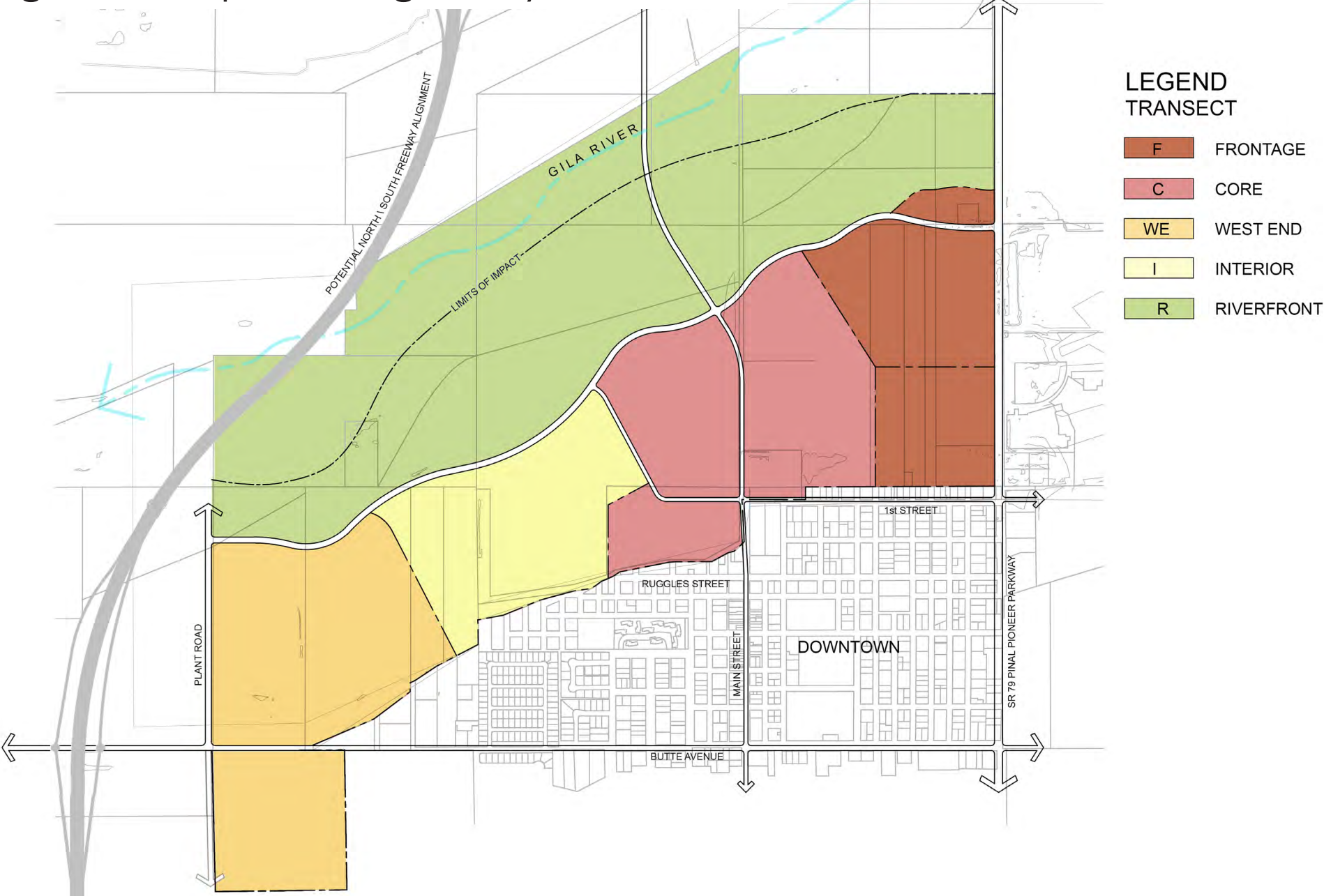
Because of the special nature of the NEFVP and the overwhelming desire to create a strategy for development that is focused on Smart Growth principles such as compact development, pedestrian oriented environments and mixed use settings, it was decided that a new zoning document would be necessary to ensure these key aspects could be properly integrated into the associated codes and ordinances. This zoning document can be referred to as a “hybrid” technical code that combines traditional zoning tools with more modern zoning referred to as “Form-Based”. Form based codes put much greater emphasis on the anticipated and expected forms of places. This strategy has been very effective in ensuring the expectation as to how a place will look and feel. A specific example of form based coding is referred to as the “Smartcode”. This example also utilizes the Transect and Regulatory Plan as previously referenced. Territory Square also utilizes aspects of the Smartcode, which are effective in addressing numerous components including parking, roadways, frontage and function. See Figure 5.



Figure 4: Transect






Figure 5: Proposed Regulatory Plan





3. Land Use Groups Summary

The summary land use information provides the overview of the LUGs general characteristics and criteria for development within each of the components of the Transect. The LUGS can be referenced from the Transect as well as to the Regulatory Plan. The LUGs are organized first in a summary table format for easy reference and followed up with detailed information including; specific site context, pictorial examples of the range of visual character, narrative and site specific development criteria.



F - FRONTAGE			
	<p>GENERAL CHARACTER/USE Mixed-use environment oriented towards accessible regional retail, larger scale commercial office space and higher densities of residential development. Key areas shall look to emphasize street front development as well as create reasonable transitions to the Main Street Core area.</p>	<p>TYPICAL BUILDING HEIGHT</p>	<p>1-4 stories (with some 5)</p>
		<p>MAXIMUM BUILDING HEIGHT</p>	<p>65'</p>
	<p>STREET FRONTAGE Varied depending on location and use.</p>	<p>MAXIMUM DENSITY</p>	<p>20 du/ac</p>
		<p>FLOOR AREA RATIO (FAR) RANGE</p>	<p>0 - 1.5</p>
C - CORE			
	<p>GENERAL CHARACTER/USE Mixed-use, more urban environment organized around a series of blocks and street patterns that provide a compact and pedestrian friendly setting. Medium density housing and a range of Main Street oriented uses including municipal office, commercial office and retail. Buildings should be organized along street fronts with parking mainly located at the back and along secondary and service streets.</p>	<p>TYPICAL BUILDING HEIGHT</p>	<p>2-3 stories (some 4)</p>
		<p>MAXIMUM BUILDING HEIGHT</p>	<p>50'</p>
	<p>STREET FRONTAGE Predominantly street front active conditions, especially along designated BTL (Build To Lines). All accomplished with a range of uses including office, retail and residential.</p>	<p>MAXIMUM DENSITY</p>	<p>15 du/ac</p>
		<p>FLOOR AREA RATIO (FAR) RANGE</p>	<p>0 - 1.0</p>
WE - WEST END			
	<p>GENERAL CHARACTER/USE A mixed-use environment that includes a diversity of density from farm fields to retail and commercial development. This location near a future freeway provides an opportunity to integrate agrarian themes in a more urban form.</p>	<p>TYPICAL BUILDING HEIGHT</p>	<p>3-4 stories (some 5)</p>
		<p>MAXIMUM BUILDING HEIGHT</p>	<p>65'</p>
	<p>STREET FRONTAGE Street characters will vary from formal streetscenes with building frontage to informal streetscapes with significant landscaped setbacks.</p>	<p>MAXIMUM DENSITY</p>	<p>5 du/ac</p>
		<p>FLOOR AREA RATIO (FAR) RANGE</p>	<p>0 - 1.0</p>

I - INTERIOR			
	<p>GENERAL CHARACTER/USE Traditional more compact neighborhoods organized with smaller lots and an organic roadway system that provides a unique setting for neighborhood parks, amenities and open space. Modest urban gardens and community access through the extensive trail system will compliment the overall character of the village.</p>	<p>TYPICAL BUILDING HEIGHT</p>	<p>1-2 stories (some 3)</p>
	<p>STREET FRONTAGE Front landscaped yards are anticipated for single family detached and attached housing with varied setbacks from 15' and varied street scenes (setbacks) with non-garage dominant houses-capes. Some alley loaded residences.</p>	<p>MAXIMUM BUILDING HEIGHT</p>	<p>42'</p>
		<p>MAXIMUM DENSITY</p>	<p>8 du/ac</p>
		<p>FLOOR AREA RATIO (FAR) RANGE</p>	<p>0 - .50</p>
R - RIVERFRONT			
	<p>GENERAL CHARACTER/USE Mix of passive and active recreation activities integrated within a regional park setting that includes both formal lawn and landscape areas and naturalized desert settings that are connected with an intricate path and trail system. Uses to include recreation, civic and specialty uses including agriculture.</p>	<p>TYPICAL BUILDING HEIGHT</p>	<p>1 Story</p>
	<p>STREET FRONTAGE No required street frontage. Park entrance areas to be highlighted at street with signage, features and potential civic and park use oriented facilities.</p>	<p>MAXIMUM BUILDING HEIGHT</p>	<p>30'</p>
		<p>MAXIMUM DENSITY</p>	<p>Not Applicable</p>
		<p>FLOOR AREA RATIO (FAR) RANGE</p>	<p>Not Applicable</p>

NOTES:

- (1) Civic related uses may include specialty retail and public/private partnerships.
- (2) Farm related retail includes nurseries, restaurants, shops, wineries and housing.
- (3) Existing uses shall be allowed until redevelopment.
- (4) General descriptions for building height, density and FAR are per lot within each LUG.

F - Frontage



General Character	The majority of the area will be designed along the frontage of SR 79 and take on the visual character of larger building blocks. The intent is to transition the frontage typologies to the central core by decreasing building mass size as well as block sizes. The area closest to the core will expand on uses that are more oriented to a pedestrian scale and character.
Typical Uses	The uses along the SR 79 will include regional retail, commercial office and higher density residential apartments. The transition to the core is expected to include lower density residential, smaller retail shops, garden offices and other more pedestrian oriented uses.
Typical Building Height	1-4 stories (with some 5)
Maximum Building Height	65' (no more than 50% of all planned building areas)
Maximum Residential Density	20 dwelling units/ acre
Maximum Floor Area (FAR) Ratio Range	0 - 1 .5
<u>Building Setbacks</u>	0' - 30'
Street	Varies. 0 feet in some cases relative to BTL conditions. Building mass between 10' and 50' should have no more than 100 linear feet before breaks to permit landscape and building design transition.
Rear/Side	10' minimum. 30' adjacent to any residential development
Service Lane	5' to 10'
Block Character	Larger blocks along SR 79 transitioning to smaller block patters closer to Core.
Circulation Character	SR 79 frontage will be dominated by a vehicular and parking arrangement for ease of access and function. As the system transitions toward the core, circulation routes are anticipated to provide connectivity and emphasize pedestrian movements.
Service Areas	Must be screened from public view with a combination of walls, landscape and solid gates.
Landscape Character	Large parking areas should include trees and understory planting in order to break-up the scale of paved areas. The resulting parking pods can be highlighted with allees of trees to emphasize safe pedestrian connectivity throughout parking areas.
Lighting Character	Lighting should be focused on pedestrian safety throughout parking lots and should be highlighted along all crosswalks and building entry areas. Specialty and signage lighting for regional retail should not impact adjacent residential and office uses.
Signage Characater	In retail and office areas, building signage is encouraged in order to limit individual ground signs. Grouped identification signs shall be limited to the height of the closes adjacent buildings.

LOCATION



CHARACTER




Note: Photos are intended to be representative of the character and quality of the types of development within a land use group and are not intended to express specific design details, colors, or materials.

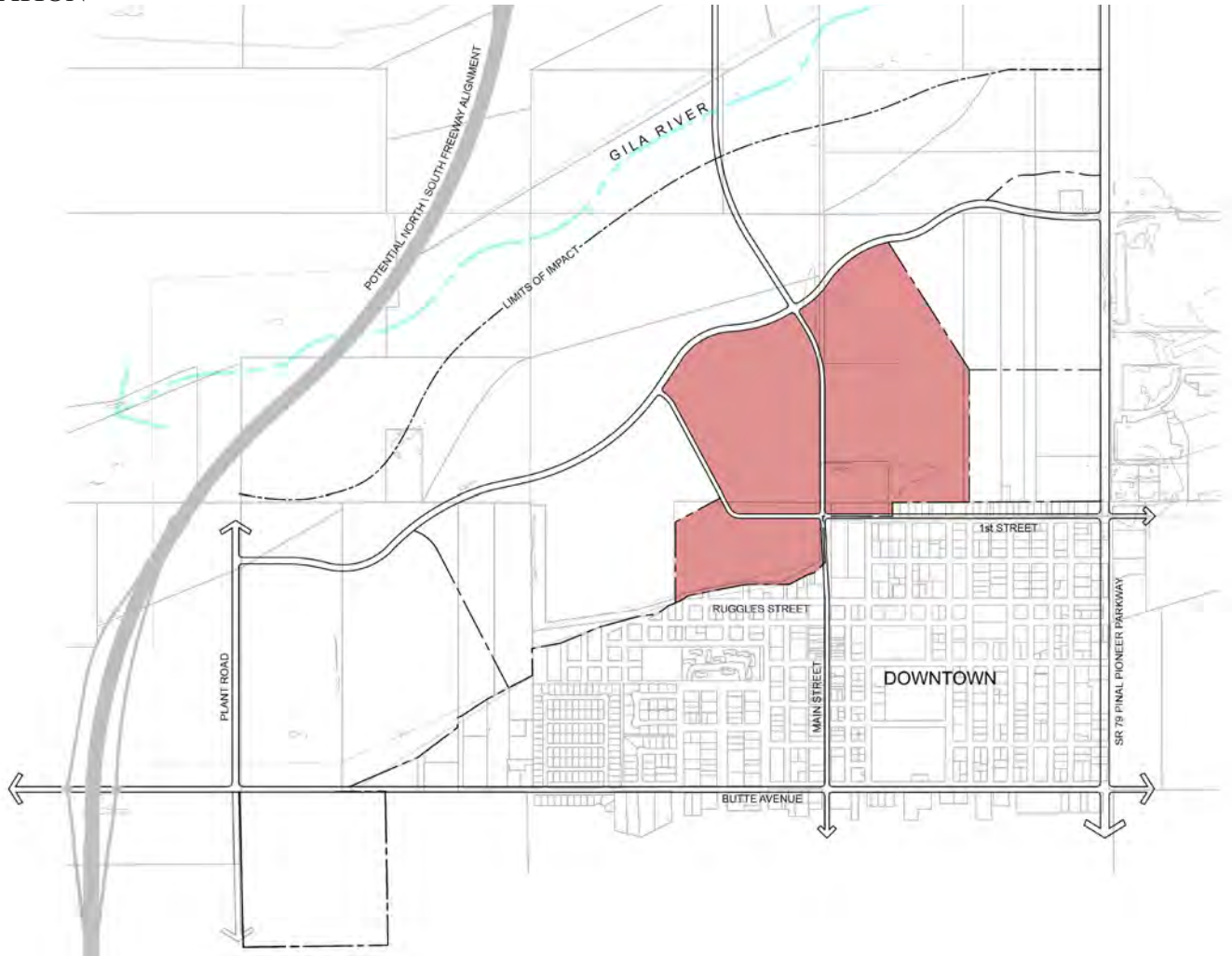
VISUAL INTENT:



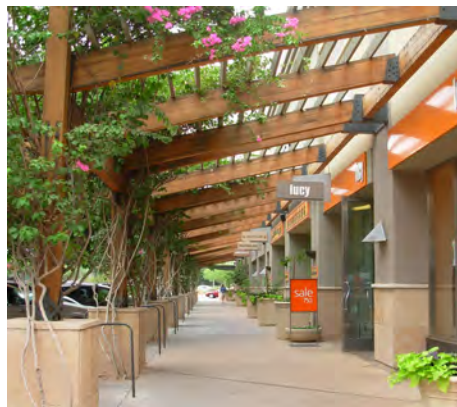
Note: Photos are intended to be representative of the character and quality of the types of development within a land use group and are not intended to express specific design details, colors, or materials.

C - Core	
	<p>General Character</p> <p>Compact mixed-use pedestrian oriented environment with small town charm and amenities. Small streets and buildings with arcades along sidewalks provide a comfortable environment for a range of uses.</p>
	<p>Typical Uses</p> <p>The range of uses are envisioned to include office (municipal and private), retail (to compliment downtown), residential, service, civic and hospitality.</p>
	<p>Typical Building Height</p> <p>2-3 stories (some 4)</p>
	<p>Maximum Building Height</p> <p>50' (no more than 50% of all planned building areas)</p>
	<p>Maximum Residential Density</p> <p>15 dwelling units/ acre</p>
	<p>Maximum Floor Area (FAR) Ratio Range</p> <p>0 - 1.0</p>
	<p><u>Building Setbacks</u></p> <p>Street</p> <p>See BTL Exhibit. Typical street setbacks will range from 0 to 10'.</p> <p>Rear/Side</p> <p>0 to 10'</p> <p>Service Lane</p> <p>2' - 5'</p>
	<p>Block Character</p> <p>Small more urban block form with building mass typically fronting on the primary streets.</p>
	<p>Circulation Character</p> <p>Vehicular street grid that allows for efficient and functional access into and out of the core area. Pedestrian sidewalks and urban trails shall be designed to safe, comfortable access throughout the core.</p>
	<p>Service Areas</p> <p>Must be screened from public view with a combination of walls, landscape and solid gates.</p>
	<p>Landscape Character</p> <p>Street trees accompanied by small parks and squares with lush lawns and larger trees for shade. Opportunity for urban gardens.</p>
	<p>Lighting Character</p> <p>Street lights to compliment the period lighting throughout the downtown. Specialty lighting for unique settings and features.</p>
	<p>Signage Character</p> <p>Combination of shop, store and businesses signs tastefully incorporated into the overall street scene. No sandwich board signs. Specialty wayfinding signs should be incorporated in strategic locations for effective use.</p>

LOCATION



CHARACTER




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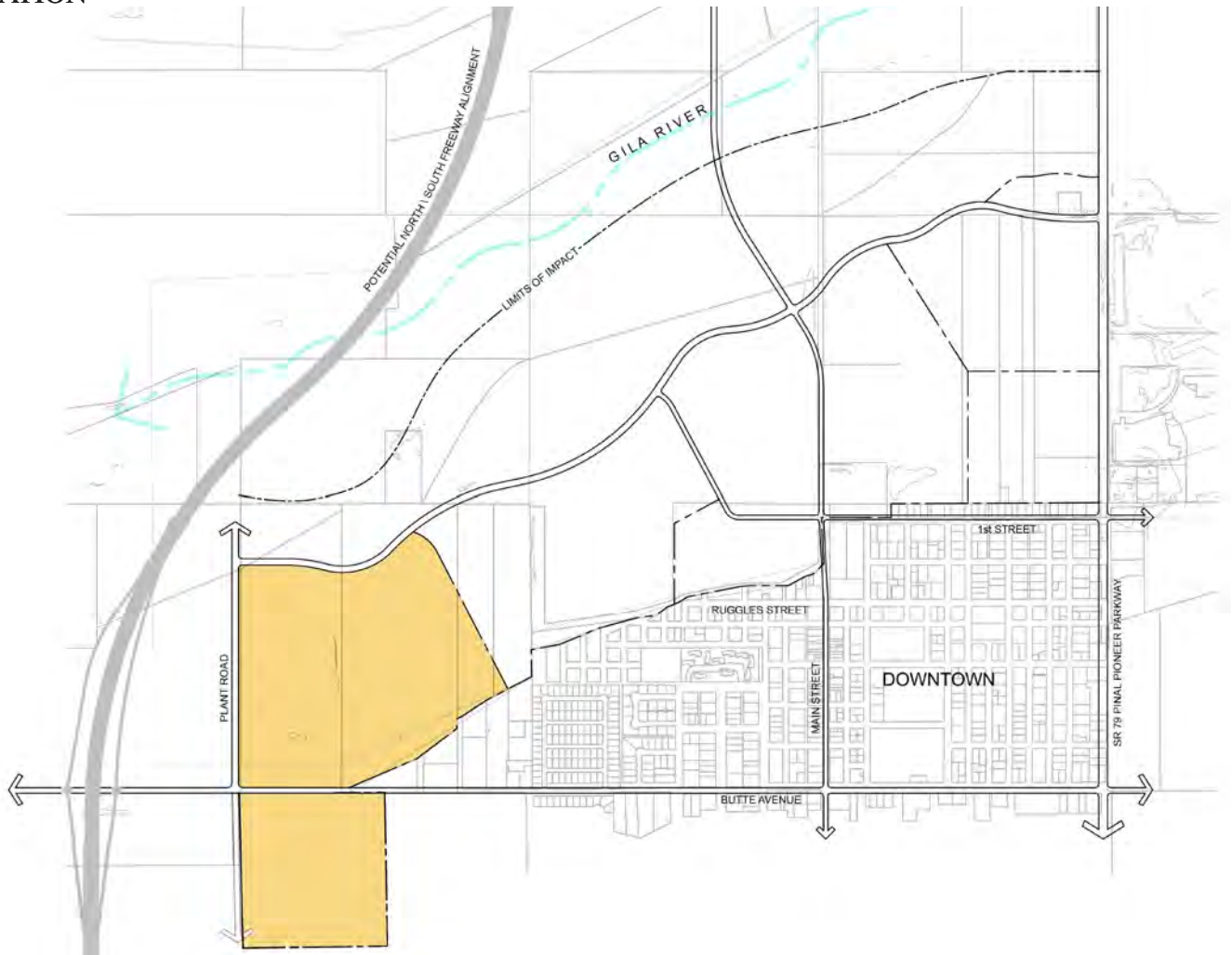
VISUAL INTENT:



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WE - West End	
	<p>General Character</p> <p>Diverse mixed-use environment with an agrarian theme that includes the potential for diverse uses from farm fields to commercial retail.</p>
	<p>Typical Uses</p> <p>The area is envisioned as an open setting with a series of specialty building projects that may include housing, retail, hotel, commercial office and agriculture. Unlike a formal setting with buildings organized along streetfronts, these buildings and developments are envisioned to sit within the landscape in a less formal manner.</p>
	<p>Typical Building Height</p> <p>3-4 stories (some 5)</p>
	<p>Maximum Building Height</p> <p>65' (no more than 20% of all planned building areas)</p>
	<p>Maximum Residential Density</p> <p>5 dwelling units/ acre</p>
	<p>Maximum Floor Area (FAR) Ratio Range</p> <p>0 - 1.0</p>
	<p>Building Setbacks</p> <p>Street 10' - 30'</p> <p>Rear/Side 10' - 20'</p> <p>Service Lane 5' - 10'</p>
	<p>Block Character</p> <p>Informal, irregular mix of large and small blocks dominated by the agrarian landscape and integrated farm fields, orchards, nurseries and gardens.</p>
	<p>Circulation Character</p> <p>Informal, irregular roadway network that is dominated by the agrarian landscape and integrated farm fields, orchards, nurseries and gardens.</p>
	<p>Service Areas</p> <p>Must be screened from public view with a combination of walls, landscape and solid gates.</p>
	<p>Landscape Character</p> <p>Dominated by the agrarian landscape character of farm fields, urban gardens, orchards and plant nurseries.</p>
	<p>Lighting Character</p> <p>Predominately a dark sky setting highlighted by specialty lighting scenarios for the wide range of unique uses and night time events.</p>
	<p>Signage Character</p> <p>Unique specialty signage oriented to the scale and character of the environment. Minimal signage beyond wayfinding should be necessary. The unique buildings and settings will act as a visual reference to identification.</p>

LOCATION

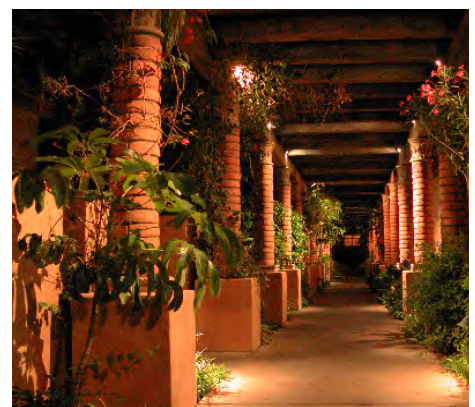


CHARACTER



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VISUAL INTENT:



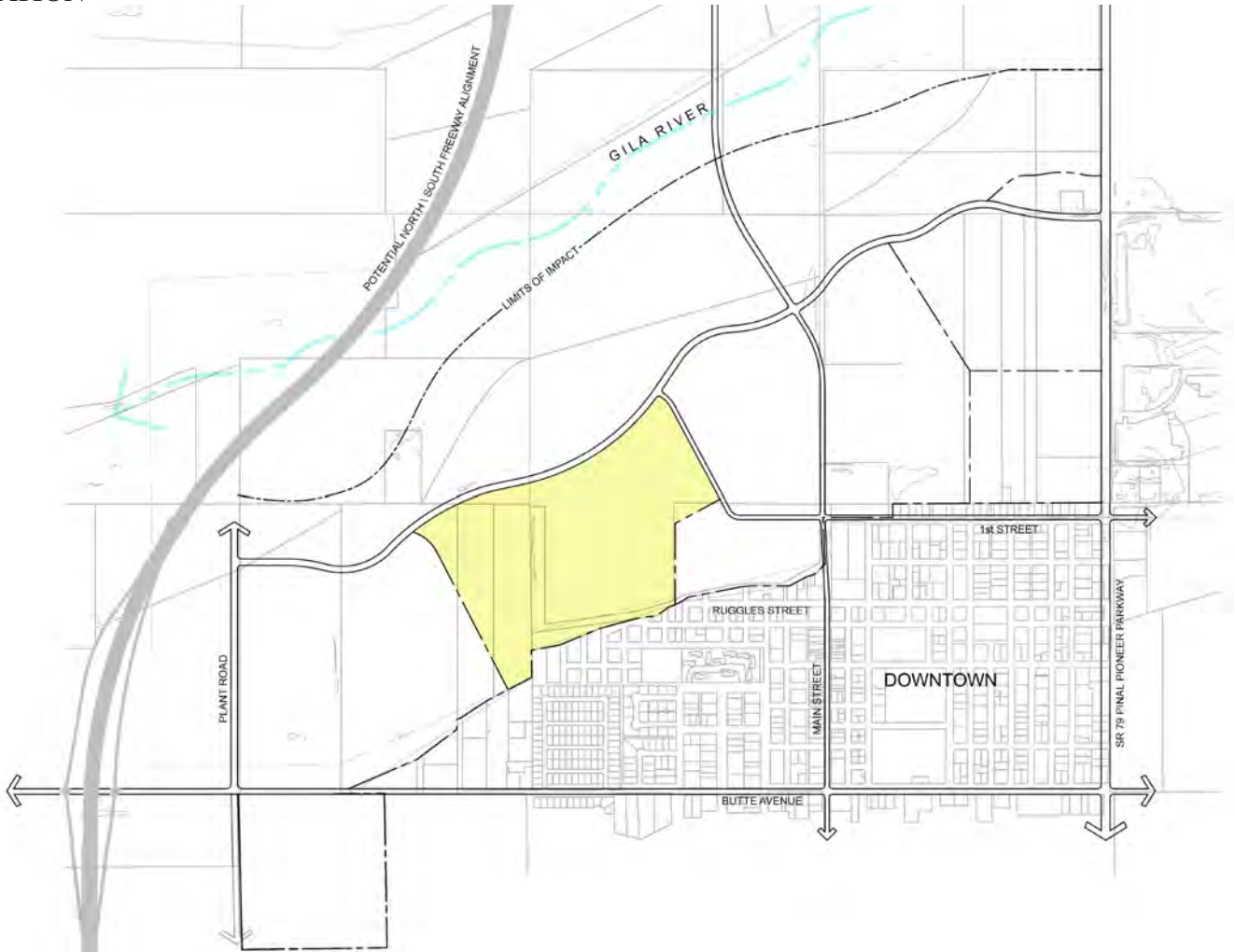
Note: Photos are intended to be representative of the character and quality of the types of development within a land use group and are not intended to express specific design details, colors, or materials.

I - Interior



General Character	Variety of single family housing lot sizes and products should be the dominant use throughout this area. Some attached housing products can be thoughtfully integrated to compliment the overall character. Community amenities should include parks, trails and civic architecture. A small critical amount of specialty retail may be incorporated to support the neighborhood as well as visitors to the agrarian theme and oriented area.
Typical Uses	Residential will be the dominant use and may be supported by civic and a small amount of specialty retail.
Typical Building Height	1-2 stories (some 3 stories)
Maximum Building Height	42'
Maximum Residential Density	8 dwelling units/ acre
Maximum Floor Area (FAR) Ratio Range	0 - .5
<u>Building Setbacks</u>	
Street	10' for building mass and 20' for garages (5' along alleys for building mass including garage)
Rear/Side	10'
Service Lane	5'
Block Character	Buildings typically address the adjacent street frontage to create a formalized residential street scene. Varied setbacks are encouraged across lots and buildings to encourage interesting visual character.
Circulation Character	Roads should be organized in a formal and regular manner to maximize lot efficiency and formality. Slight curves and turns throughout are encouraged in order to create interesting viewsheds and focal points.
Service Areas	Must be screened from public view and from adjacent properties' views.
Landscape Character	Formal tree lined streets complimented by native desert plantings in a more natural setting and character. Agrarian character celebrated with urban garden plots, grassed parks and adjacent farm fields.
Lighting Character	Limited street lighting to emphasize dark sky conditions. Intersections, pathways, parks and crosswalks should have low-level lighting to satisfy safety and functionality requirements.
Signage Character	Minimal signage to be incorporated at community features and components. Limited neighborhood signage identification as neighborhood entrances in addition to attractive street signs and house number identification.

LOCATION



CHARACTER



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VISUAL INTENT:



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R - Riverfront

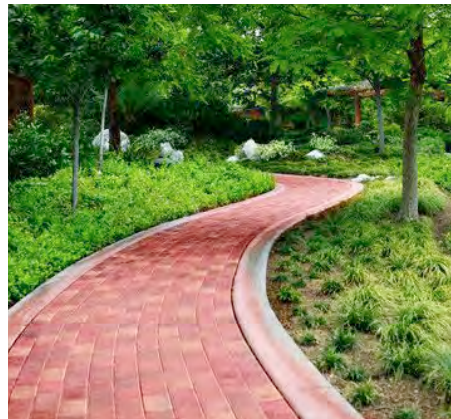


General Character	The Riverfront is envisioned as a regional open space attraction with a mix of active and passive recreation uses anticipated. It is anticipated that formal baseball, softball and multi-use fields will be incorporated as well as informal open lawn areas for play. The planting strategy is based on a native palette of materials dominated by mesquite, iron-wood, palo verde, palo brea and desert willow trees.
Typical Uses	Special civic related building components are anticipated such as community buildings, recreation retail and comfort stations. Other potential building uses could include an amphitheatre or other community related facilities. Because this area will be designed within the floodplain, any building construction must take into account critical building finished floor elevations.
Typical Building Height	1 story
Maximum Building Height	30'
Maximum Residential Density	Not Applicable
Maximum Floor Area (FAR) Ratio Range	Not Applicable
<u>Building Setbacks</u>	
Street	30' along the Riverfront Parkway and 20' along interior park streets
Rear/Side	50' from Plant Road and SR 79; 30' from Main Street Bridge
Service Lane	Not Applicable
Block Character	Not Applicable
Circulation Character	Minimal roads are anticipated going through the Riverfront. Strategic layout will be necessary to access parking and other park components. Roadway design should be curvilinear in nature and should match the proposed undulation of landforms.
Service Areas	Must be screened and located away from major park features. Walls, landscape and gated screened access should be incorporated.
Landscape Character	Native and naturalized landscape should be incorporated throughout the park. As identified, some areas may include formalized lawns for recreation fields and amphitheater.
Lighting Character	Minimal lighting within the overall Riverfront Park except for ballfields and other activity zones that may require nighttime use. Other areas should limit lighting to emphasize the dark sky.
Signage Character	Signage should be minimized to a wayfinding system and identification signs for special park areas. All signs should be designed in a low horizontal nature and compliment the surrounding landscape and landform. Natural materials should be the dominant signage condition.

LOCATION



CHARACTER



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VISUAL INTENT:



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4. Land use Budget

The budget sets forth the maximum amount of intensities and densities for Territory Square as a whole. The amounts have been allocated for each LUG based on the expectation for the built environment. Over time as development is initiated and completed, the land use budget totals shall be a barometer as to all future projects until the maximum development is reached. The maximum units per acre, lot coverage, floor area ratios and building height associated with each development project will be considered within the context of the overall Land Use Budget within each LUG.

No budget transfers will be allowed within LUGS or between two LUGs.

Figure 6: Land Use by Acreage

* All identified acreages are approximate.

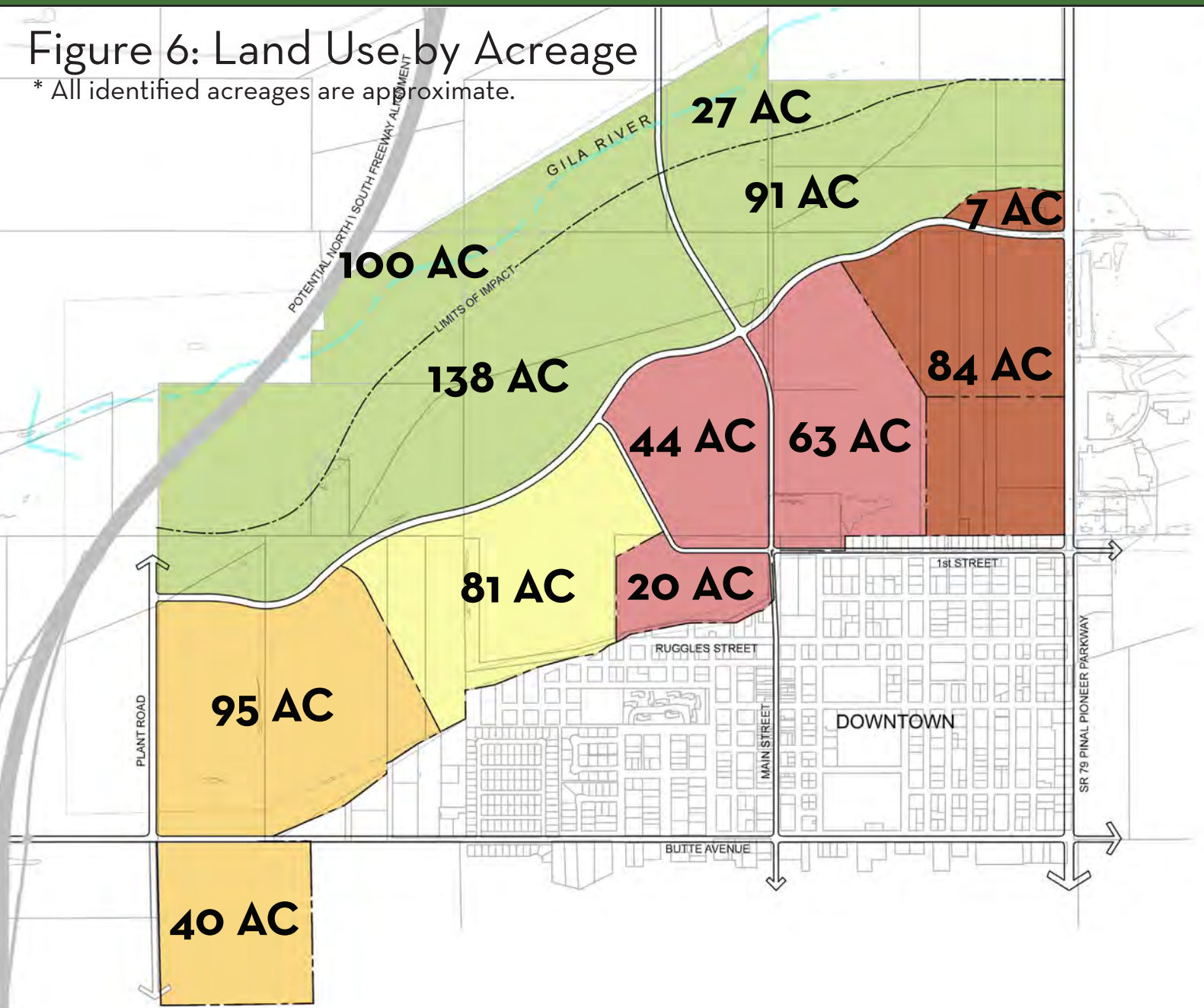


Figure 7: Land Use Budget Table

TRANSECT	LUG	ACRES	DWELLING UNITS		G.S.F / NON-RESIDENTIAL	
			Min.	Max.	Min.	Max
	F	91	200	800	300,000	800,000
	C	127	200	600	150,000	500,000
	WE	135	75	500	100,000	350,000
	I	81	200	300	10,000	50,000
	R	356	0	0	0	25,000
	R.O.W.	22	N/A	N/A	N/A	N/A
	TOTALS:	812	675	2,200	560,000	1,725,000

NOTES:

1. Hotel keys shall not be counted against dwelling unit totals
2. Granny flats or guest units that are subordinate to a main dwelling unit shall not be counted against total dwelling units.
3. Existing use square footage shall not be counted against the identified budget
4. It is assumed special events/festivals and celebrations may occur in any and all LUGs. Proper Town permits shall be required.
5. Acreages identified are estimated based on the Regulatory Plan

LEGEND:

- F Frontage
- C Core
- WE West End
- I Interior
- R Riverfront

5. Function and Use

The following function and use table provide for a listing of uses allowed within each LUG. The uses are defined under major headings including; residential, commercial office, retail, education/cultural, lodging, agriculture and parks/ civic/ recreation.

All uses shall require site plan/design review approval and or a subdivision approval depending on the specific uses. The buildings and design review for any uses listed shall be developed consistent with the design character set forth in the Design Guidelines.

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.



Figure 8: Function and Use Table

	R	I	WE*	C	F
a. Residential					
Single Family Detached		■	■	■	■
Single Family Attached			■	■	■
Multi-Family (for sale condominiums)			■	■	■
Multi-Family (for rent apartments)				■	■
Mixed -use Building		■	■	■	■
Live/Work Units		■	■	■	■
b. Commercial Office					
Office complex (Single or multi-tenant)			■	■	■
Office condos (multi-tenant)			■	■	
Specialty Office Studio (15K sf/less)		■	■	■	
Mixed-use building			■	■	■
Live Work		■	■	■	■
c. Retail					
Marketplace (10K sf/less-Non Restaurant)		■	■	■	
Big Box Retail/Shopping center					■
Specialty retail building	■	■	■	■	■
Restaurant	■	■	■	■	■
Mixed-use building	■	■	■	■	■
d. Education/Cultural					
K-12 School			■	■	
Childcare Facility		■	■	■	■
Clubs/Community Centers		■	■	■	
Museum	■	■	■	■	
e. Lodging					
Hotel			■	■	■
Inn/Bed & Breakfast			■		
f. Agriculture					
Farm Fields and Facilities	■	■	■		
Urban Garden			■	■	
Stables		■	■		
Greenhouses		■	■		
Plant Nursery		■	■		
g. Parks/Civic/Recreation					
Playground	■	■	■	■	■
Community facility	■	■	■	■	■
Botanical Garden	■	■	■	■	
Specialty retail	■				
Sports Complex	■			■	

■ Permitted Use

LEGEND:

- F Frontage
- C Core
- WE West End
- I Interior
- R Riverfront

NOTES:

Single Family detached housing in the Frontage and Core shall be limited to 100 units each. Such housing shall be oriented and organized away from busy activities and any regional activities.

* See Town of Florence Wastewater Treatment Facility Easement and Setback Requirements in Glossary of Terms on page 53.

b. Circulation and Parking

The Circulation Plan provides the overall framework for major spine roads within the District. These routes shall be complimented by a series of roadway locations and alignments that encourage functional and safe circulation with an emphasis on compact, pedestrian oriented development.

An important component to the creation of more compact setting will be the inclusion of options and opportunities for on-street parking. The Travel and On-Street Parking figures on the following pages provides the range of conditions allowed within the zoning district. Significant flexibility has been included in order to best integrate on-street parking with a range of setting including, mixed-use, residential and commercial. On-street parking conditions will be encourages within all identified LUGs. Each condition has been identified with the appropriate LUG. Creative solutions for physical design of on-street parking, such as the introduction of flared-end sections associated with circulation, signage and street tree planting will desired. Careful coordination with fire safety vehicle circulation must be documented.

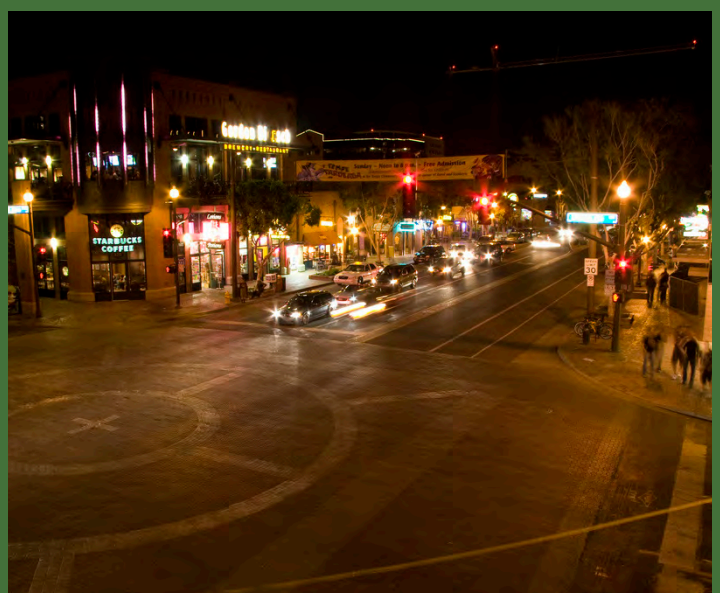
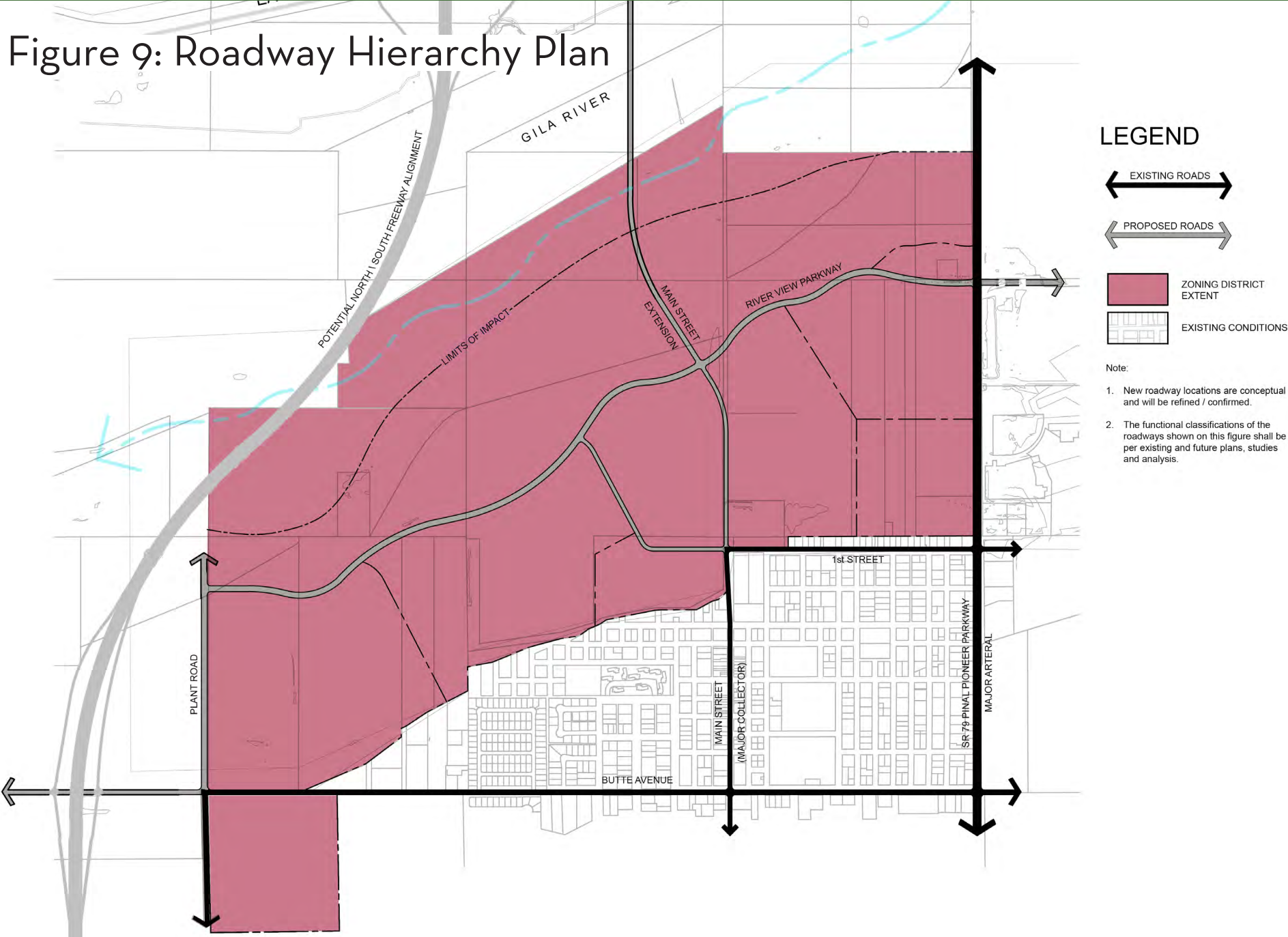


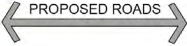
Figure 9: Roadway Hierarchy Plan



LEGEND



EXISTING ROADS



PROPOSED ROADS



ZONING DISTRICT EXTENT

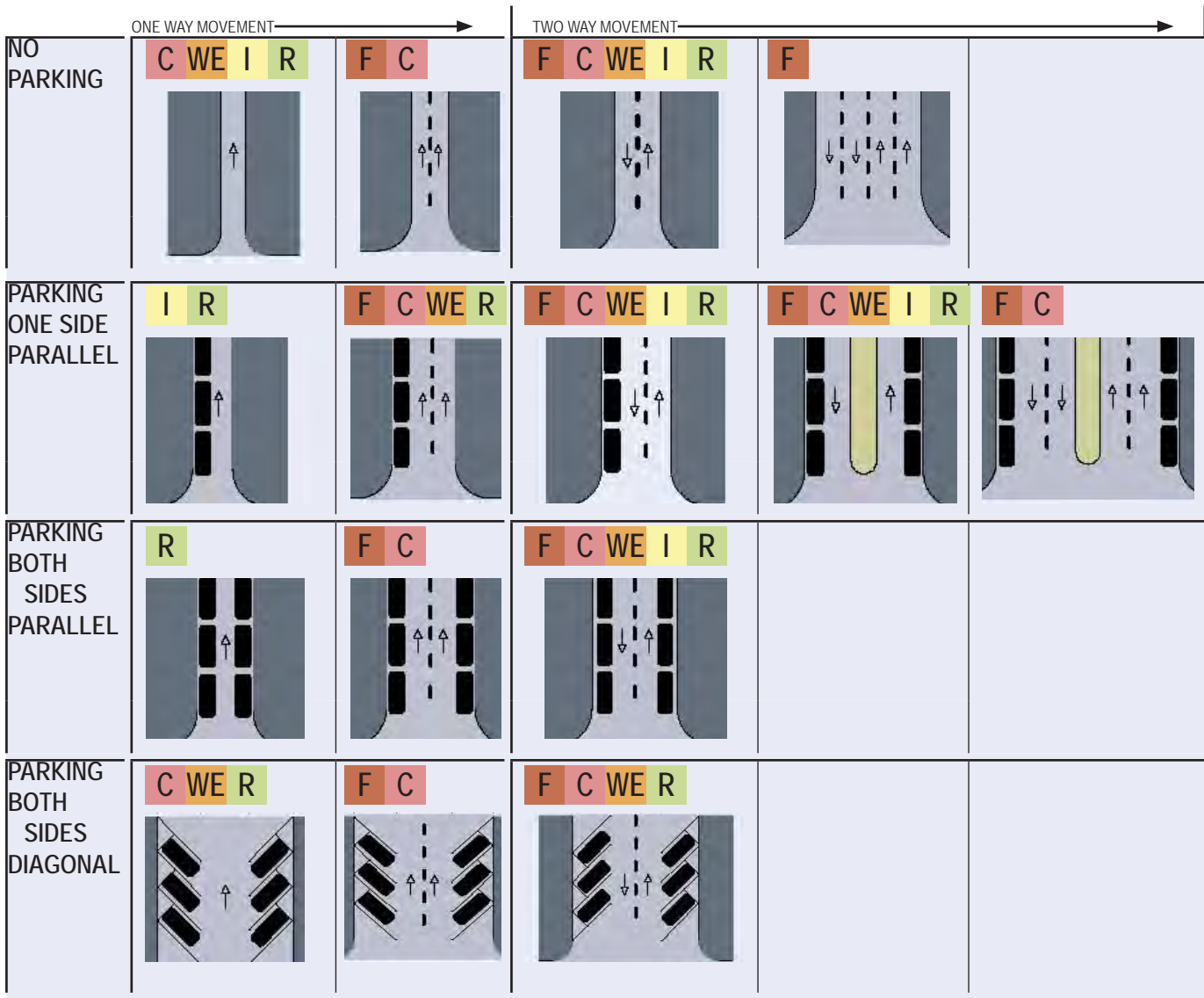


EXISTING CONDITIONS

Note:

- 1. New roadway locations are conceptual and will be refined / confirmed.
- 2. The functional classifications of the roadways shown on this figure shall be per existing and future plans, studies and analysis.

Figure 10: Travel and On-Street Parking



LEGEND:

- F Frontage
- C Core
- WE West End
- I Interior
- R Riverfront

7. Frontage Types

Private Frontage is the area between the building façade and the adjacent lot lines. The following diagram provides the range of appropriate frontage conditions for the array of LUGs. The Public Frontage is the area between the private lot line and the edge of the vehicular lanes.

A key condition relative to the form of any environment is the treatment of buildings along the street front. Traditional zoning ordinances focus on front yard setbacks but rarely considers the desired built condition along the street scene. The following frontage types provide the range of anticipated conditions within Territory Square. Each type articulated has been identified with the appropriate LUG.

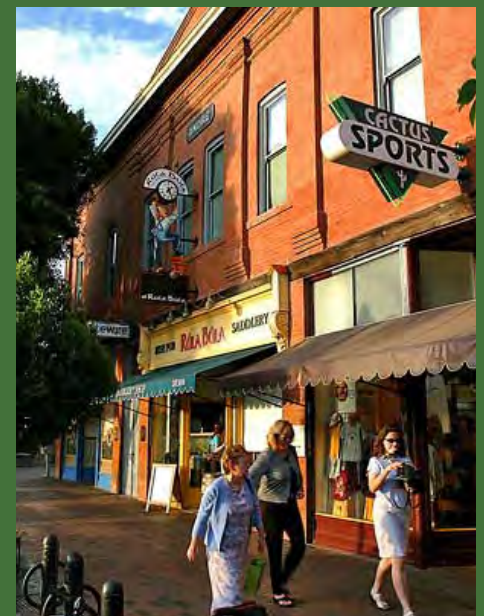


Figure 11: Private Frontages

- a. Common Yard:** a planted Frontage wherein the facade is set back substantially from the Frontage Line. The front yard created remains unfenced and is visually continuous with adjacent yards, supporting a common landscape. The deep setback provides a buffer from the higher speed thoroughfares.
- b. Porch and Fence:** a planted Frontage wherein the facade is set back from the Frontage Line with an attached porch permitted to encroach. A fence at the Frontage Line maintains street spatial definition. Porches shall be no less than 8 feet deep.
- c. Terrace or Lightwell:** a Frontage wherein the facade is set back from the Frontage line by an elevated terrace or a sunken lightwell. This type buffers residential use from urban sidewalks and removes the private yard from public encroachment. Terraces are suitable for conversion to outdoor cafes. Syn: **Dooryard.**
- d. Forecourt:** a Frontage wherein a portion of the facade is close to the Frontage Line and the central portion is set back. The forecourt created is suitable for vehicular drop-offs. This type should be allocated in conjunction with other Frontage types. Large trees within the forecourts may overhang the sidewalks.
- e. Stoop:** a Frontage wherein the facade is aligned close to the Frontage Line with the first story elevated from the sidewalk sufficiently to secure privacy for the windows. The entrance is usually an exterior stair and landing. This type is recommended for ground-floor residential use.
- f. Shopfront:** a Frontage wherein the facade is aligned close to the Frontage Line with the building entrance at sidewalk grade. This type is conventional for retail use. It has a substantial glazing on the sidewalk level and an awning that may overlap the sidewalk to within 2 feet of the Curb. Syn: **Retail Frontage.**
- g. Gallery:** a Frontage wherein the facade is aligned close to the Frontage line with an attached cantilevered shed or a lightweight colonnade overlapping the sidewalk. This type is conventional for retail use. The gallery shall be no less than 10 feet wide and should overlap the sidewalk to within 2 feet of the curb.
- h. Arcade:** a colonnade supporting habitable space that overlaps the sidewalk, while the facade at sidewalk level remains at or behind the Frontage Line. This type is conventional for retail use. The arcade shall be no less than 12 feet wide and should overlap the sidewalk to within 2 feet of the Curb. See Table 8.

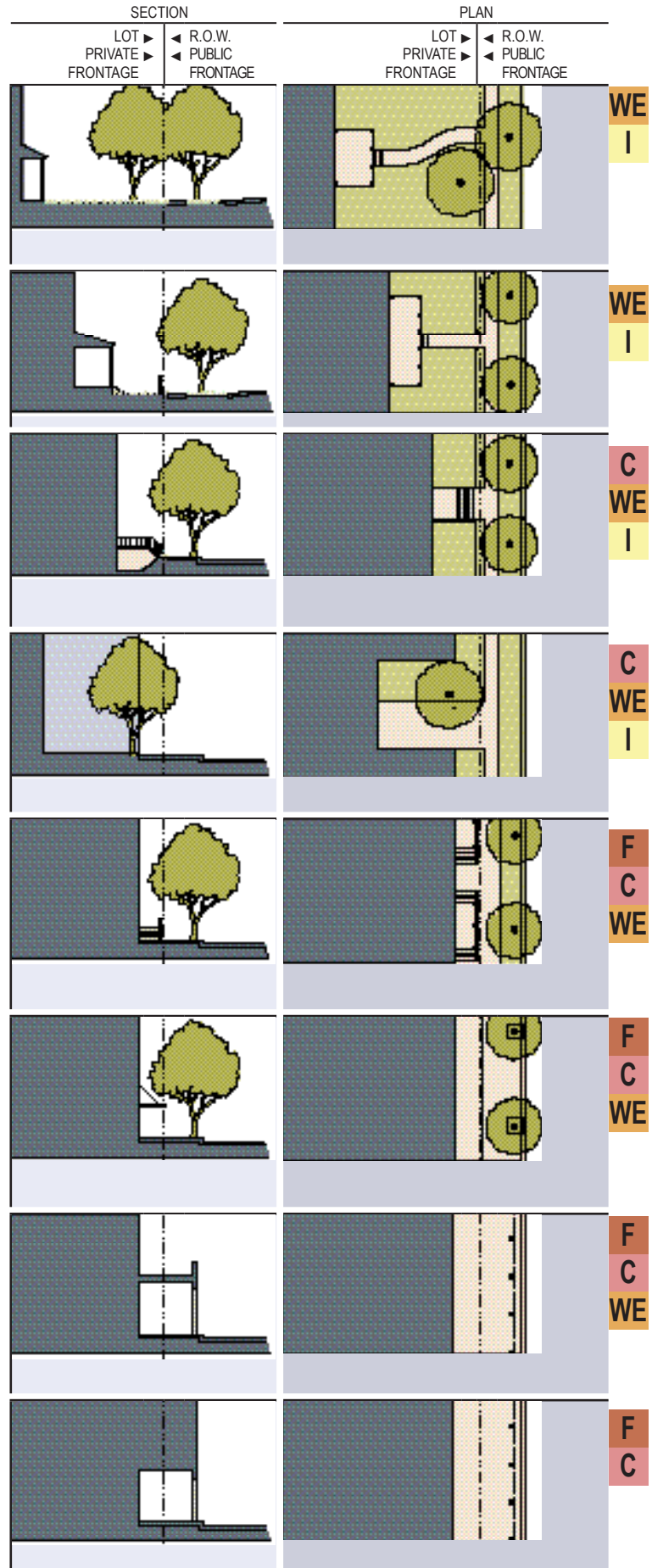
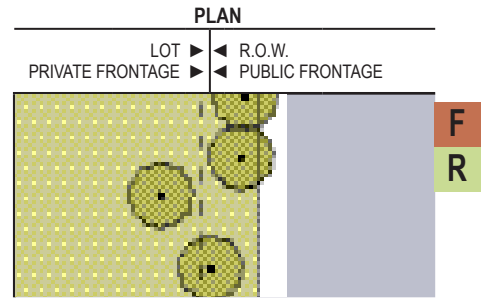
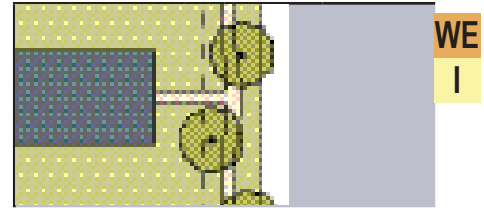


Figure 12: Public Frontages

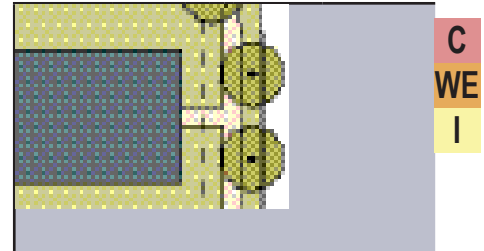
a. (HW) For Highway: This Frontage has open swales drained by percolation, bicycle trails and no parking. The landscaping consists of the natural condition or multiple species arrayed in naturalistic clusters. Buildings are buffered by distance or berms.



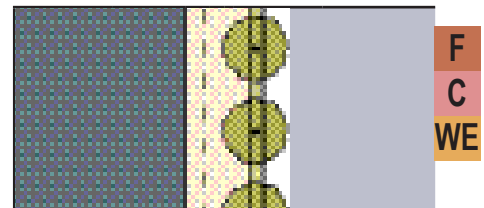
b. (RD) For Road: This Frontage has open swales drained by percolation and a walking path or bicycle Trail along one or both sides and yield parking. The landscaping consists of multiple species arrayed in naturalistic clusters.



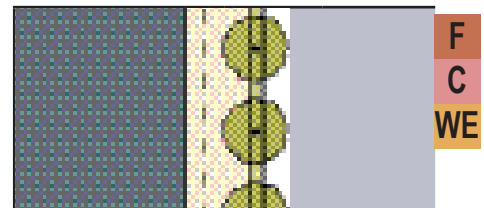
c. (ST) For Street: This Frontage has raised curbs drained by inlets and sidewalks separated from the vehicular lanes by individual or continuous planters, with parking on one or both sides. The landscaping consists of street trees of a single or alternating species aligned in a regularly spaced line, with the exception that streets with a right-of-way (R.O.W.) width of 40 feet or less are exempt from tree requirements.



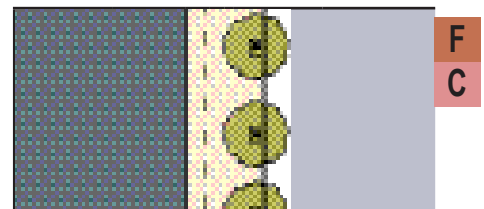
d. (DR) For Drive: This Frontage has raised curbs drained by inlets and a wide sidewalk or paved path along one side, related to a greenway or waterfront. It is separated from the vehicular lanes by individual or continuous planters. The landscaping consists of street trees of a single or alternating species aligned in a regularly spaced line.



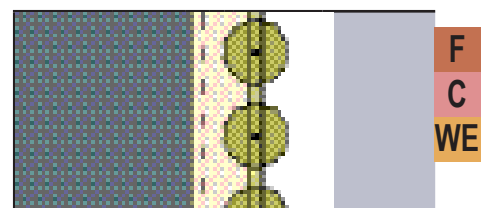
e. (AV) For Avenue: This Frontage has raised curbs drained by inlets and wide sidewalks separated from the vehicular lanes by a narrow continuous planter with parking on both sides. The landscaping consists of a single tree species aligned in a regularly spaced line.



f. (CS) (AV) For Commercial Street or Avenue: This Frontage has raised curbs drained by inlets and very wide sidewalks along both sides separated from the vehicular lanes by separate tree wells with grates and parking on both sides. The landscaping consists of a single tree species aligned with regular spacing where possible, but clears the storefront entrances.



g. (BV) For Boulevard: This Frontage has slip roads on both sides. It consists of raised curbs drained by inlets and sidewalks along both sides, separated from the vehicular lanes by planters. The landscaping consists of double rows of a single tree species aligned in a regularly spaced line.



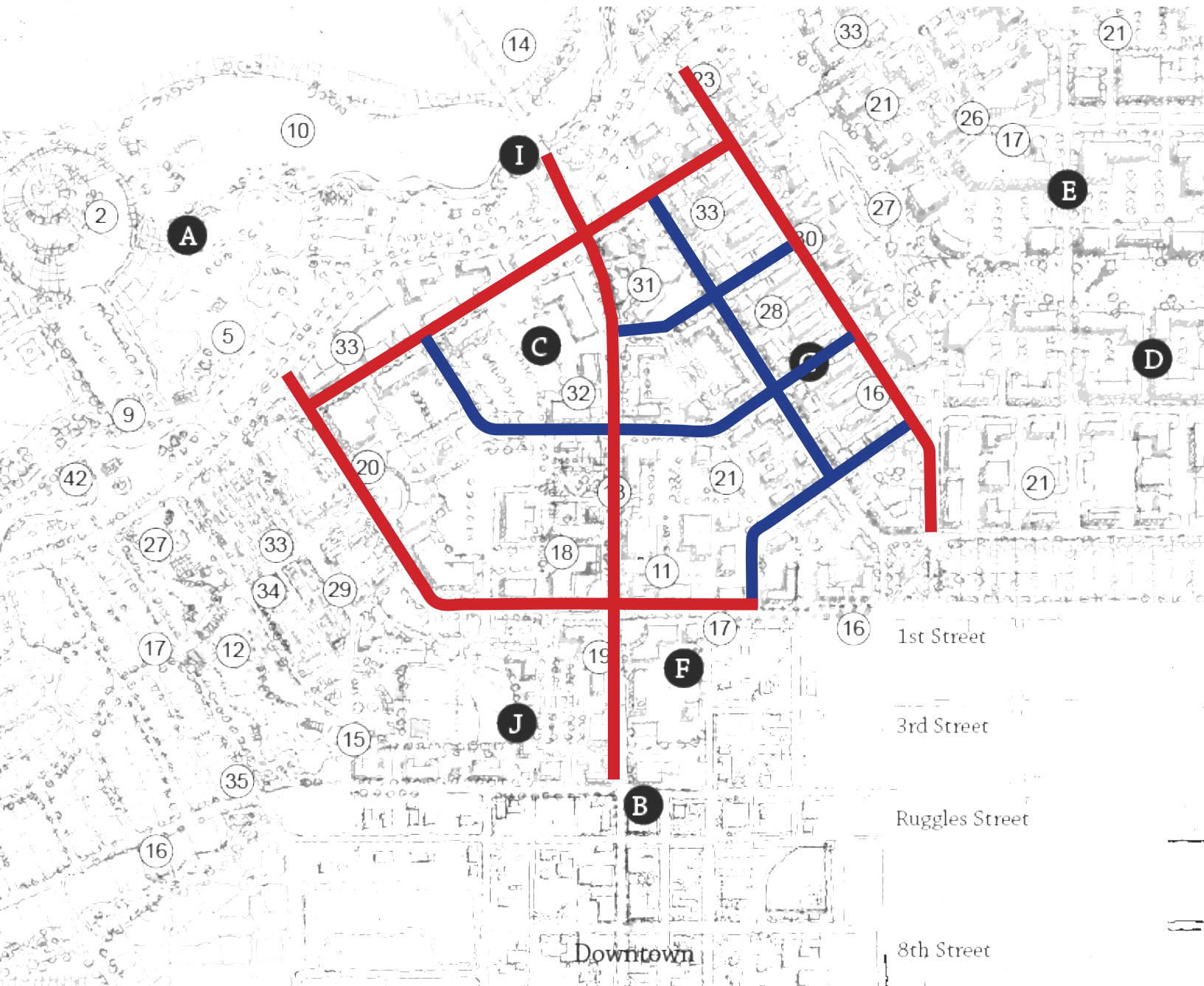
8. Build To Line

The Zoning District provides an opportunity to create more traditional main street environments by limiting setbacks in key locations that result in building forms engaged along sidewalks.

The build to line represents the opposite requirement of a traditional setback. The BTL requires that building fronts be developed in some locations along a designated line. In this case, the BTL is anticipated along the Right of Way (ROW) at key urban locations that are desired to have a similar street front character to the existing Florence downtown Main Street. In the Frontage LUG, at least one main street corridor and secondary corridor should be depicted in such a manner to encourage a more urban environment. In the Core LUG, all streets should be designed as primary, secondary or service oriented. The Riverfront, Interior and West End LUG's have no requirement for primary or secondary roads, but are encouraged if appropriate within the context of development proposals. Service roads shall have no requirements for build to lines but should be strategically incorporated for creative solutions for service and parking access and placement.



Figure 13: Build to Line Diagram



Primary Roads:

1. In Core, to have 85% building mass at BTL
2. In Frontage, to have 35% at BTL



Secondary Roads:

1. In Core, to have 50% building mass at BTL

The Intent of the BTL is to establish building frontage similar to the character and quality as exists along Florence’s Main Street and as depicted in the photographs on the previous page.

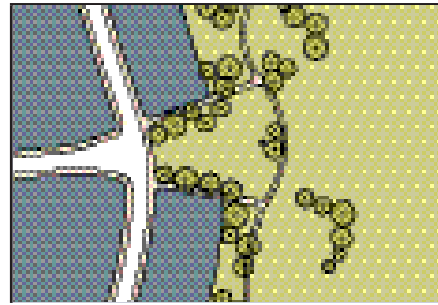
9. Open Space

Community oriented open space should be incorporated at all levels of development. The Civic Open Space diagram provides the framework as to what types of open space can be incorporated into each of the LUGs.



Figure 14: Civic Open Space

a. Park: A natural preserve available for structured and unstructured recreation. A park may be independent of surrounding building Frontages. Its landscape shall consist of paths and trails, meadows, waterbodies, woodland and open shelters, all naturalistically disposed. Parks may be lineal, following the trajectories of natural corridors.



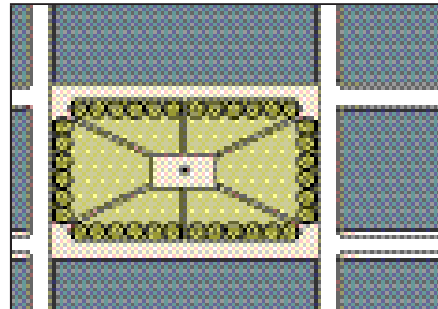
R
WE
C

b. Green: An Open Space, available for unstructured recreation. A green may be spatially defined by landscaping rather than building Frontages. Its landscape shall consist of lawn and trees, naturalistically disposed.



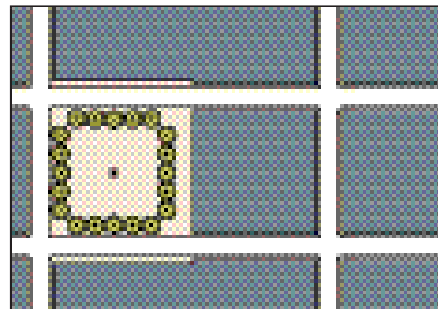
I
WE
C

c. Square: An Open Space available for unstructured recreation and civic purposes. A square is spatially defined by building Frontages. Its landscape shall consist of paths, lawns and trees, formally disposed. Squares shall be located at the intersection of important thoroughfares.



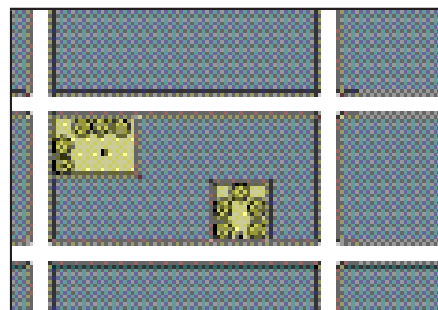
WE
C
F

d. Plaza: An Open Space available for civic purposes and commercial activities. A plaza shall be spatially defined by building Frontages. Its landscape shall consist primarily of pavement. Trees are optional. Plazas should be located at the intersection of important streets.



C
F

e. Playground: An Open Space designed and equipped for the recreation of children. A playground should be fenced and may include an open shelter. Playgrounds shall be interspersed within residential areas and may be placed within a block. Playgrounds may be included within parks and greens.



R
I
WE
C
F

10. Design Guidelines

Introduction

The Design Guidelines provide overall design parameters for the development of Territory Square. The Design Guidelines provide generalized design criteria and inspiration for architecture character and treatment, site character and layout as well as landscaping. The Design Guidelines as contained here are intended to serve as a foundation for more detailed and specific design plans as projects move through the approvals process. All buildings and uses of the land must demonstrate consistency with the Design Guidelines.

Purpose

The Design Guidelines are intended to accomplish the following:

- Establish a high quality framework for design parameters
- Establish the overall general parameters for design expectations throughout the Zoning District as well as articulate the special character of each LUG.
- Establish generalized parameters and baseline conditions for architecture, site design, landscape and features throughout the Zoning District.
- Provide visual inspiration for the range of design characteristics through the inclusion of photographic precedents and examples.

Overarching Design Concepts

- **Material Integration**

All building types should thoughtfully integrate building materials in a manner that promotes a primary treatment. Additional integration should be done to express special features and conditions. Buildings with a great variety of façade materials should be discouraged. Simple, strong, pronounced materials should be the standard.



- **Building Intensity**

Not all buildings in each identified LUG should have the same level of intensity. Careful consideration should be given to highlight focal buildings that may be related a special use, special location or special relationship with adjacent open space. These special considerations make include:

- Terminus points to axial corridors
- Strategic corners
- Frontage along parks
- Key civic/ community uses

Similarly, it is proper to consider the majority of structures as background buildings that blend and compliment the overall street scene.

- **Design Integration**



All components of a development project shall be designed to integrated within each site and surroundings. Building components, site features, paving materials, planting and signage shall all be integrated in order to create a cohesive design influence.



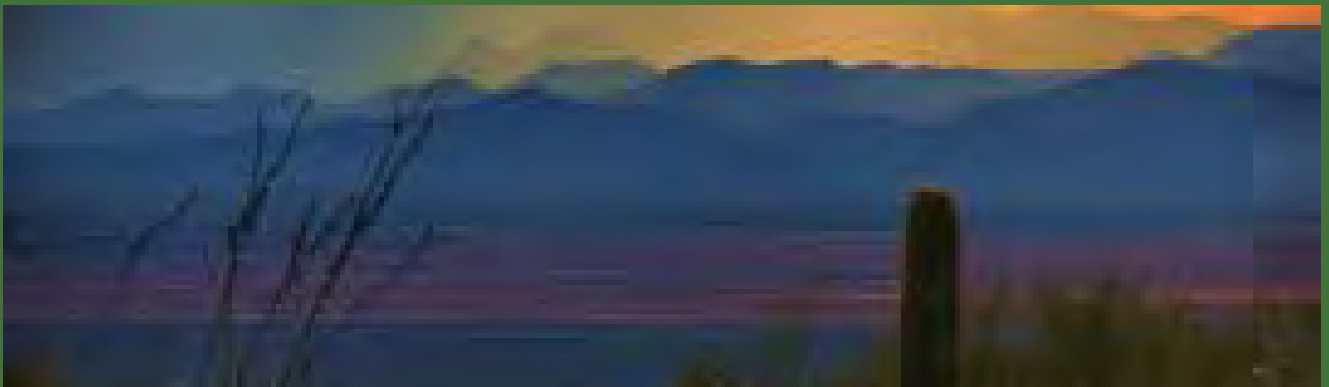
- **Rhythm and Balance**

Components of the building structure should be organized in a thoughtful manner including the base, body and top. The balance of the building organization should be complimented by a rhythm that can be expressed through columns, windows and other features.



- **Color and Texture**

Colors should be expressed through the variety of natural Sonoran Desert examples. A wide variety of textures related to the vocabulary of building materials provide numerous appropriate opportunities to give facades special interests. Block construction with brick, adobe, concrete block will all provide opportunities for patterns and textures. Other building techniques with poured concrete also provide opportunities with board form treatments. Stucco facades should be treated with a light sandblast finish.



- **Shade and Shadow**

Shade and shadow can provide interesting accents to building forms and facades. Careful attention should be given to incorporating opportunities to include such accents.



- **Scale and Portion**

Buildings should be designed to emphasize the pedestrian scale and pedestrian environment. Building proportions should also be thoughtful to the anticipated pedestrian environment. Long facades that have no rhythm and special treatment should be discouraged. If long running building facades are a necessity based on program, the façade should be broken up to visually appear like it is several building masses joined together.



- **Green Building**

Green building practices should start with context sensitive design that considers orientation relative to solar exposure, prevailing winds and other influences. Technical aspects of LEED will be encouraged but not mandated.



Quality and Character

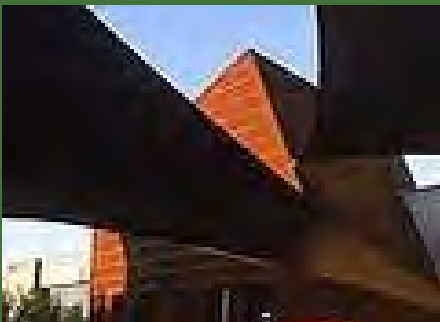
The expectation for the design and execution of the Territory Square Zoning District is to create an environment that emphasizes design quality and character. The following design themes set the stage for the expected quality and character throughout each LUG as well as the overall development. While the themes are specific to each LUG, the intent is to utilize these characteristics to influence design for all aspects of the development.

Design Themes

The following images and associated narratives are provided as desired design direction for each LUG. The intent is not to have a specific mandated style of architecture for each area of the development; rather, these themes provide a general anticipation of the desired outcome for each area as well as the overall Zoning District. In all cases, four-sided architecture will be expected.

Design Themes - RIVERFRONT: Civic Park Architecture

The Riverfront LUG provides an opportunity to include a broad variety of dynamic civic park architecture. Examples of contextual solutions would include indigenous building materials, stone, rusted metals and simple building forms with shed roofs and monolithic forms. Integrated outdoor spaces and amenities will enhance the desired theme.



Design Themes - INTERIOR: Craftsmen Cottages

The Interior LUG is intended to celebrate the agrarian lifestyle in an appropriate scale oriented to households and special small-scale complimentary uses. The craftsmen style provides the basis for a design quality that can best represent the balance between a historic period and 21st century lifestyle.



Design Themes - WEST END: Contemporary Agrarian Ranch

The West End program and vision can be expressed in a very broad design sense that includes both historical structures as well as more urban contemporary interpretations of agrarian and ranch architecture. Materials, form and color can all be used to provide a special sense of place and reference to historic use of the property.



Design Themes- CORE: Mercantile Main Street

The Core LUG provides an opportunity to reinforce the quality and character of the traditional Main Street environment. Brick and adobe storefronts inner-mixed with more contemporary treatments and features that may include glass, metals and wood. All the buildings throughout the core should be designed with the pedestrian in mind.



Design Themes - FRONTAGE: Southwest Contemporary

The Frontage LUG may include a wide variety of uses and therefore has a designation of Southwest Contemporary. This design style and theme provides substantial flexibility for both large and small scale building forms, as well as a variety of uses. The southwest contemporary design direction will also provide an effective transition to the adjoining Core.



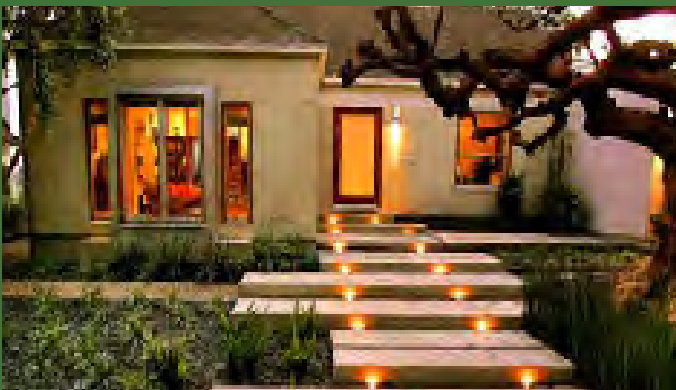
Landscape, Lighting and Signage

An important component of any successful and memorable built environment is the careful orchestrated treatment of landscape, lighting and signage. For Territory Square, it is anticipated that an overarching treatment and inclusion of landscape, lighting and signage will reinforce the desired character and quality of the District. Each LUG or sub area should be organized with special treatment that both compliments the overall environment as well as emphasizes the uniqueness to each area within the development

Landscape should emphasize a generous street tree palette that provides both shade as well as reinforcement of the overall roadway system and pedestrian connectivity. Parking lots should be organized with landscape buffers as well as tree plantings to diffuse the size and scale of paved zones. Accent planting in parks, open space and plazas should provide special visual interest and help to highlight special places and community features.

Lighting should always first consider the importance of balancing the desire for the desert dark sky effect with safety and function. Light fixtures should compliment the existing downtown. Contemporary fixtures and poles should be included and compliment historic conditions through the inclusion of materials, shapes, finishes and color.

Signage should be done in the most conservative manner possible in order to avoid conditions of clutter and over abundance. The overall district signage and identity signage system should be complimented with an interior wayfinding signage network that includes building signs, business signs, street name signs, temporary signs and specialty signs. All signage should be designed to reinforce the district brand as well as compliment the adjacent architectural character.



11. Glossary of Terms

Big Box Retail: A store of 100,000 square feet or greater of buildable area for a single retail use.

Botanical Garden: A well tended area displaying a variety of plants and their botanical names.

Build To Line: The line parallel to the street along which the primary mass of the front façade should be set. It is measured as a perpendicular distance from the street line to the nearest point of the building façade.

Community Centers: A place which may include a building, complex of buildings, indoor or outdoor athletic fields, or combination thereof, that provides for cultural, recreational, athletic, or entertainment activities, owned and/or operated by a governmental agency or private non profit agency.

Community Facility: Facilities which are open to and provided for the benefit of the public.

Community Gardens: An area of land managed and maintained by a group of individuals to grow and harvest food crops and/or non-food, ornamental crops, for personal or group use, consumption or donation. Community gardens may be divided into separate plots for cultivation by one or more individuals or may be farmed collectively by members of the group and may include common areas maintained and used by group members.

Density: The net number of inhabitants, dwellings, or the like, within a certain extent of land area. Typically calculated as net units per acre.

Design Guidelines: The desired character of buildings, roadways, landscape, site layout, hardscape, site furnishings, walls, lighting, and signage. They are used to direct a designer on how to express the desired aesthetic and functional character in a building and site planning.

Duplex: A dwelling having housing with separate entrances for two families. This includes two-story houses having a complete apartment on each floor and also side-by-side apartments on a single lot that share a common wall.

Farmstead Lots: A large lot in which farming is combined with a main house and ancillary buildings in support of farming activities.

Floor Area Ratio (FAR): The total square feet of a building divided by the total square feet of the lot the building is located on. Buildings of varying numbers of stories can have the same FAR, because the FAR counts the total floor of a building, not just the building's footprint. ON a 4,000 square-foot lot, a 1,000 square-foot, one-story building would have the same FAR (0.25) as a two-story building where each floor was 500 square feet.

Garden Lots: Higher density lots with patio/garden homes.

Green: An Open Space available for unstructured recreation which may be spatially defined by landscaping rather than building frontages.

Greenhouses: A structure, usually translucent, in which temperature and humidity can be controlled for the cultivation of plants.

Hotel: A hotel may include additional facilities and services, such as restaurants, meeting rooms, event centers, entertainment venues, personal services and recreational facilities. Furthermore, in the West End area, a limited number (no more than 50) of drive-in Recreational Vehicle spaces for short term stays (not exceeding 30 consecutive days per calendar year) are allowed as an accessory use to the Hotel and/or the aforementioned facilities related to the Hotel.

Incubator Facilities: A facility designed to foster entrepreneurship and help start up companies grow through the use of shared resources, management expertise, and intellectual capital.

Inn/Bed and Breakfast: A building in which lodging or lodging and breakfast meals is offered to the general public for compensation. It is owner-occupied, in which ingress and egress to and from room are made solely from the interior hallways.

Intensity: A measure of the extent to which land is developed.

K-12 School: A designation for primary and secondary educational institutions.

Land Use Budget: The maximum number of housing units as well as non-residential maximum building square footage allowed within each Land Use Group.

Land Use Groups: The zones associated with each section of the Transect and associated characteristics of the built environment.

Live Work Unit: A single unit consisting of both a commercial/office and a residential component that is occupied by the same resident. The live/work unit shall be the primary dwelling of the occupant.

Medium Lot SFD: A district that provides for the development of medium lot single-family dwellings. The district represents a relatively high density for single-family development but is less dense than Small Lot SFD. Dwellings in this district should be in close proximity to Town services and facilities.

Mixed Use Building: A building that contains at least one floor devoted to allowed non residential uses and at least one devoted to allowed residential uses.

Multi-Family: Properties such as apartments, duplexes, condominiums and others that are constructed for use by multiple family groups.

Multi-Purpose Fields: Fields designed for several recreational and entertainment purposes which may also be used for water retention or detention.

Museum: An institution devoted to the procurement, care, study, and display of objects of lasting interest or value.

Neighborhood Retail: provides a location for a limited number of retail commercial uses which serve the day-to-day needs of the residents of surrounding neighborhoods.

Office Complex: A building or complex of buildings used primarily for conducting the affairs of a business, profession, service, industry, government or similar entity, that may include ancillary services for office workers such as a coffee shop, newspaper stand, sundries shop, hair/nail salon, etc.

Office Condos: A structure made up of individually owned units which are part of a larger multi-unit office building.

Park: A natural preserve available for unstructured recreation which is independent of surrounding building frontages.

Plant Nursery: An establishment where plants are propagated and grown to a usable size and sold to the general public.

Playground: An Open Space designed and equipped for the recreation of children.

Plaza: An Open Space available for civic purposes and commercial activities which is spatially defined by building frontages.

Private Frontage: The area between the building façade and the adjacent lot lines.

Public Frontage: The area between the private lot line and the edge of the vehicular lanes.

Residential Duplexes: A building designed for occupancy by two families in separate living quarters.

Residential Town Homes: Single family dwelling units with common walls and no side yards between abutting dwelling units.

Shopping Center: A group of retail and other commercial establishments that is planned, developed, owned and managed as a single property, typically with on-site parking provided. The center's size and orientation are generally determined by the market characteristics of the trade area served by the center.

Single Family Attached: A single family dwelling where the building does share an inside wall with any other house or dwelling.

Single Family Detached: A single family dwelling where the building does not share an inside wall with any other house or dwelling.

Small Lot SFD: A district that provides for the development of small lot single-family dwellings. The district represents a relatively high density for single-family development, thus dwellings in this district should be in close proximity to Town services and facilities.

Specialty Office: Office space intended for small, multi-tenant users. Specialty offices are often one and two stories, surrounded by shared garden space.

Specialty Retail: A retailer concentrating on selling a few lines of merchandise or a particular type of merchandise for a select clientele. Specialty retail is often organized at a small scale.

Sports Complex: A specialized community park for soccer, baseball, softball, or other types of organized sports.

Square: An Open Space available for unstructured recreation and civic purposes.

Stables: A horse and animal facility to provide shelter, food and care. Personal, non-commercial associated with a single family residence or a commercial stable associated and included within a hotel/resort setting.

Town of Florence Wastewater Treatment Facility Easement and Setback Requirements: Property Owners (“Owners”) within the West End Land Use Group (WE LUG) shall grant, at no cost to the Town of Florence (“Town”), the Town a non-exclusive, perpetual Easement for noise, odor, vibration and other current and future potential impacts of the adjacent Town Wastewater Treatment Facility (“WWTF”) on, over, across and through the subject property. Furthermore, Owners within the WE LUG agree to not locate any residential land uses within 1,500 linear feet of the subject Town WWTP (the “Setback”). Town and Owners agree to negotiate the specifics and the extent of the Easement and Setback requirements, which shall be consistent with all applicable local, State and Federal requirements, in a Development Agreement, which shall be recorded at the Pinal County Recorder’s Office. Owners shall also provide a release and waiver of liability, in a form acceptable to the Town, to the Town related to the noise, odor, vibration and aesthetics of the Town WWTP and any expansion thereof. This agreement shall also recorded at the Pinal County Recorder’s Office.

Transect: A progression of land uses from most intense to least intense or vice versa.

Urban Garden: The process of growing plants of all types and varieties in an urban environment often by utilizing containers, community gardens, green roofs, and indoor nurseries.

Swaback Partners, pllc
7550 E McDonald Drive, Suite A
Scottsdale, AZ 85250
480.367.2100

**Exhibit B
207 Waiver**

ORIGINAL

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 subject of a Minor General Plan Amendment Application PZ 16-49 MGPA, a Zone Change Application PZ16-50 ZC, and a Text Amendment Application PZ-16-51 TA. 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 Minor General Plan Amendment Application PZ-16-49 MGPA, the Zone Change Application PZ 16-50 ZC ("Conditions of Approval"), and the Text Amendment Application PZ 16-51 TA 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 Minor General Plan Amendment Application PZ 16-49 MGPA, Zone Change Application PZ 16-50 ZC, and Text Amendment Application PZ 16-51 TA. Except as expressly set forth in the Minor General Plan Amendment Application PZ 16-49 MGPA, Zone Change Application PZ 16-50 ZC with Conditions of Approval, and Text Amendment Application PZ 16-51 TA, nothing herein shall constitute a waiver of any other of the undersigned's rights pursuant to the above-referenced statutes.

APN 202-05-001C
Parcel(s)
P.O. Box 2276 Florence AZ 85132
Physical or Mailing Address
[Signature]
Owner(s) Signature
Harold Christ
Print or Type Name

STATE OF ARIZONA)
County of Pinal) ss

On this 2nd day of June, 2016, before me, the undersigned Harold Christ Notary Public, personally appeared name(s) is/are subscribed to the within instrument.

IN WITNESS WHEREOF, I hereto set my hand and official seal.

My commission expires:
Tracie Wilgus
Notary Public



Territory Square Expansion

Territory Square Zoning Document
PZ 16-51 ORD: Text Amendment Application

Town of Florence, AZ
June 13, 2016

For this Text Amendment please refer to Exhibit A: Text Amendment Request and Exhibit B: The Territory Square Zoning District Document.

Exhibit A: Text Amendment Request:

Text Amendment request by Florence Artisan Acres, LLC, an Arizona Limited Liability Company, to update the Territory Square Zoning District book per Section 150.070 Territory Square of the Land Usage section of the Town of Florence Development Code. The update is related to the proposed addition of a forty acre, m.o.l., site located at the southeast corner of Butte Avenue and Plant Road into the Territory Square project. The updated Territory Square Zoning District Book shall be adopted in its entirety by reference by a separate Resolution.

ORIGINAL

OWNER'S PERMISSION FORM

This sheet must be completed if the applicant, is not the owner of the property.

I/we, the Undersigned, do hereby grant permission to: Swabach Partners

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, Preliminary/Final Plat and/or other below-noted
request on the following described property: Text Amendment

Owner(s)

[Handwritten Signature]

Signature

Harold Christ

Print or Type Name

Address

1140 W Butte Ave
Florence AZ 85132

Telephone

602 910 7448

STATE OF ARIZONA)

County of Pinal)

ss

On this 2nd day of June, 20 16, before me, the undersigned
Notary Public, personally appeared Harold Christ, known to me to
be the person(s) whose name(s) is/are subscribed to the within instrument and
acknowledged that Harold Christ executed the same.


IN WITNESS WHEREOF, I hereto set my hand and official seal.

My commission expires:

Tracie Wilgus



Notary Public

	TOWN OF FLORENCE COUNCIL ACTION FORM	<u>AGENDA ITEM</u> 6b.
MEETING DATE: August 15, 2016 DEPARTMENT: Community Development STAFF PRESENTER: Mark Eckhoff, AICP Community Development Director SUBJECT: Resolution No. 1596-16: Public Hearing on Territory Square Expansion Minor General Plan Amendment (PZ 16-49 GPA)		<input type="checkbox"/> Action <input type="checkbox"/> Information Only <input checked="" type="checkbox"/> Public Hearing <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <ul style="list-style-type: none"> <input type="checkbox"/> Regulatory <input checked="" type="checkbox"/> 1st Reading <input type="checkbox"/> 2nd Reading <input type="checkbox"/> Other

REQUEST:

A request by Swaback Partners, PLLC, on behalf of Florence Artisan Acres, 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 40 acres from Community Commercial (CC) and Medium Density Residential 1(MDR1) to Master Planned Community (MPC). This change would facilitate a subsequent zoning amendment on the site located at the southeast corner of Butte Avenue and Plant Road (APN 202-05-001C).

RECOMMENDED MOTION/ACTION:

Public Hearing on August 15, 2016.

On September 6, 2016, motion to adopt Resolution No. 1596-16: A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING THE TERRITORY SQUARE EXPANSION MINOR GENERAL PLAN AMENDMENT FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF BUTTE AVENUE AND PLANT ROAD (CASE PZ 16-49 GPA).

BACKGROUND/DISCUSSION:

The Territory Square Zoning District and development project was a result of many years of Town orchestrated and community oriented planning initiatives with the goal of creating a more plausible framework for future development in and around the downtown area. In addition to creating a more creative and flexible zoning tool for the area that blossomed from the North End Framework Vision Plan, which is the Territory Square Zoning District, the Town also amended the General Plan so that the Master

Planned Community (MPC) General Plan land use designation could be utilized in conjunction with the specialized zoning.

The proposed amendment is focused on 40 acres of property at the southeast corner of Butte Avenue and Plant Road that lies adjacent to the Territory Square Zoning District. As the subject site is being considered for inclusion with the Zoning District through the update of the zoning category and application of the zoning on the site, this companion application is essential (in Arizona, General Plan land use designations and zoning designations are very closely related and need to be in occurrence with each other).

ANALYSIS:

When the Planning and Zoning Commission and Town Council are considering an amendment to the 2020 General Plan, the applicant must justify the need for Minor Amendment to the General Plan through a series of questions:

1. Why is the current land use/circulation classification not suitable?

Staff contends that existing land use designations of Medium Density Residential (MDR 1) and Community Commercial (CC) would limit the ability to expand the Territory Square Zoning District to the subject site, which in turn would prevent the occurrence of the planned hospitality and commercial facilities on the site related to the expansion of the adjacent Windmill project.

2. Does the proposal conform with land use goals? Will the proposed change in land use or circulation do the following:

a) Support the goals and policies of the General Plan;

The proposed extension of the current MPC land use designation conforms to the goals of the Town's 2020 General Plan. The range of anticipated and associated densities and intensities aligns well with the land use goals and range of surrounding uses.

b) Conform to the proposed range of land uses, densities and intensity of uses, hierarchy of transportation systems; and

The Territory Square Expansion project offers a range of land uses, densities and intensity of uses, hierarchy of transportation systems that was established per the creation of the Territory Square Zoning District adopted by Town Council in 2012.

c) Avoid creation of isolated uses that will cause incompatible community form and a burden on services and circulation systems?

The proposed amendment and associated change would not result in any isolated or incompatible land use and development issues.

This proposal would help to integrate land uses in a more thoughtful and strategic manner by expanding the MPC designation. All collector and minor arterial roadways that are attributed to this proposed project will be addressed by a Traffic Impact Analysis (TIA) that will be required per the entitlement and development phases of this project.

3. What unique physical characteristics of the site present opportunities or constraints for the development under the existing classification?

The existing land use designation calls for a long thin strip of land along the easterly boundary to be Medium Density Residential (MDR1). This would be prohibitive to creating a more integrated development strategy as suggested. The expected drainage patterns for any future development on this land will likely require a degree of surface retention near the northwest corner of the property, which is in conflict with typical community commercial development scenarios that would likely want significant commercial building uses up close against this corner.

4. What is the ability and capacity of the water and sewer system to accommodate development that may occur as a result of the General Plan Amendment without system extensions or improvements?

Detailed water and sewer plans will be submitted and reviewed for this project. Staff believes that there is adequate sewer and water capacity for the project, but certain infrastructure improvements will be required as part of the development of this site.

5. What is the ability of existing police and fire department personnel to provide adequate emergency services according to acceptable response standards set by the community?

Police and fire protection for the property would be served by the Town of Florence. The existing fire station is located at 72 East 1st Street in Florence and the existing police station is located at 425 North Pinal Street in Florence. Both of these facilities are located within less than one mile of the subject property and can provide service to the property in a timely manner.

6. What is the ability of the proposed public and private open space, recreation, schools and library facilities to meet the projected demand of future development without reducing services below community standards?

The potential associated development of the parcel is not envisioned to have a significant amount, if any, of traditional neighborhood oriented housing and therefore would have little to no impact on existing community and civic infrastructure. Any housing that might be considered in the future would be small in scale and would include a certain degree of open space for informal

recreation and outdoor passive play. Required setbacks from the Town's wastewater treatment facility would also be applicable.

7. What is the proposed fiscal impact of future development based on evaluation of projected revenue and additional costs of providing public facilities and services to accommodate projected increases or decreases in population and development that could occur as a result of the General Plan?

The envisioned development will not have a primary use related to residential development. Staff contends that it is too early to estimate the true impact to the community; however, staff is working with developers and property owners to reassure the Town Council that all implications of the proposed development will provide all needed infrastructure produced by the proposed development.

The financial impact to the community should be very positive based on the historic success of the Windmill Winery. It is anticipated that this property and associated development will complement the Windmill Winery and increase its "destination" identity and associated demand. Most anticipated "users" will be visitors to Florence and won't be putting a "burden" on public facilities.

8. How will the proposed amendment affect the ability of the community to sustain the physical and cultural resources, including air quality, water quality, energy, natural and human made resources necessary to meet the demands of the present and future residents?

The proposed amendment and envisioned development is anticipated to be very similar in nature to the Windmill Winery; characterized by an abundance of open space with buildings that blend into the existing character created by the Windmill Winery.

In addition, because the envisioned project associated with this proposed amendment is small in scale and rural in nature, it should have low impact on air, water, energy and other natural resources.

9. What changes, if any, in Federal or State laws or policies substantiate the proposed amendment?

This requested General Plan amendment is consistent with the statutes of the State of Arizona as well as with the amendment procedures established by the Town of Florence for amendments to the Town of Florence 2020 General Plan and is being submitted in conformance with the procedures of the Town of Florence for Minor General Plan Amendments that have been established in accordance with state statutes.

FINDINGS:

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

- The Master Planned Community (MPC) designation extension has been identified as suitable for this area within the Town's Planning Area;
- The proposed designation will provide a mixture of uses that will provide diversity in mixed-use, commercial development and maintain an adequate inventory of open space within the community;
- The properties in the subject area should be affected in a positive way by developing and enhancing tourism opportunities that attract and retain visitors as well as benefit to local residents; and
- The proposed Minor General Plan Amendment is in compliance with the goals, objectives and strategies of the Town's 2020 General Plan.

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 two sites per Town requirements. Advertisements in the local Town paper have been posted per Town requirements.

The Town conducted a neighborhood meeting on June 29, 2016, at the Windmill Winery with several members of the public in attendance. Staff has received mostly favorable comments on this case. One negative comment pertained to the noise the facility could possibly make.

FINANCIAL IMPACT:

None directly applicable to this request.

RECOMMENDATION:

The Planning and Zoning Commission found that the Territory Square Expansion Minor General Plan Amendment (PZ 16-49 MGPA) was in compliance with the Town's 2020 General Plan and is in the interest of general welfare, health and safety of the public. The Planning and Zoning Commission has forwarded a unanimous favorable recommendation on this Minor General Plan Amendment, 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 waivers attached hereto as Exhibit B.

2. Any conditions deemed necessary by the Town Council.

ATTACHMENTS:

Resolution No. 1596-16

Exhibit A

Exhibit B

The Territory Square Expansion Minor General Plan Amendment Book with Application Materials

RESOLUTION NO. 1596-16

A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING THE TERRITORY SQUARE EXPANSION MINOR GENERAL PLAN AMENDMENT FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF BUTTE AVENUE AND PLANT ROAD (CASE PZ 16-49 GPA).

WHEREAS, a Minor General Plan Amendment (Minor GPA) is requested for on approximately 40 acres of property located at the southeast corner of Butte Avenue and Plant Road (APN 202-05-001C); and

WHEREAS, a significant public participation process, including the holding of a public hearing of the Town of Florence Planning and Zoning Commission, has been followed for the Minor GPA; and

WHEREAS, the Planning and Zoning Commission of the Town of Florence has considered all public comments made at the public hearing; and

WHEREAS, the Planning and Zoning Commission sent an unanimous favorable recommendation to the Town Council on the Territory Square Expansion Minor GPA; and

WHEREAS, said proposal has been considered by the Council and the Minor GPA has been found to: be appropriate; be consistent with the goals, objectives and strategies of the Town's General Plan; have a positive impact on the overall balance and mixture of land uses in the Town's General Plan; be consistent with approved planning principles; be beneficial for the Town's orderly growth; and be favorable to the general welfare, health and safety of the public. Thus, a determination has been made that the Minor GPA should be approved.

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

The Mayor and Council of the Town of Florence, Arizona, hereby approve the subject Minor General Plan Amendment as presented in Exhibit A.

PASSED AND ADOPTED by the Mayor and Council of the Town of Florence, Arizona, this 5th day of September, 2016.

Tom J. Rankin, Mayor

ATTEST:

APPROVED AS TO FORM:

Lisa Garcia, Town Clerk

Clifford L. Mattice, Town Attorney



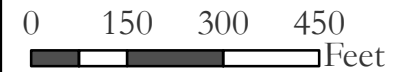
Town of Florence

Exhibit A

Territory Square Expansion Minor GPA (PZ-16-49 GPA)

Proposed 2020 General Plan Designation

-  Site Location
-  Parcel Lines
-  Town Limits



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.

7/21/2016

2016-86

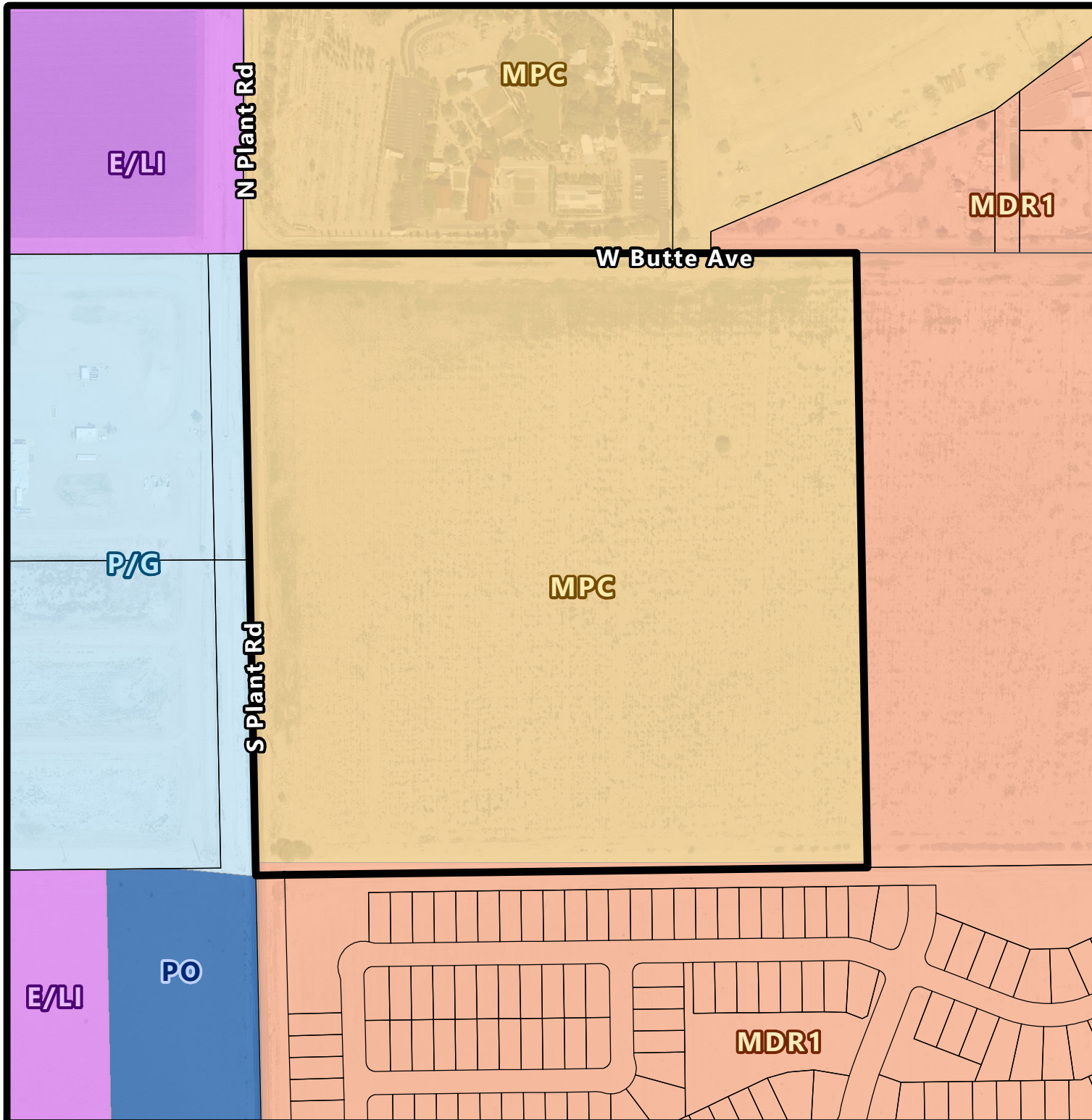


EXHIBIT B

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 subject of a Minor General Plan Amendment Application PZ 16-49 MGPA, a Zone Change Application PZ16-50 ZC, and a Text Amendment Application PZ-16-51 TA. 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 Minor General Plan Amendment Application PZ-16-49 MGPA, the Zone Change Application PZ 16-50 ZC ("Conditions of Approval"), and the Text Amendment Application PZ 16-51 TA 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 Minor General Plan Amendment Application PZ 16-49 MGPA, Zone Change Application PZ 16-50 ZC, and Text Amendment Application PZ 16-51 TA. Except as expressly set forth in the Minor General Plan Amendment Application PZ 16-49 MGPA, Zone Change Application PZ 16-50 ZC with Conditions of Approval, and Text Amendment Application PZ 16-51 TA, nothing herein shall constitute a waiver of any other of the undersigned's rights pursuant to the above-referenced statutes.

APN 202-05-001C
Parcel(s)
P.O. Box 2276 Florence AZ 85132
Physical or Mailing Address
[Signature]
Owner(s) Signature
Harold Christ
Print or Type Name

STATE OF ARIZONA)
County of Pinal) ss

On this 2nd day of June, 20 16, before me, the undersigned Harold Christ Notary Public, personally appeared Harold Christ, 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:

Tracie Wilgus
Notary Public





WINDMILL WINERY



TERRITORY SQUARE EXPANSION

PZ 16-49 GPA: MINOR GENERAL PLAN AMENDMENT APPLICATION

PARCEL: 202-05-001C

Town of Florence, Arizona
June 13, 2016



SWABACK PARTNERS p11c
Architecture • Planning • Interior Design

APPLICANT

Florence Artisan Acres, LLC

Member Manager: John Shoecraft
Contact Info: 4545 N. 36th St., Ste. 214
Phoenix, AZ 85018
Phone: (602)402-4455
Fax: (602)926-2560
Email: jonnyshoe7@aol.com

CONSULTANTS

Swaback Partners, pllc

Planning & Architecture
Contact Person: Jeffrey Denzak
Contact Info: (480) 367-2100

Bowman Consulting

Civil Engineering
Contact Person: Troy Peterson, PE
Contact Info: (602) 694-2755

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Appendix:

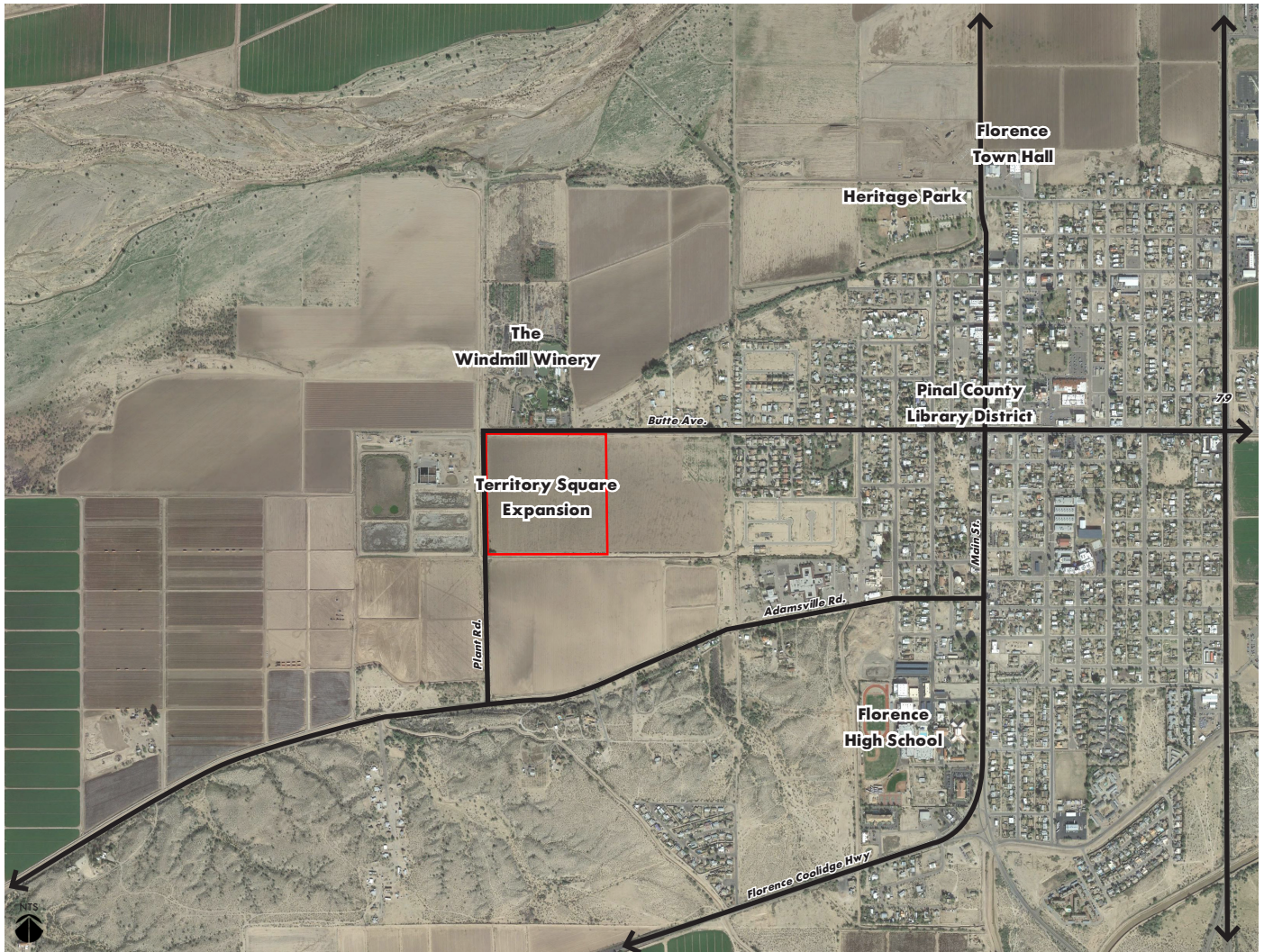
1. Application
2. Owner's Permission Form
3. Exhibit B 207 Waiver



1. GENERAL PLAN REQUEST

The proposal calls for a change of the current General Plan land uses within the identified area from CC-Community Commercial (28 acres +/-) and MDR 1- Medium Density Residential 1 (12 acres +/-) to MPC Master Planned Community (40 acres).

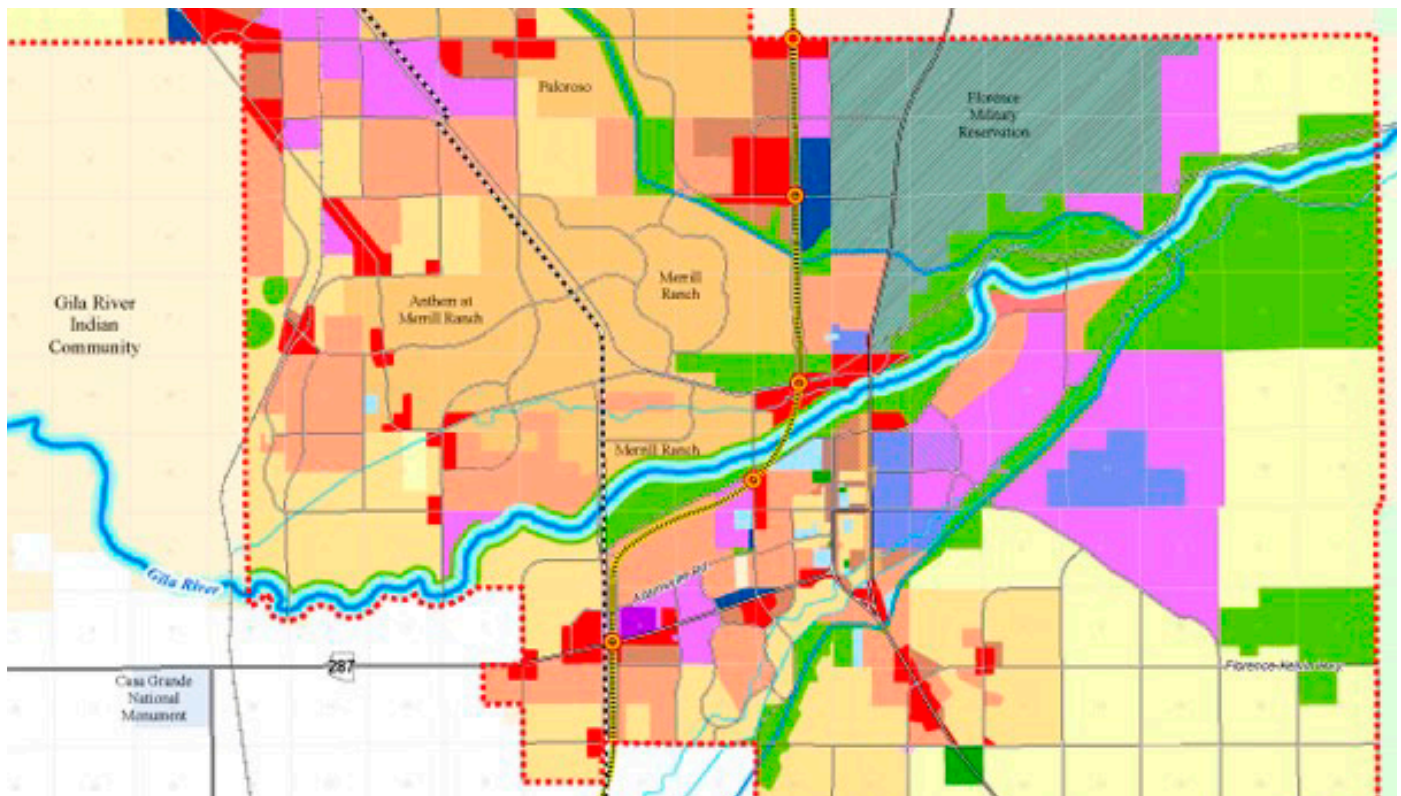
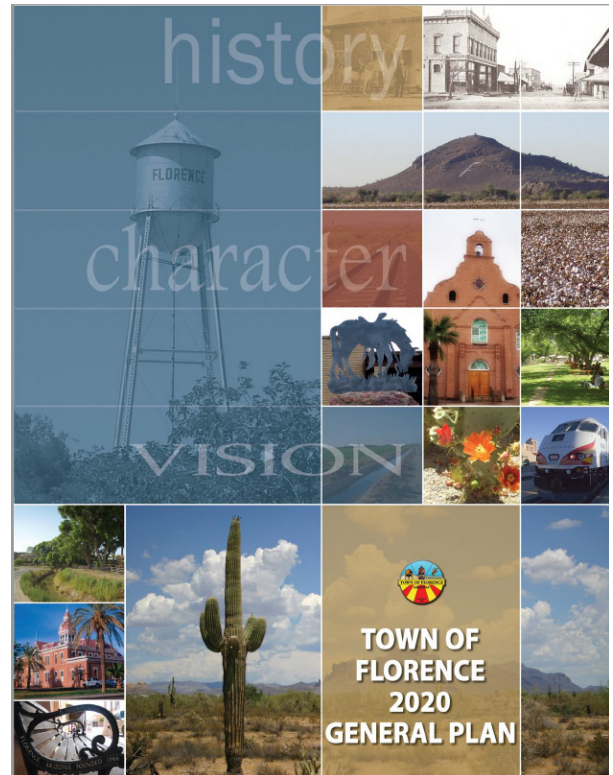
1a. Reference Map



2. COMPATIBILITY & COMPLIANCE WITH GENERAL PLAN

The General Plan is a tool to help guide growth and development decisions throughout the entire Town boundaries. The Applicant is committed to the process of master planning consistent with the quality and depth of the Town of Florence's General Plan. The proposed zoning and associated development fits well with the objectives and strategies set for the General Plan. The focus for the 40 acre Territory Square Expansion is to direct growth in a manner that elevates the overall quality of life for all its citizenry.

The following is a list of objectives and strategies from each of the seven Town of Florence's General Plan Elements. The objective strategies that are being met within the proposed Territory Square Expansion development are shown in italicized text.



Land Use Element

Objective: Attract and maintain commercial and office land uses to continue to serve the needs of the community and expand employment opportunities within the community.

Strategy(ies) Met:

Encourage expansion of the range of commercial uses to include those that are currently underrepresented within Florence.

Encourage pedestrian-oriented and small-scale developments that feature specialty stores and boutiques that create vibrant areas for people to gather and socialize and that better serve the community by providing a greater range of commercial uses (e.g., sit-down restaurants, upscale apparel shops, stores related to hobbies or collectibles, gift shops).

Encourage a greater variety of visitor/service commercial uses to better serve the community (e.g., hotels and extended-stay suites that include special event facilities to hold conventions, corporate meetings, weddings).

Encourage more commercial leisure activities (e.g., family-oriented commercial recreation facilities, kids' entertainment restaurants, day spas, sit-down restaurants that not only provide food but are oriented around family gatherings and the appreciation of nature through their settings).

Objective: Encourage mixed-use development, where appropriate.

Within mixed-use land use designations, both "vertical mixed use" (various types of uses integrated within individual buildings, such as commercial on the ground floor with residential uses above) and "horizontal mixed use" (individual buildings housing different types of uses within an integrated site plan) are appropriate.

Objective: Maintain an adequate inventory of open space within the community.

Support the retention of agricultural-related activities on cultivated land as long as is feasible.



Community Character Element

Objective: Preserve and enhance the unique character of specific areas in Florence by integrating appropriate themes into the design of new developments and public facilities within these character areas.

Strategy(ies) Met:

Base the Town's review of projects on the principle that development design should respect community goals and the desired character of development within defined character areas, as well as address the project's economic objectives.

Promote developments with architectural styles, landscaping and amenities that are appropriate to the development's setting, complements surrounding development and conveys a sense of purpose.



Circulation Element

Objective: Maintain a safe, convenient and continuous network of pedestrian sidewalks, pathways and bicycle facilities serving both experienced and casual bicyclists to facilitate bicycling and walking as alternatives to automobile travel.

Strategy(ies) Met:

Design new residential neighborhoods to provide safe pedestrian and bicycle access to schools, parks, and neighborhood commercial facilities.



Economic Development Element

Objective: Develop and package enhanced tourism opportunities that attract and retain visitors as well as benefit local residents.

Strategy(ies) Met:

Assist the redevelopment of existing hotels and development of new hotels and smaller properties such as bed and breakfasts in the Town.



Parks, Trails and Open Space Element

Objective: Acquire and preserve open space and natural resources for future generations.

Strategy(ies) Met:

Encourage access to open space during design of developments adjacent to open space, including trail connections.

Develop facilities that will enhance the historical and cultural attributes of Florence and the region.

Environmental Planning Element

Objective: Support sustainable design techniques that accommodate the desert climate in the built environment.

Strategy(ies) Met:

Encourage building designs that accommodate a hot, dry climate, including features such as shade structures, awnings, appropriate building orientation and xeriscaping. (See also the provisions contained in the Energy Element).

Energy Element

Objective: Increase efficient use of energy resources.

Promote green spaces. Encourage the creation of high-quality community plazas, squares, greens, commons, community and neighborhood parks and rooftop gardens.



3. IMPACT ON TOWN'S PLANNING AREA

The proposed amendment will have a positive impact on the overall balance and mixture of land uses within this area due to the intended development alignment with Territory Square and specifically the Windmill Winery. The proposed continuation of the Master Planned Community (MPC) land use designation across Butte Road south into this property provides an important expansion of the Town's efforts in recent years to establish downtown land uses in an organized and strategic manner. This proposed amendment aligns with and is intended to be a part of the Territory Square Zoning District. The Town, associated land owners, community leaders and a broad spectrum of resident stakeholders endorsed and adopted the associated land use designation and zoning classification for Territory Square.

4. AVAILABILITY OF PUBLIC UTILITIES & SERVICES

The Florence Territory Square Expansion development will be served by existing utility lines located along the property street frontage on Butte Avenue. Public water and sewer service will be provided by the Town of Florence. An existing wastewater line in Butte Avenue carries wastewater to the Town of Florence Wastewater Treatment Plant on the west side of Plant Road. An existing waterline on Butte Avenue will be extended to serve the proposed project. Natural Gas service is provided by Southwest Gas via an existing line in Butte Avenue. Telecommunication service will be provided by Century Link via existing lines in Butte Avenue. Electrical service will be provided by San Carlos Irrigation Project - Electric via existing overhead distribution lines that run along Butte Avenue.

5. PROJECT JUSTIFICATION

1. Why is the current land use/ circulation classifications not suitable?

The planned project, associated with the triggering of this proposed amendment, is envisioned as an extension of the Windmill Winery which is part of the MPC land use designation referenced earlier in this submittal. The MPC allows for a more mixed-use integration of uses which aligns directly with the proposed project. The existing land use designations and locations of the Medium Density Residential and Community Commercial would limit the ability to expand the overall intended character, quality and physical form of the Windmill Winery.

The applicant will work closely with the Town on issues and opportunities related to adjacent roadway circulation both in the short-term as well as future long-range considerations.

2. Does the proposal conform to the land use goals? Will the proposed change in land use or circulation do the following:

- a. Support the goals and policies of the General Plan
- b. Conform to the proposed range of land uses, densities, and intensity of uses, hierarchy of transportation systems; and
- c. Avoid creation of isolated uses that will cause incompatible community form and a burden on services and circulation system?

As articulated previously in the land use compatibility narrative of this submittal, the proposed extension of the current MPC land use designation (which is directly north of Butte Road at the Windmill Winery property and the base land use designation for all of Territory Square) certainly conforms to the goals of the Town's land use. The range of anticipated and associated densities and intensities aligns well with the land use goals and range of surrounding uses. The proposed amendment and associated change would not result in any isolated or incompatible land use and development issues. The proposal would in fact help to integrate land uses in a more thoughtful and strategic manner by expanding the MPC designation.

3. What unique physical characteristics of the site present opportunities or constraints for the development under the existing classification?

The site's physical adjacency to the Territory Square District and the Windmill Winery provides an excellent opportunity to create synergy with this property. The proposed amendment will put in place the beginning mechanisms to develop complimentary uses with the Windmill Winery.

The existing land use designation calls for a long thin strip of land along the easterly boundary to be Medium Density Residential. This would be prohibitive to creating a more integrated development strategy as suggested. The expected drainage patterns for any future development on this land will likely require a degree of surface detention near the north west corner of the property- which is in conflict with typical community commercial development scenarios that would likely want significant commercial building uses up close against this corner.

4. What is the ability and capacity of the water and sewer system to accommodate development that may occur as a result of the General Plan amendment without system extensions and improvements?

The existing sewer trunk line that runs along Butte Avenue to the Town of Florence Wastewater Treatment Plant has adequate capacity for servicing the Florence Territory Square Expansion development. During the design of the project, an analysis will be performed to determine if the existing public water line that runs along Butte Avenue is adequately sized to provide domestic water and fire flow requirements to the proposed project. Any necessary system upgrades needed for the Florence Territory Square Expansion project will be determined in coordination with the Town of Florence Public Works Department.

5. What is the ability of existing police and fire department personnel to provide adequate emergency services according to acceptable response standards set by the community?

The location of the property is in close proximity to the downtown and existing emergency service facilities. Butte Road provides direct access to the property from such facilities.

6. What is the ability of the proposed public and private open space, recreation, schools, and library facilities to meet the projected demand of future development without reducing services below community standards?

The potential associated development of the parcel is not envisioned to have a significant amount of traditional neighborhood oriented housing, and therefore would have little to no impact on existing community and civic infrastructure. Any housing that might be considered in the future, would be small in scale and would include a certain degree of open space for informal recreation and outdoor passive play.

7. What is the proposed fiscal impact of future development based on evaluation of projected revenue and additional costs of providing public facilities and services to accommodate projected increases or decreases in population and development that could occur as a result of the General Plan?

As stated above, because the envisioned development will not have a primary use related to residential development, there will be little to no impact on public facilities and those associated community services. The financial impact to the community should be very positive based on the historic success of the Windmill Winery. It is anticipated that this property and associated development will complement the Windmill Winery and increase its “destination” identity and associated demand. Most “users” will be visitors to Florence and won’t be putting a “burden” on public facilities.

8. How will the proposed amendment affect the ability of the community to sustain the physical and cultural resources, including air quality, water quality, energy, natural and human made resources necessary to meet the demands of the present and future residents?

The proposed amendment and envisioned development is anticipated to be very similar in nature to the Windmill Winery- characterized by an abundance of open space with buildings that have a light touch on the land. The human made cultural resources exhibited throughout Florence will be complimented by the envisioned project which will be themed with the historic 5 Cs' of Arizona. In addition, because the envisioned project associated with this proposed amendment is small in scale and rural in nature, it should have very low impact on air, water, energy and other natural resources.

9. What changes, if any, in Federal or State laws or policies substantiate the proposed amendment?

None that we are aware of.

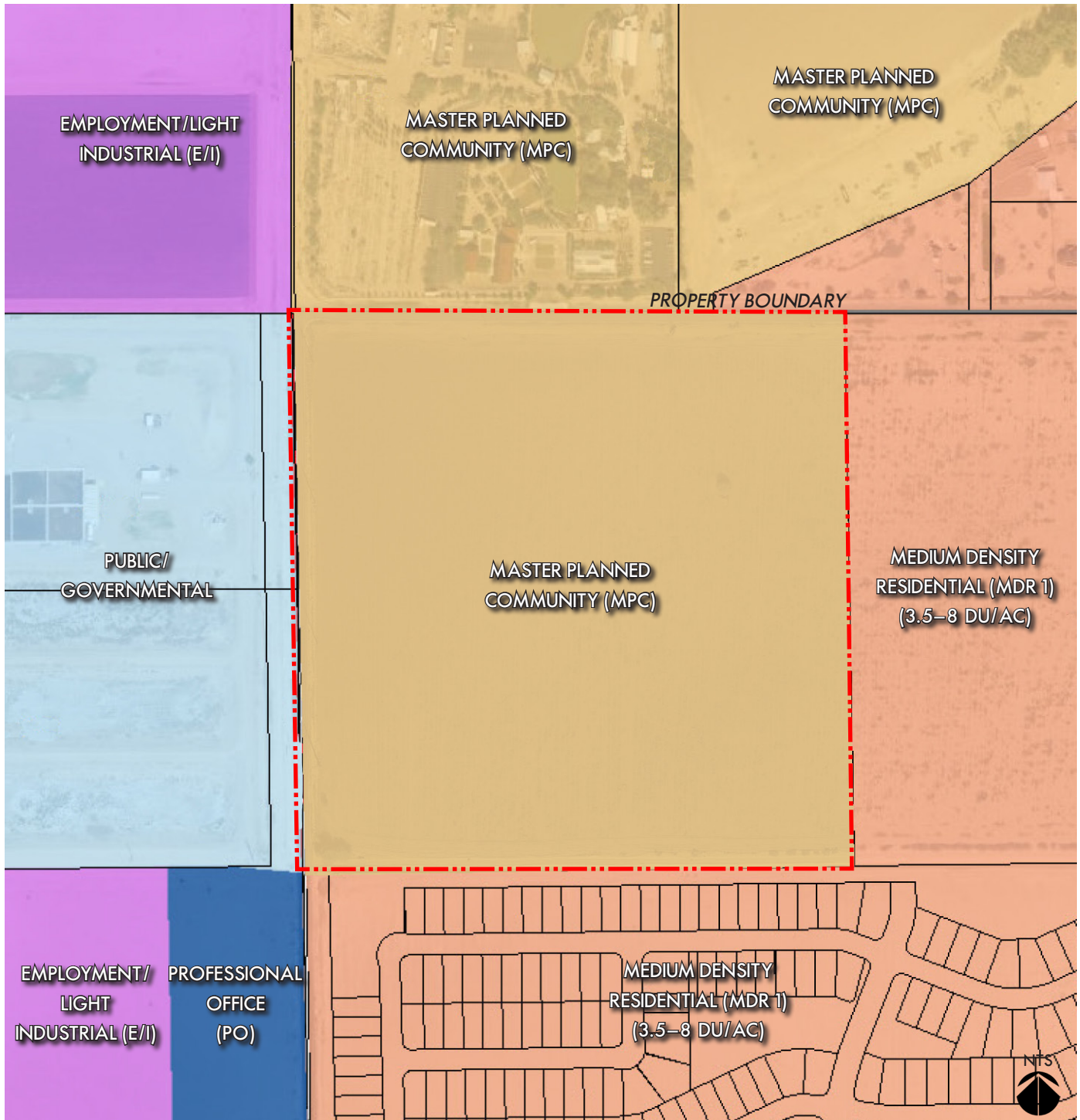
6. VICINITY MAP



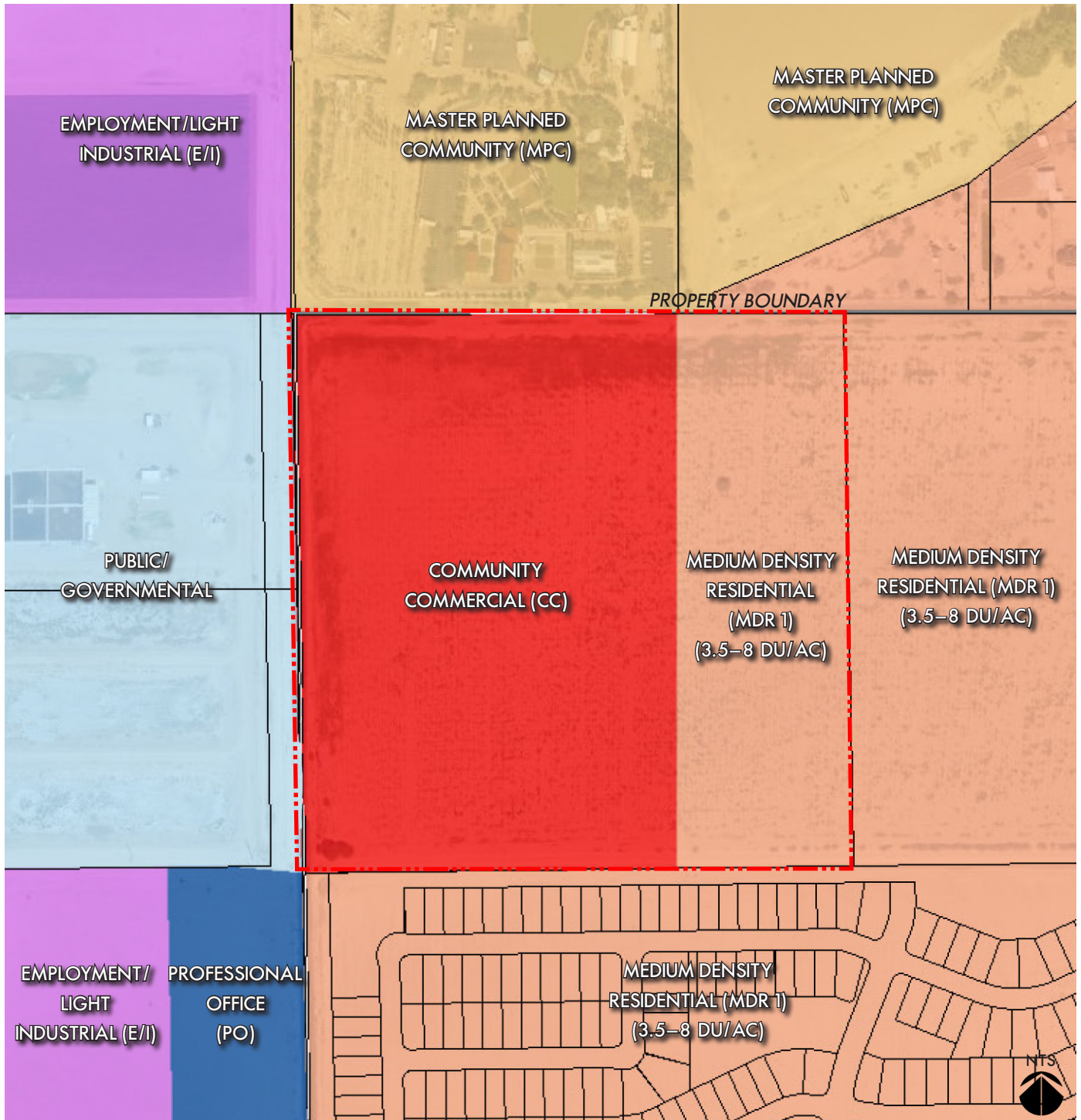
7. PROJECT DATA

<u>PROJECT DATA</u>	<u>ZONING & LAND USE</u>	<u>ACRES</u>	<u>PERCENT</u>
Gross Acres:		40	
Current General Plan Classifications:	Community Commercial Medium Density Residential 1	28 12	70% 30%
Proposed General Plan Classification:	Master Planned Community	40	100%
Percent Total Acreage In Each Land Use Classification:			100%

8. PROPOSED LAND USE

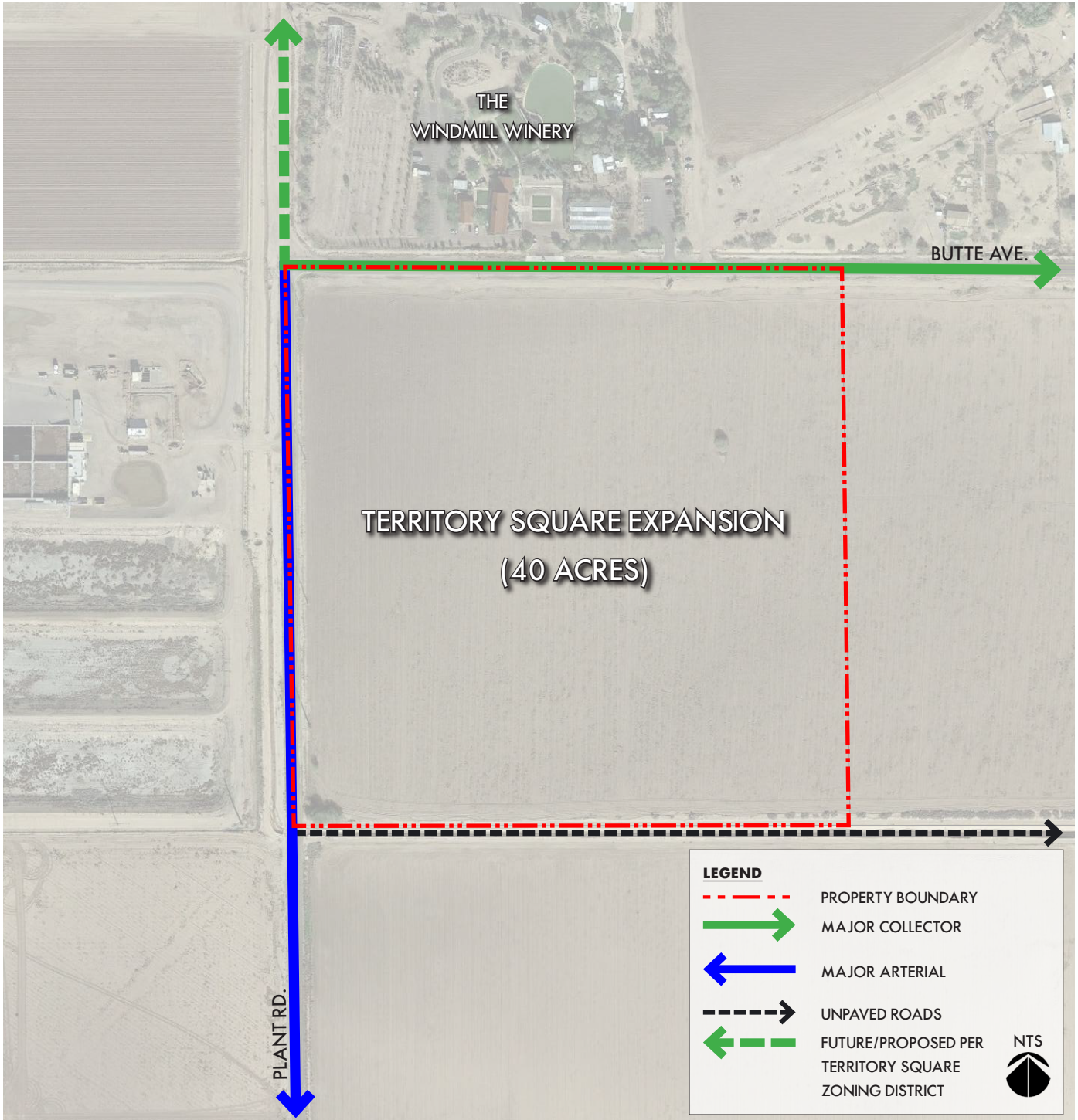


9. EXISTING & ADJACENT LAND USE



10. EXISTING CIRCULATION & PROPOSED ROADWAY CLASSIFICATION

The 40 acre parcel is expected to be accommodated with the current roadway classification as identified by the Town and this exhibit.



APPENDIX

APPLICATION FOR GENERAL PLAN AMENDMENT

PROJECT NAME: Territory Square Expansion

APPLICATION TYPE: Major Minor Text (Major)

1. Property Owner: Name: Florence Artisan Acres, LLC
Address: 4545 N. 36th St., Ste. 214
Phoenix, AZ 85018
Phone: (602) 402-4455 Fax: (602) 926-2560
Email: jonnyshoe7@aol.com

2. Applicant/Developer: Name: Swaback Partners, pllc
Address: 7550 E. McDonald Drive
Scottsdale, AZ 85250
Phone: (480) 367-2100 Fax: (480) 367-2101
Email: jdenzak@swabackpartners.com

3. Address or Location of Property: Southeast corner of Plant Rd. and Butte Ave.

4. Legal Description of Property: If applicable, include Lot(s), Block(s), and Subdivision Name:
Lot 4 of Section 2, Township 5 South, Range 9 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona

Tax Parcel Numbers: APN 202-05-001C

Gross Acres: 40 Acres
Community Commercial (28 Acres)

5. Current Land Use Classification(s): Medium Density Residential (12 Acres)

6. Proposed Land Use Classification(s): Master Planned Community (40 Acres)


SIGNATURE OF PROPERTY OWNER or REPRESENTATIVE 6/10/16
DATE

FOR STAFF USE ONLY:

CASE NO. _____	APPLICATION DATE AND TIME _____
PERMIT NO. _____	FEE \$ _____
PZ HEARING DATES _____	
TC HEARING DATE _____	REVIEWED BY: _____

OWNER'S PERMISSION FORM

This sheet must be completed if the applicant, is not the owner of the property.

I/we, the Undersigned, do hereby grant permission to: Swabach Partners

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, Preliminary/Final Plat and/or other below-noted
request on the following described property:

General Plan Amendment (Minor)

Owner(s)

[Handwritten Signature]

Signature

Harold Christ

Print or Type Name

Address

1140 W Butte Ave
Florence AZ 85132

Telephone

602 910 7448

STATE OF ARIZONA)

County of Pinal)

ss

On this 2nd day of June, 20 16, before me, the undersigned
Notary Public, personally appeared Harold Christ, known to me to
be the person(s) whose name(s) is/are subscribed to the within instrument and
acknowledged that Harold Christ executed the same.

IN WITNESS WHEREOF, I hereto set my hand and official seal.

My commission expires:

Tracie Wilgus



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 subject of a Minor General Plan Amendment Application PZ 16-49 MGPA, a Zone Change Application PZ16-50 ZC, and a Text Amendment Application PZ-16-51 TA. 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 Minor General Plan Amendment Application PZ-16-49 MGPA, the Zone Change Application PZ 16-50 ZC ("Conditions of Approval"), and the Text Amendment Application PZ 16-51 TA 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 Minor General Plan Amendment Application PZ 16-49 MGPA, Zone Change Application PZ 16-50 ZC, and Text Amendment Application PZ 16-51 TA. Except as expressly set forth in the Minor General Plan Amendment Application PZ 16-49 MGPA, Zone Change Application PZ 16-50 ZC with Conditions of Approval, and Text Amendment Application PZ 16-51 TA, nothing herein shall constitute a waiver of any other of the undersigned's rights pursuant to the above-referenced statutes.

APN 202-05-001C

Parcel(s)

P.O. Box 2276 Florence AZ 85132

Physical or Mailing Address

[Signature]

Owner(s) Signature

Harold Christ

Print or Type Name

STATE OF ARIZONA)
County of Pinal) ss

On this 2nd day of June, 20 16, before me, the undersigned Notary Public, personally appeared Harold Christ, 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:


Tracie Wilgus
Notary Public





SWABACK PARTNERS, PLLC

7550 EAST McDONALD DRIVE SCOTTSDALE, ARIZONA 85250
480.367.2100 www.swabackpartners.com

	TOWN OF FLORENCE COUNCIL ACTION FORM	<u>AGENDA ITEM</u> 6c.
MEETING DATE: August 15, 2016 DEPARTMENT: Community Development STAFF PRESENTER: Mark Eckhoff, AICP Community Development Director SUBJECT: Ordinance No. 652-16: Territory Square Expansion Zone Change(PZ 16-50 ZC)		<input type="checkbox"/> Action <input type="checkbox"/> Information Only <input checked="" type="checkbox"/> Public Hearing <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance <input type="checkbox"/> Regulatory <input checked="" type="checkbox"/> 1 st Reading <input type="checkbox"/> 2 nd Reading <input type="checkbox"/> Other

REQUEST:

A request by Swaback Partners, PLLC, on behalf of Florence Artisan Acres, LLC, to change the zoning on approximately 40 acres located at the southeast corner of Butte Avenue and Plant Road from Rural Agricultural (RA-10) Zoning District to Territory Square (TS) Zoning District (APN 202-05-001C).

RECOMMENDED MOTION/ACTION:

On August 15, 2016: Public hearing and first reading of Ordinance No. 652-16: AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING THE TERRITORY SQUARE ZONE CHANGE ON APPROXIMATELY 40 ACRES LOCATED AT THE SOUTHEAST CORNER OF BUTTE AVENUE AND PLANT ROAD (PZ 16-50 ZC).

On September 6, 2016: Motion to adopt Ordinance No. 652-16 changing the zoning on approximately 40 acres located at the southeast corner of Butte Avenue and Plant Road from Rural Agricultural (RA-10) Zoning District to Territory Square (TS) Zoning District (APN 202-05-001C).

BACKGROUND/ANALYSIS:

Over the past several years, the Town orchestrated a series of community oriented planning initiatives with the goal of creating a more plausible framework for future development in and around the downtown area. The North End Framework Vision Plan (NEFVP) resulted in a dynamic vision for the northern most boundary of downtown Florence directly south of the Gila River. The comprehensive planning process for the NEFVP led to a roadmap for future development within the study area that addressed physical planning, programming, engineering and cost ramifications.

The NEFVP was initiated in November 2009 and after numerous months of study and community oriented workshops, the Town Council endorsed the plan in June 2011. The NEFVP identified a series of on-going tasks moving forward that would help to set the stage for future development.

One specific recommendation was for the creation of a new zoning district. The intent was to create a zoning district that represented the vision cast for the NEFVP area and at the same time, create a framework to help incentivize future development within this area. The NEFVP initiative lead to the creation of the Territory Square (TS) Zoning District.

The Territory Square Zoning District was developed to implement the NEFVP. The Territory Square Zoning District provides a clear and concise methodology as to future development expectations and requirements. The zoning and associated components are intended to help ensure that the intended vision meets the high expectations of the Town, property owners and community members for the subject study area. Territory Square is an innovative mixed-use hybrid zoning district because it combines features of traditional Euclidian zoning with Form Based Code and hybrid components. This approach is much different from the typical regulatory approach to zoning, which generally works well in most cases, but not with a highly innovative project such as Territory Square. Council endorsed the creation and subsequent application of the Territory Square Zoning District as it provided a clear and concise methodology as to future development requirements. The zoning and associated components are intended to help ensure that the intended vision meets the expectations of the Town, property owners and all community members.

Much has occurred over the past few years towards the implementation of the vision for the subject area. In addition to major public investments in planning, engineering, floodplain mitigation and the additional of the new Library and Community Center and Aquatic Center, the Windmill project on the west end of Territory Square has experienced significant growth and success. So much that there is now an opportunity for the project to spin off on adjacent land that is currently outside of the Territory Square Zoning District. The intent of this application is to consider the expansion of the Territory Square Zoning District on a 40 acre site that is adjacent to the existing Windmill site.

The applicants have also submitted a Text Amendment request to add the subject 40 acre site to the Territory Square Zoning District book. They have also filed a Minor General Plan Amendment application to change the land use designation on the subject 40 acre site to MPC, a precursor action required to consider this zone change. If the Text Amendment and General Plan Amendment are supported, the Council can then consider applying the Territory Square zoning on the subject site. If approved, the applicants have significant plans for the subject site that will complement the adjacent Windmill Winery project. They also will have the option of developing the subject site in accordance with the West End Land Use Group that is described within the Territory Square Zoning District book.

FINDINGS:

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

1. An amendment to the General Plan and Text Amendment have been requested and are being processed concurrently with this zone change application. The proposed zone change, as conditioned, will be consistent with the proposed General Plan land use designation of Master Planned Community (MPC).
2. The zoning on the subject site will be consistent with the overall intent of the North End Framework Vision Plan and the Territory Square Zoning District.
3. The Territory Square zoning on this site, as conditioned, will be compatible and complementary to surrounding properties.

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 300 feet of the site. Property posting for notice of public hearing for a zone change was posted on two sites per Town requirements. Advertisements in the local Town paper have been posted per Town requirements.

The Town conducted a neighborhood meeting on June 29, 2016, at the Windmill Winery with several members of the public in attendance. Staff has received one verbal comment on this case that was in regards to concerns about noise. All other comments have been supportive.

FINANCIAL IMPACT:

This zone change in itself will have no immediate financial impact; however, future commercial and/or mixed use development of the subject property is anticipated to have a positive impact on the Town. Staff has requested more information on the financial impact as part of the Development Agreement discussions on this project.

RECOMMENDATION:

The Planning and Zoning Commission found that the Territory Square Expansion Zone Change (PZ 16-50 ZC) was in compliance with the Town's 2020 General Plan, as amended, and is in the interest of general welfare, health and safety of the public. The Planning and Zoning Commission has forwarded a unanimous favorable recommendation on this zone change to the Mayor and Town Council, subject to the following conditions*:

1. The development of the subject site, as described in Exhibit A, shall be in conformance with the Territory Square Zoning District document dated July 27, 2016, as well as any applicable Development Agreements, Town ordinances and codes including all applicable planning, building, fire, engineering and Design Review requirements.
 2. Property Owners agree to waive claims for diminution in value pursuant to Proposition 207 [A.R.S. § 12-1134] pursuant to the waivers attached hereto as Exhibit B.
 3. The extent of all on-site and off-site improvements required by the Town, as well as the phasing of such, shall be subject to further Town reviews and approvals of development/construction plans and engineering reports/studies.
 4. Unless otherwise approved by the Town, a Development Agreement shall be entered into that, amongst other things, further addresses on-site and off-site development impacts, development requirements, any potential development incentives and project phasing.
 5. Final plans for grading, drainage, infrastructure phasing, right-of-way dedications, roadway improvements, roadway development standards, intersection alignments, water systems and wastewater systems are subject to the review and approval of the Town Engineer, Utilities Director, and/or Community Development Director.
 6. *Property Owners ("Owners") shall grant, at no cost to the Town of Florence ("Town"), the Town a non-exclusive, perpetual Easement for noise, odor, vibration and other current and future potential impacts of the adjacent Town of Florence Wastewater Treatment Facility ("WWTF") on, over, across and through the subject property. Furthermore, Owners agree to not locate any residential land uses within 1,500 linear feet, or as otherwise agreed upon, of the subject Town WWTP (the "Setback"). Town and Owners agree to negotiate the specifics and the extent of the Easement and Setback requirements, which shall be consistent with all applicable local, State and Federal requirements, in a Development Agreement, which shall be recorded at the Pinal County Recorder's Office within six months of the date of this Ordinance adoption.
 7. *Property owners will provide a release and waiver of liability, in a form acceptable to the Town of Florence ("Town"), to the Town related to the noise, odor, vibration and aesthetics of the Town Wastewater Treatment Facility and any expansion thereof. This agreement shall be recorded at the Pinal County Recorder's Office within six months of the date of this Ordinance adoption.
 8. Any additional conditions deemed necessary by the Town Council.
- *Conditions 6 and 7 added after the Planning and Zoning Commission meeting as a result of subsequent Development Agreement discussions.

ATTACHMENTS:

Ordinance No. 652-16
Exhibit A
Exhibit B
Application Materials

ORDINANCE NO. 652-16

AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING THE TERRITORY SQUARE ZONE CHANGE ON APPROXIMATELY 40 ACRES LOCATED AT THE SOUTHEAST CORNER OF BUTTE AVENUE AND PLANT ROAD (PZ 16-50 ZC).

WHEREAS, a request to change the existing zoning on the subject property from Rural Agricultural (RA-10) Zoning District to Territory Square (TS) Zoning District 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 Territory Square expansion Zone Change is in conformance with the 2020 Town's General Plan, as amended; and

WHEREAS, the Planning and Zoning Commission has forwarded the Mayor and Council of the Town of Florence a favorable recommendation for the Territory Square Expansion 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 Territory Square Expansion 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 Rural Agricultural (RA-10) to Territory Square (TS), subject to the following conditions:

1. The development of the subject site, as described in Exhibit A, shall be in conformance with the Territory Square Zoning District document dated July 27, 2016, as well as any applicable Development Agreements, Town ordinances and codes including all applicable planning, building, fire, engineering and Design Review requirements.
2. Property Owners agree to waive claims for diminution in value pursuant to Proposition 207 [A.R.S. § 12-1134] pursuant to the waivers attached hereto as Exhibit B.
3. The extent of all on-site and off-site improvements required by the Town, as well as the phasing of such, shall be subject to further Town reviews and approvals of development/construction plans and engineering reports/studies.
4. Unless otherwise approved by the Town, a Development Agreement shall be entered into that, amongst other things, further addresses on-site and off-site development impacts, development requirements, any potential development incentives and project phasing.

5. Final plans for grading, drainage, infrastructure phasing, right-of-way dedications, roadway improvements, roadway development standards, intersection alignments, water systems and wastewater systems are subject to the review and approval of the Town Engineer, Utilities Director, and/or Community Development Director.
6. Property Owners (“Owners”) shall grant, at no cost to the Town of Florence (“Town”), the Town a non-exclusive, perpetual Easement for noise, odor, vibration and other current and future potential impacts of the adjacent Town of Florence Wastewater Treatment Facility (“WWTF”) on, over, across and through the subject property. Furthermore, Owners agree to not locate any residential land uses within 1,500 linear feet, or as otherwise agreed upon, of the subject Town WWTP (the “Setback”). Town and Owners agree to negotiate the specifics and the extent of the Easement and Setback requirements, which shall be consistent with all applicable local, State and Federal requirements, in a Development Agreement, which shall be recorded at the Pinal County Recorder’s Office within six months of the date of this Ordinance adoption.
7. Property Owners will provide a release and waiver of liability, in a form acceptable to the Town of Florence (“Town”), to the Town related to the noise, odor, vibration and aesthetics of the Town Wastewater Treatment Facility and any expansion thereof. This agreement shall be recorded at the Pinal County Recorder’s Office within six months of the date of this Ordinance adoption.

PASSED AND ADOPTED by the Mayor and Council of the Town of Florence, Arizona, this 5th day of September 2016.

Tom J. Rankin, Mayor

ATTEST:

APPROVED AS TO FORM:

Lisa Garcia, Town Clerk

Clifford L. Mattice, Town Attorney

200-40-010A

200-40-008C

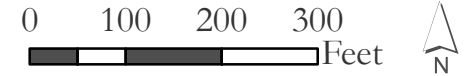
200-40-009A

W Butte Ave



Exhibit A:
Territory Square
Expansion Zone
Change (PZ-16-50 ZC)

Town Limits Parcel Lines



Legal Description

Not Available

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.

202-11-001B

S Plant Rd

202-05-001D

202-05-001C

202-11-004D

202-11-0160

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 subject of a Minor General Plan Amendment Application PZ 16-49 MGPA, a Zone Change Application PZ16-50 ZC, and a Text Amendment Application PZ-16-51 TA. 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 Minor General Plan Amendment Application PZ-16-49 MGPA, the Zone Change Application PZ 16-50 ZC ("Conditions of Approval"), and the Text Amendment Application PZ 16-51 TA 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 Minor General Plan Amendment Application PZ 16-49 MGPA, Zone Change Application PZ 16-50 ZC, and Text Amendment Application PZ 16-51 TA. Except as expressly set forth in the Minor General Plan Amendment Application PZ 16-49 MGPA, Zone Change Application PZ 16-50 ZC with Conditions of Approval, and Text Amendment Application PZ 16-51 TA, nothing herein shall constitute a waiver of any other of the undersigned's rights pursuant to the above-referenced statutes.

APN 202-05-001C
Parcel(s)
P.O. Box 2276 Florence AZ 85132
Physical or Mailing Address
[Signature]
Owner(s) Signature
Harold Christ
Print or Type Name

STATE OF ARIZONA)
County of Pinal) ss

On this 2nd day of June, 20 16, before me, the undersigned Notary Public, personally appeared HAROLD CHRIST, 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:

[Signature]
Notary Public



Territory Square Expansion

PZ 16-50 ZC: Zone Change Application

PARCEL: 202-05-001C

Town of Florence, AZ

June 13, 2016

The Request

On behalf of Florence Artisan Acres, LLC, Swaback Partners is requesting a zone change for 40 acres of undeveloped land that is currently owned by Florence Artisan Acres, LLC with an existing zoning district of Rural Agricultural (RA-10). The proposed zone change is to Territory Square Zoning District (TSZD). Within the TSZD, the 40 acre property will be designated by the West End Land Use Group (LUG).

The visual character of the proposed development would directly align with the general character defined for in the West End LUG, such as; “a mixed-use environment that includes a diversity of density from farm fields to retail and commercial development. This location near a future freeway provides an opportunity to integrate agrarian themes with more urban form”. The specific uses being considered for this property also align directly with those uses allowed under the West End LUG including; residential, commercial, specialty retail, restaurant, mixed-use buildings, and a small Inn with associated casitas. A RV-Resort Vehicle use (limited/ short term only related to events) is also being contemplated as an accessory use within the West End LUG. Unlike a formal setting with buildings organized along street fronts, these buildings and developments are envisioned to sit within the landscape in a less formal manner.

Compliance with General Plan

The request and vision for the property is in compliance with the General Plan. The following list of the General Plan Elements and the objectives associated with each element articulate direct examples of how the proposed project aligns with the General Plan. The italicized, bold text is the response to how the proposed development will accomplish the objective.

Community Character Element

Objective: Preserve and enhance the unique character of specific areas in Florence by integrating appropriate themes into the design of new developments and public facilities within these character areas.

Response: The development is intended to fall under the Territory Square West End LUG and will be designed with the agrarian retail theme and character that is associated with the Windmill Winery and West End LUG. The design expectation is to be an environment that provides an event lawn for private and public activities/events, as well as, small scale retail shops and a modest size Inn with casitas.

Circulation Element

Objective: Maintain a safe, convenient and continuous network of pedestrian sidewalks, pathways and bicycle facilities serving both experienced and casual bicyclists to facilitate bicycling and walking as alternatives to automobile travel.

Response: The development is designed to be walkable and to provide pedestrian trails/pathways to adjacent uses, as well as having a 110' ROW dedication on Plant Rd. and Butte Avenue to allow bicycle lanes and sidewalks in each direction.

Economic Development Element

Objective: Develop and package enhanced tourism opportunities that attract and retain visitors as well as benefit local residents.

Response: The project will act as an extension of the Windmill Winery and help to reinforce this complex as a major destination for visitors and guests.

Parks, Trails and Open Space Element

Objective: Acquire and preserve open space and natural resources for future generations.

Response: There will be a great amount of open space that is to be passive in nature throughout the proposed development.

Environmental Planning Element

Objective: Support sustainable design techniques that accommodate the desert climate in the built environment.

Response: The buildings are intended to be designed to accommodate the hot climate by way of including features such as shade structures, awnings, appropriate building orientation, and shade trees.

THE DEVELOPMENT PHASING PLAN

The planned project is envisioned to occur in a series of phases. Phase One A and Phase One B will likely be developed nearest the north east corner of the site within an approximate area of ten (10) acres. The envisioned initial phases; (One A and One B) will be developed across from the existing Windmill Winery facilities in order to maximize the synergy and range of uses that occur today. Phase One A is tentatively planned for an event center, a series of guest casitas and a small RV park (temporary use based on specific planning events). All associated site improvements would take on the character and quality of the Windmill Winery in order to emphasize the indoor-outdoor experience of the Arizona desert landscape.

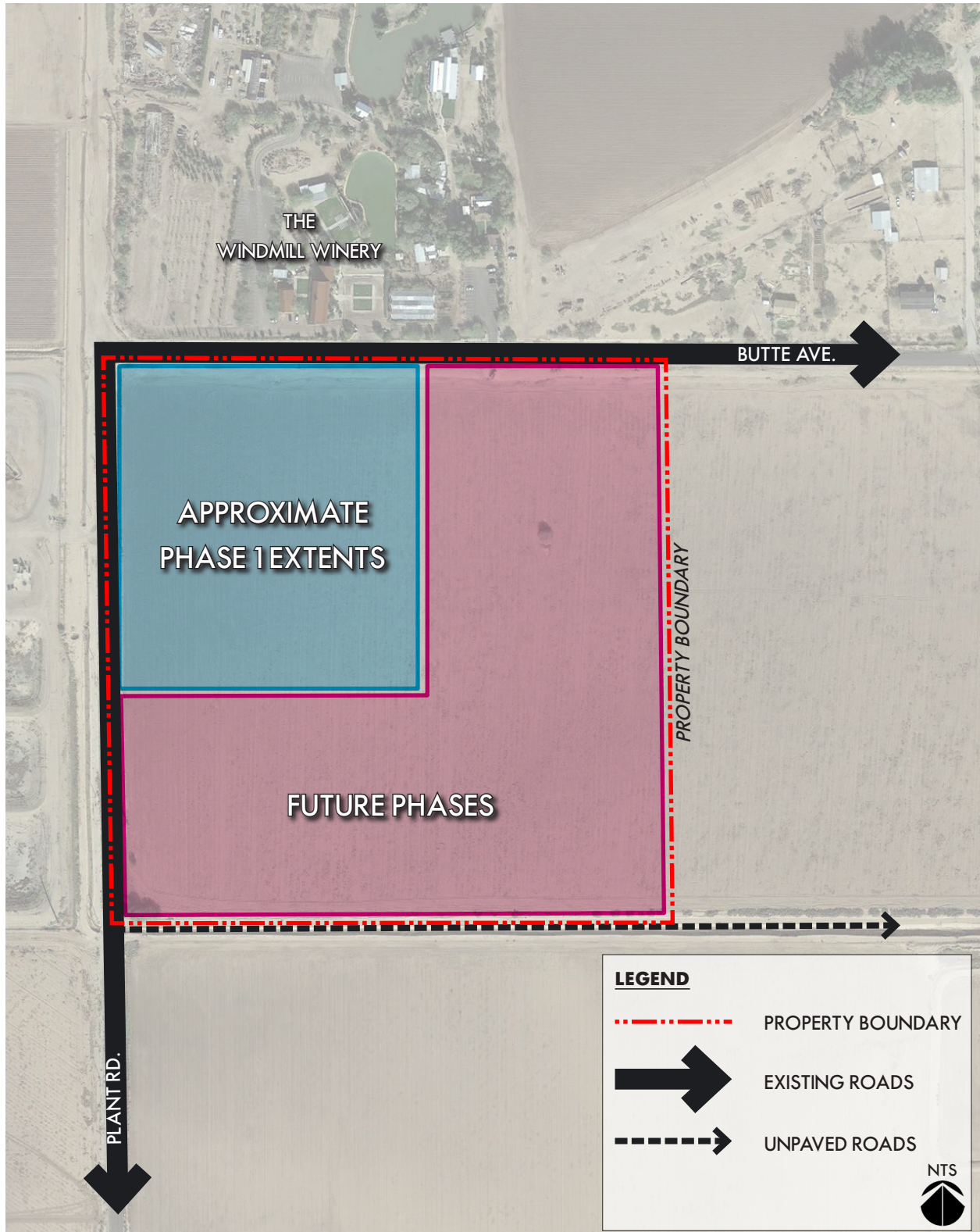
Phase One B would look to expand the event center with a possible restaurant and brewery, expand the number of guest casitas, consider the incorporation of a small Inn as well as a small retail component that might be oriented towards unique artisan crafts.

All of these phase one components would be designed within the character and vernacular of the Windmill Winery. The event center is envisioned to look and feel like an old Cotton Gin building. The casitas and other future buildings would be designed to capture that same feel that helps to celebrate the agrarian history of Florence.

Future phases would surround the ten (10) acre initial development and would be done in a manner to complement the overall character and quality of the Windmill Winery.

Refer to the accompanying exhibit on the adjacent page, the Development Phasing Plan Diagram.

DEVELOPMENT PHASING PLAN DIAGRAM



OWNER'S PERMISSION FORM

This sheet must be completed if the applicant, is not the owner of the property.

I/we, the Undersigned, do hereby grant permission to: Swabach Partners

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, Preliminary/Final Plat and/or other below-noted
request on the following described property: Zone Change

Owner(s) [Signature]

Signature

Harold Christ

Print or Type Name

Address 114 W Butte Ave
Florence AZ 85132

Telephone 602 910 7448

STATE OF ARIZONA)
County of Pinal) ss

On this 2nd day of June, 20 16, before me, the undersigned
Notary Public, personally appeared Harold Christ, known to me to
be the person(s) whose name(s) is/are subscribed to the within instrument and
acknowledged that Harold Christ executed the same.

IN WITNESS WHEREOF, I hereto set my hand and official seal.

My commission expires:
Tracie Wilgus



Notary Public



Town of Florence Employee Facts & Figures

- **165 authorized full-time positions**
(excluding frozen positions, part-time and temporary employees)



Employee Classification Plan

- Currently 102 positions in our class plan; not all in use.
- Approved by Council each year.

Position Classification	Pay Range	Minimum	Midpoint	Maximum	FLSA	Classified/ Unclassified
Code Compliance Officer	32	\$34,350	\$42,148	\$49,945	NE	C
Maintenance Worker III					NE	C
Mechanic					NE	C
Sanitation Worker III					NE	C
Librarian	31	\$33,513	\$41,120	\$48,727	NE	C
Engineering Technician Assistant	30	\$32,695	\$40,117	\$47,539	NE	C
Police Evidence Technician					NE	C
Public Safety Dispatcher					NE	C*
Utility Billing Supervisor					NE	C
Administrative Assistant	29	\$31,898	\$39,138	\$46,379	NE	C
Senior Court Clerk					NE	C
Water Plant Operator					NE	C
Accounting Technician	28	\$31,120	\$38,184	\$45,248	NE	C

Employee Classification Plan

- Every classification has a position description.

TOWN OF FLORENCE

POSITION TITLE: Firefighter

FLSA STATUS: Non-Exempt

DEPARTMENT: Fire

DATE CREATED: 12/04/06

SALARY RANGE: 36

DATE REVISED: 07/01/14

JOB SUMMARY:

Performs fire suppression duties and medical pre-hospital procedures. Maintains facilities and equipment for maximum efficiency. Performs public service by ensuring safety through inspections and information.

SUPERVISION:

This position has no supervisory responsibility.

DUTIES AND RESPONSIBILITIES:

Essential functions, as defined under the Americans with Disabilities Act, may include any of the following tasks, knowledge, skills and other characteristics. This is not intended to be a comprehensive list; it is intended to provide a representative summary of the major duties and responsibilities. Incumbent(s) may

Employee Pay Plan

- Pay plan has “open ranges” (no steps) – but keys on entry, mid-point and ending rates
- Approved by Council each year

BAND B 55% WIDTH: DIVISION LEADERS AND SENIOR CONTRIBUTORS								
47	\$47,918	\$54,481	\$54,482	\$61,043	\$67,604	\$67,605	\$74,167	47
46	\$46,750	\$53,152	\$53,153	\$59,554	\$65,955	\$65,956	\$72,358	46
45	\$45,610	\$51,855	\$51,856	\$58,101	\$64,346	\$64,347	\$70,593	45
44	\$44,497	\$50,591	\$50,592	\$56,684	\$62,777	\$62,778	\$68,871	44
43	\$43,412	\$49,357	\$49,358	\$55,302	\$61,246	\$61,247	\$67,191	43
42	\$42,353	\$48,153	\$48,154	\$53,953	\$59,752	\$59,753	\$65,553	42
41	\$41,320	\$46,978	\$46,979	\$52,637	\$58,294	\$58,295	\$63,954	41
40	\$40,312	\$45,833	\$45,834	\$51,353	\$56,873	\$56,874	\$62,394	40
39	\$39,329	\$44,715	\$44,716	\$50,101	\$55,485	\$55,486	\$60,872	39
38	\$38,370	\$43,624	\$43,625	\$48,879	\$54,132	\$54,133	\$59,387	38
38	\$38,370	\$43,624	\$43,625	\$48,879	\$54,132	\$54,133	\$59,387	38
37	\$37,434	\$42,560	\$42,561	\$47,686	\$52,812	\$52,813	\$57,939	37
36	\$36,521	\$41,522	\$41,523	\$46,523	\$51,524	\$51,525	\$56,526	36

- Every position classification assigned to a pay range

Compensation Competitiveness

- Compensation study done by Public Sector Personnel Consultants in 2009; not implemented due to budget and cost.
- PSPC asked to update 2009 work in 2011/12; found market shift of <1,5%; updated data, adjusted pay schedule; we did a an adjustment to help ease pay compression. Results implemented 7/1/2012.

Compensation Competitiveness

- Our market comparators:

Apache Junction

Kingman

Camp Verde

Marana

Casa Grande

Maricopa

Chino Valley

Nogales

Coolidge

Oro Valley

Cottonwood

Pinal County

Douglas

Queen Creek

Eloy

Sahuarita

Compensation Competitiveness

- Did an internal update for FY14/15; recommended adjustments but not included in budget proposal due to fiscal constraints
- Time for a comprehensive classification and compensation study, including position descriptions. In current CIP FY2017/18 for planning purposes.

Compensation Competitiveness

- Current snapshot (data from 2016 League of Cities and Towns Salary Survey)

	<u>Market Midpoint</u>	<u>Us</u>
Police Officer	\$53,731	\$53,953
Dispatcher	\$42,395	\$40,117
Maint. Worker	\$34,922	\$32,926
Admin. Asst.	\$40,122	\$39,138

How Employees Have Fared...

- FY2011/12 5% merit + 2% COLA
 +10% to end of all ranges
- FY2012/13 5% merit
- FY2013/14 4% merit
- FY2014/15 4% merit
- FY2015/16 4% stipend
- FY2016/17 3% stipend



Employee Benefit Package

- Vacation leave, sick leave, 11 holidays
- Retirement system match (ASRS or PSPRS)
- Health, life and dental insurance:
 - Employee cost 100% paid by Town
 - Dependent coverage 78% paid by Town
 - Family coverage is \$135 per p/p (24 only)

Employee Satisfaction?

- Employee turnover analysis for FY2015/16:
 - 12% (with 5 retirements included)
 - 88% retention rate
- Average length of service – 8 years
(all full-time employees as of 8/8/2016)

Employee Satisfaction?

- Employee grievances (not handled successfully in dept.) in FY2015/16 – 1
- Employee/former employee appeals filed in FY2015/16 - 0

Questions/Comments?





Town of Florence

Office of the Town Manager



Town Manager Performance Plan

**Town of Florence,
Arizona
Fiscal Years
2016, 2017, 2018**



Town of Florence Office of the Town Manager

PURPOSE:

The purpose of the office of the Town Manager is to provide plans, controls, direction, and coordination to the activities and functions of all Town departments, resources, personnel, capital, and projects of the Town on behalf of the Town Council, employees, and the citizens of Florence so that they can be informed, be provided, and receive needed services and enjoy a safe and productive place to live, work, and play.



Why?

- **In accordance with Section 11 of my contract with the Town of Florence, I am required to prepare and present to Council, a performance plan that specifies benchmark areas of accomplishment.**

Because it is the right thing to do!



Major Accomplishments

- **FY 2015/16 Budget Target (\$1.2 Million)**
 - **Floodplain Management Regulation Update**
 - **2016 Legislative Agenda**
 - **2016 Pavement Preservation Program**
 - **2016 Expenditure Limitation Special Election**
 - **2016 Employee Benefits (cost reduction)**
 - **2016 CFD Bond Sales (GO and Special)**
 - **Public Works Director Recruitment**
 - **Balanced FY 2016/17 Final Budget**
-



Three Year Plan

- **EIGHT MAJOR ISSUES IDENTIFIED**
 - 1. Economic Development**
 - 2. Water and Wastewater**
 - 3. Roads and Streets**
 - 4. Historic Preservation**
 - 5. Relationships**
 - 6. Public Safety**
 - 7. Customer Service**
 - 8. Quality of Life**
-



Economic Development

Goals

Quality jobs

Retail

Downtown

Objectives

Business retention

Business expansion

Recruit quality employers

Job diversification

Additional retail opportunities

Quality events

Vibrant/attractive/functional

Effective marketing



Water and Wastewater

Goals

Water Supply

Infrastructure

Sewer Treatment

Objectives

Future sources

Maintenance

Quality

Reclamation

Maintenance

Capital Improvements

Upgrades

Expansion



ROADS and STREETS

Goals

Maintenance

Enhancement

Expansion

Objectives

ROW Permitting

Lifecycle program

Funding

Drainage

Reconstruction

Streetscape

Multimodal improvements

Connectivity

Mobility

North/South Corridor



HISTORIC PRESERVATION

Goals

Infill

New Projects

Codes/Plans

Objectives

Address vacant properties

Encourage investment

Innovative programs

Infill/Territory Square

Visual enhancement

Supporting infrastructure

General Plan

Code enforcement

Simplify/streamline



RELATIONSHIPS

Goals

Intergovernmental

Employers

State/Regional/Federal

Internal

Objectives

Pinal County

Coolidge

San Carlos (SCIDD, SCIP)

FUSD/CAC

Local Businesses

Prisons/supporting industries

CAG/MAG

State agencies (ADOT, ADEQ,

DOR, ACC, etc.)

State and Federal Elected Officials

Council/Manager

Manager/ Employee

Employee/Customer



PUBLIC SAFETY

Goals

Police

Fire

Facilities

Objectives

Maintain optimum levels

Safest City in Arizona

Maintain optimum levels

Enhance ISO rating

Education/assistance

Provide needed infrastructure

(Equipment, technology, vehicles)



CUSTOMER SERVICE

Goals

Accountability

Transparency

Training

Objectives

Provide fast, fair, efficient, and friendly customer service to all customers

Meaningful public involvement

Media relationships

Open and honest information

Educate, empower, and enable employees to better serve the customer



Quality of Life

Goals

Cultural

Social Services

Community Facilities

Recreation

Library

Education

Community Needs

Objectives

Broaden arts, culture, events

Facilitate needed services

Provide adequate facilities

Provide opportunities

Expand services

Innovative programs/Youth

Partnerships

Jobs, shopping, programs



CURRENT PRIORITIES

- **Sustainable financial future**
 - **Council Strategic Plan**
 - **Infrastructure financing (WIFA, USDA, FHWA, etc.)**
 - **Economic development (jobs/housing)**
 - **Preparing for new residential development**
 - **Water system improvements**
 - **Wastewater improvements**
 - **Street maintenance/improvements**
 - **Outstanding legal issues**
-



Questions?





TOWN OF FLORENCE COUNCIL ACTION FORM

AGENDA ITEM 7a.

MEETING DATE: August 15, 2015

DEPARTMENT: Administration

STAFF PRESENTER: Lisa Garcia
Deputy Town Manager/Town Clerk

SUBJECT: Pinal County Historical Society's Special Event
Liquor License Application

- Action
- Information Only
- Public Hearing
- Resolution
- Ordinance
 - Regulatory
 - 1st Reading
 - 2nd Reading
- Other

RECOMMENDED MOTION/ACTION:

Recommendation to the Arizona Department of Liquor Licenses and Control on the Pinal County Historical Society's application for a Special Event Liquor License for October 2, 2016.

BACKGROUND/DISCUSSION:

Pinal County Historical Society has submitted an application for a Special Event Liquor License. The application is for October 2, 2016, from 2:00 pm to 5:00 pm.

The purpose of a Special Event License is to allow charitable, civic, fraternal, political, or religious organizations to sell and serve spirituous liquor for consumption as a fundraiser. Special Event Licenses may be issued for no more than a cumulative total of 10 days in a calendar year. This is their third event this year. The fee for a Special Event License is \$25 per day, payable to the Arizona Department of Liquor License and Control. The Town of Florence is holding checks totaling \$25 to forward to the Arizona Department of Liquor License and Control upon Council approval.

FINANCIAL IMPACT:

None

STAFF RECOMMENDATION:

Staff recommends that Council forward a favorable recommendation to the Arizona Department of Liquor Licenses and Control.

ATTACHMENTS:

Application



Arizona Department of Liquor Licenses and Control
 800 W Washington 5th Floor
 Phoenix, AZ 85007-2934
 www.azliquor.gov
 (602) 542-5141

FOR DLLC USE ONLY

Event Date(s):
Event time start/end:
CSR:
License:

APPLICATION FOR SPECIAL EVENT LICENSE
 Fee= \$ 25.00 per day for 1-10 days (consecutive)
Cash Checks or Money Orders Only

A service fee of \$ 25.00 will be charged for all dishonored checks (A.R.S. § 44-6852)

IMPORTANT INFORMATION: This document must be fully completed or it will be returned.

The Department of Liquor Licenses and Control must receive this application ten (10) business days prior to the event. If the special event will be held at a location without a permanent liquor license or if the event will be on any portion of a location that is not covered by the existing liquor license, this application must be approved by the local government before submission to the Department of Liquor Licenses and Control (see Section 15).

SECTION 1 Name of Organization: Pinal County Historical Society

SECTION 2 Non-Profit/IRS Tax Exempt Number: 86-6055125

SECTION 3 The organization is a: (check one box only)

- Charitable Fraternal (must have regular membership and have been in existence for over five (5) years)
 Religious Civic (Rotary, College Scholarship) Political Party, Ballot Measure or Campaign Committee

SECTION 4 Will this event be held on a currently licensed premise and within the already approved premises? Yes No

Name of Business

License Number

Phone (include Area Code)

SECTION 5 How is this special event going to conduct all dispensing, serving, and selling of spirituous liquors? Please read R-19-318 for explanation (look in special event planning guide) and check one of the following boxes.

- Place license in non-use
 Dispense and serve all spirituous liquors under retailer's license
 Dispense and serve all spirituous liquors under special event
 Split premise between special event and retail location

(IF NOT USING RETAIL LICENSE, SUBMIT A LETTER OF AGREEMENT FROM THE AGENT/OWNER OF THE LICENSED PREMISE TO SUSPEND THE LICENSE DURING THE EVENT. IF THE SPECIAL EVENT IS ONLY USING A PORTION OF PREMISE, AGENT/OWNER WILL NEED TO SUSPEND THAT PORTION OF THE PREMISE.)

SECTION 6 What is the purpose of this event? On-site consumption Off-site (auction) Both

SECTION 7 Location of the Event: Pinal County Historical Society Museum

Address of Location: 716 S Main St Florence Pinal AZ 85132
Street City COUNTY State Zip

SECTION 8 Will this be stacked with a wine festival/craft distiller festival? Yes No

SECTION 9 Applicant must be a member of the qualifying organization and authorized by an Officer, Director or Chairperson of the Organization named in Section 1. (Authorizing signature is required in Section 13.)

1. Applicant: Adam Cathy 04/27/55
Last First Middle Date of Birth

2. Applicant's mailing address: 240 E Ruggles Box 1825 Florence AZ 85132
Street City State Zip

3. Applicant's home/cell phone: (520) 858-2033 Applicant's business phone: (____) _____
Street City State Zip

4. Applicant's email address: tanaka.adam@yahoo.com

SECTION 10

1. Has the applicant been convicted of a felony, or had a liquor license revoked within the last five (5) years?

Yes No (If yes, attach explanation.)

2. How many special event licenses have been issued to this location this year? 2
 (The number cannot exceed 12 events per year; exceptions under A.R.S. §4-203.02(D).)

3. Is the organization using the services of a promoter or other person to manage the event? Yes No
 (If yes, attach a copy of the agreement.)

4. List all people and organizations who will receive the proceeds. Account for 100% of the proceeds. The organization applying must receive 25% of the gross revenues of the special event liquor sales. Attach an additional page if necessary.

Name Pinal County Historical Society Percentage: 100%
 Address 715 S Main St Florence AZ 85132
Street City State Zip

Name _____ Percentage: _____
 Address _____
Street City State Zip

5. Please read A.R.S. § 4-203.02 Special event license; rules and R19-1-205 Requirements for a Special Event License.

Note: ALL ALCOHOLIC BEVERAGE SALES MUST BE FOR CONSUMPTION AT THE EVENT SITE ONLY.
"NO ALCOHOLIC BEVERAGES SHALL LEAVE SPECIAL EVENT UNLESS THEY ARE IN AUCTION SEALED CONTAINERS OR THE SPECIAL EVENT LICENSE IS STACKED WITH WINE / CRAFT DISTILLERY FESTIVAL LICENSE"

6. What type of security and control measures will you take to prevent violations of liquor laws at this event?
 (List type and number of police/security personnel and type of fencing or control barriers, if applicable.)

_____ Number of Police _____ Number of Security Personnel Fencing Barriers

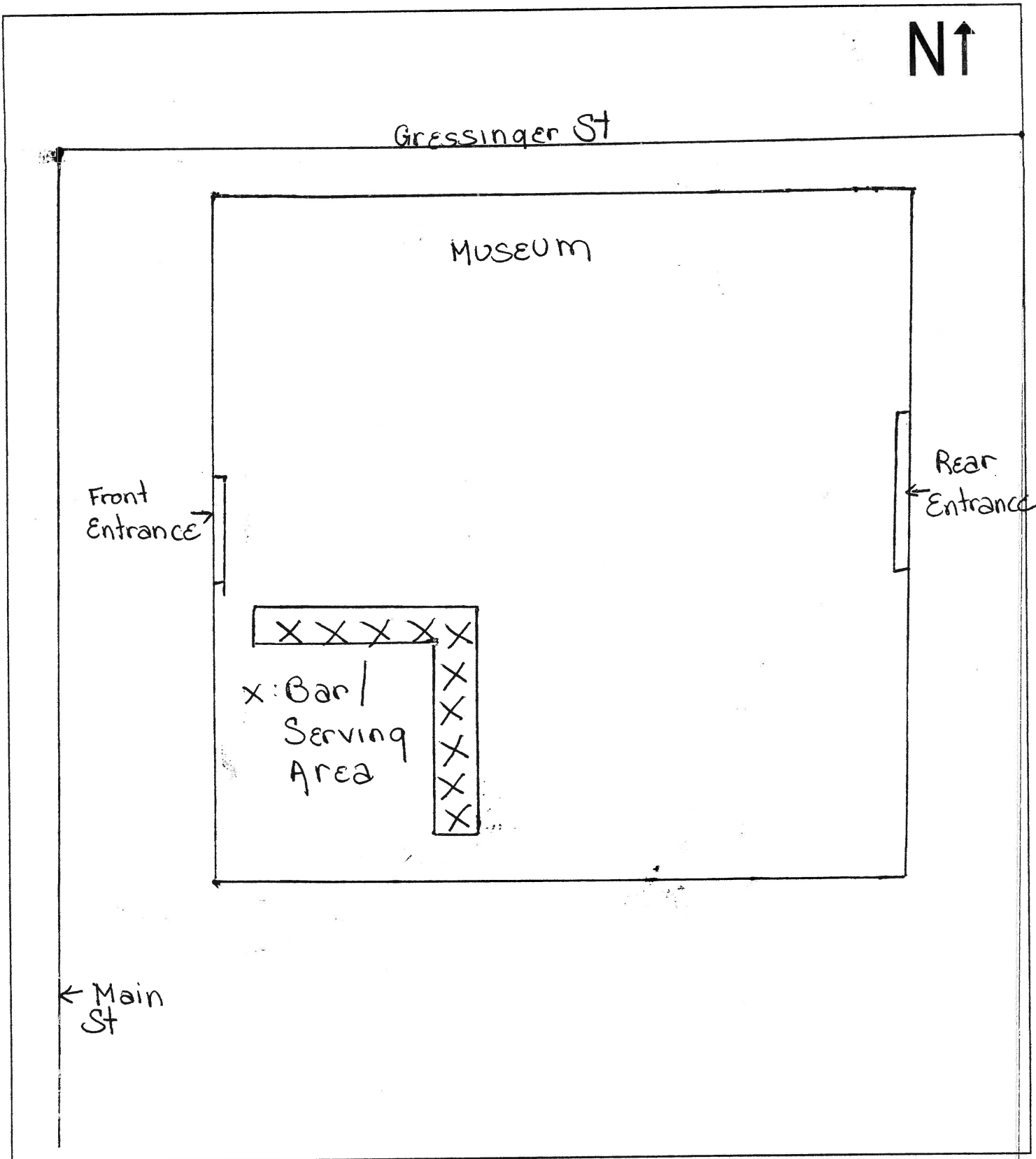
Explanation: Event will be held in Museum property in a completely enclosed area. Board members will be responsible for ensuring all liquor laws are observed.

SECTION 11 Dates and Hours of Event. Days must be consecutive but may not exceed 10 consecutive days.
 See A.R.S. § 4-244(15) and (17) for legal hours of service.

PLEASE FILL OUT A SEPARATE APPLICATION FOR EACH "NON-CONSECUTIVE" DAY

	Date	Day of Week	Event Start Time AM/PM	License End Time AM/PM
DAY 1:	<u>10/2/16</u>	<u>Sunday</u>	<u>2:00 pm</u>	<u>5:00 pm</u>
DAY 2:	_____	_____	_____	_____
DAY 3:	_____	_____	_____	_____
DAY 4:	_____	_____	_____	_____
DAY 5:	_____	_____	_____	_____
DAY 6:	_____	_____	_____	_____
DAY 7:	_____	_____	_____	_____
DAY 8:	_____	_____	_____	_____
DAY 9:	_____	_____	_____	_____
DAY 10:	_____	_____	_____	_____

SECTION 12 License premises diagram. The licensed premises for your special event is the area in which you are authorized to sell, dispense or serve alcoholic beverages under the provisions of your license. The following space is to be used to prepare a diagram of your special event licensed premises. Please show dimensions, serving areas, fencing, barricades, or other control measures and security position.



SECTION 13 To be completed only by an Officer, Director or Chairperson of the organization named in Section 1.

Cathy Adam

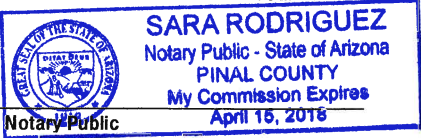
I, (Print Full Name) _____ declare that I am an Officer, Director or Chairperson of the organization filing this application as listed in Section 9. I have read the application and the contents and all statements are true, correct and complete.

X Cathy Adam Board Member 7/25/16 520 858-2033
 Signature Title/ Position Date Phone Number

The foregoing instrument was acknowledged before me this 25th July 2016
 Day Month Year

State Arizona County of Pinal

My Commission Expires on: 04-15-18 Sara Rodriguez
 Date Signature of Notary Public



SECTION 14 This section is to be completed only by the applicant named in Section 9.

Cathy Adam

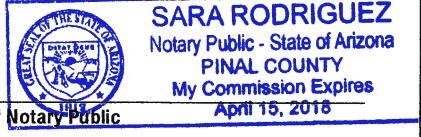
I, (Print Full Name) _____ declare that I am the APPLICANT filing this application as listed in Section 9. I have read the application and the contents and all statements are true, correct and complete.

X Cathy Adam Board Member 7/25/16 520 858-2033
 Signature Title/ Position Date Phone Number

The foregoing instrument was acknowledged before me this 25th July 2016
 Day Month Year

State Arizona County of Pinal

My Commission Expires on: 04-15-18 Sara Rodriguez
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Please contact the local governing board for additional application requirements and submission deadlines. Additional licensing fees may also be required before approval may be granted. For more information, please contact your local jurisdiction: http://www.azliquor.gov/assets/documents/homepage_docs/spec_event_links.pdf.

SECTION 15 Local Governing Body Approval Section.

I, _____ recommend APPROVAL DISAPPROVAL
 (Government Official) (Title)

On behalf of _____, _____, _____, _____
 (City, Town, County) Signature Date Phone

SECTION 16 For Department of Liquor Licenses and Control use only.

APPROVAL DISAPPROVAL BY: _____ DATE: ____/____/____

A.R.S. § 41-1030. Invalidity of rules not made according to this chapter; prohibited agency action; prohibited acts by state employees; enforcement; notice

B. An agency shall not base a licensing decision in whole or in part on a licensing requirement or condition that is not specifically authorized by statute, rule or state tribal gaming compact. A general grant of authority in statute does not constitute a basis for imposing a licensing requirement or condition unless a rule is made pursuant to that general grant of authority that specifically authorizes the requirement or condition.

D. THIS SECTION MAY BE ENFORCED IN A PRIVATE CIVIL ACTION AND RELIEF MAY BE AWARDED AGAINST THE STATE. THE COURT MAY AWARD REASONABLE ATTORNEY FEES, DAMAGES AND ALL FEES ASSOCIATED WITH THE LICENSE APPLICATION TO A PARTY THAT PREVAILS IN AN ACTION AGAINST THE STATE FOR A VIOLATION OF THIS SECTION.

E. A STATE EMPLOYEE MAY NOT INTENTIONALLY OR KNOWINGLY VIOLATE THIS SECTION. A VIOLATION OF THIS SECTION IS CAUSE FOR DISCIPLINARY ACTION OR DISMISSAL PURSUANT TO THE AGENCY'S ADOPTED PERSONNEL POLICY.

F. THIS SECTION DOES NOT ABROGATE THE IMMUNITY PROVIDED BY SECTION 12-820.01 OR 12-820.02.



TOWN OF FLORENCE COUNCIL ACTION FORM

AGENDA ITEM 7b.

MEETING DATE: August 15, 2015

DEPARTMENT: Administration

STAFF PRESENTER: Lisa Garcia
Deputy Town Manager/Town Clerk

SUBJECT: Pinal County Historical Society's Special Event
Liquor License Application

- Action
- Information Only
- Public Hearing
- Resolution
- Ordinance
 - Regulatory
 - 1st Reading
 - 2nd Reading
- Other

RECOMMENDED MOTION/ACTION:

Recommendation to the Arizona Department of Liquor Licenses and Control on the Pinal County Historical Society's application for a Special Event Liquor License for November 18, 2016.

BACKGROUND/DISCUSSION:

Pinal County Historical Society has submitted an application for a Special Event Liquor License. The application is for November 18, 2016, from 6:30 pm to 8:30 pm.

The purpose of a Special Event License is to allow charitable, civic, fraternal, political, or religious organizations to sell and serve spirituous liquor for consumption as a fundraiser. Special Event Licenses may be issued for no more than a cumulative total of 10 days in a calendar year. This is their fourth event this year. The fee for a Special Event License is \$25 per day, payable to the Arizona Department of Liquor License and Control. The Town of Florence is holding checks totaling \$25 to forward to the Arizona Department of Liquor License and Control upon Council approval.

FINANCIAL IMPACT:

None

STAFF RECOMMENDATION:

Staff recommends that Council forward a favorable recommendation to the Arizona Department of Liquor Licenses and Control.

ATTACHMENTS:

Application



Arizona Department of Liquor Licenses and Control
 800 W Washington 5th Floor
 Phoenix, AZ 85007-2934
 www.azliquor.gov
 (602) 542-5141

FOR DLLC USE ONLY

Event Date(s):
Event time start/end:
CSR:
License:

APPLICATION FOR SPECIAL EVENT LICENSE
 Fee= \$ 25.00 per day for 1-10 days (consecutive)
Cash Checks or Money Orders Only

A service fee of \$ 25.00 will be charged for all dishonored checks (A.R.S. § 44-6852)

IMPORTANT INFORMATION: This document must be fully completed or it will be returned.

The Department of Liquor Licenses and Control must receive this application ten (10) business days prior to the event. If the special event will be held at a location without a permanent liquor license or if the event will be on any portion of a location that is not covered by the existing liquor license, this application must be approved by the local government before submission to the Department of Liquor Licenses and Control (see Section 15).

Pinal County Historical Society

SECTION 1 Name of Organization: _____

86-6055125

SECTION 2 Non-Profit/IRS Tax Exempt Number: _____

SECTION 3 The organization is a: (check one box only)

- Charitable Fraternal (must have regular membership and have been in existence for over five (5) years)
- Religious Civic (Rotary, College Scholarship) Political Party, Ballot Measure or Campaign Committee

SECTION 4 Will this event be held on a currently licensed premise and within the already approved premises? Yes No

Name of Business

License Number

Phone (include Area Code)

SECTION 5 How is this special event going to conduct all dispensing, serving, and selling of spirituous liquors? Please read R-19-318 for explanation (look in special event planning guide) and check one of the following boxes.

- Place license in non-use
- Dispense and serve all spirituous liquors under retailer's license
- Dispense and serve all spirituous liquors under special event
- Split premise between special event and retail location

(IF NOT USING RETAIL LICENSE, SUBMIT A LETTER OF AGREEMENT FROM THE AGENT/OWNER OF THE LICENSED PREMISE TO SUSPEND THE LICENSE DURING THE EVENT. IF THE SPECIAL EVENT IS ONLY USING A PORTION OF PREMISE, AGENT/OWNER WILL NEED TO SUSPEND THAT PORTION OF THE PREMISE.)

SECTION 6 What is the purpose of this event? On-site consumption Off-site (auction) Both

Pinal County Historical Society Museum

SECTION 7 Location of the Event: _____

Address of Location: 716 S Main St Florence Pinal AZ 85132

Street

City

COUNTY

State

Zip

SECTION 8 Will this be stacked with a wine festival/craft distiller festival? Yes No

SECTION 9 Applicant must be a member of the qualifying organization and authorized by an Officer, Director or Chairperson of the Organization named in Section 1. (Authorizing signature is required in Section 13.)

1. Applicant: Adam Cathy 04/27/55

Last

First

Middle

Date of Birth

2. Applicant's mailing address: 240 E Ruggles Box 1825 Florence AZ 85132

Street

City

State

Zip

3. Applicant's home/cell phone: (520) 858-2033 Applicant's business phone: () _____

4. Applicant's email address: tanaka.adam@yahoo.com

SECTION 10

1. Has the applicant been convicted of a felony, or had a liquor license revoked within the last five (5) years?

Yes No (If yes, attach explanation.)

2. How many special event licenses have been issued to this location this year? 3
 (The number cannot exceed 12 events per year; exceptions under A.R.S. §4-203.02(D).)

3. Is the organization using the services of a promoter or other person to manage the event? Yes No
 (If yes, attach a copy of the agreement.)

4. List all people and organizations who will receive the proceeds. Account for 100% of the proceeds. The organization applying must receive 25% of the gross revenues of the special event liquor sales. Attach an additional page if necessary.

Name Pinal County Historical Society Percentage: 100%
 Address 715 S Main St Florence AZ 85132
Street City State Zip

Name _____ Percentage: _____
 Address _____
Street City State Zip

5. Please read A.R.S. § 4-203.02 Special event license; rules and R19-1-205 Requirements for a Special Event License.

Note: ALL ALCOHOLIC BEVERAGE SALES MUST BE FOR CONSUMPTION AT THE EVENT SITE ONLY.

"NO ALCOHOLIC BEVERAGES SHALL LEAVE SPECIAL EVENT UNLESS THEY ARE IN AUCTION SEALED CONTAINERS OR THE SPECIAL EVENT LICENSE IS STACKED WITH WINE / CRAFT DISTILLERY FESTIVAL LICENSE"

6. What type of security and control measures will you take to prevent violations of liquor laws at this event?
 (List type and number of police/security personnel and type of fencing or control barriers, if applicable.)

_____ Number of Police _____ Number of Security Personnel Fencing Barriers

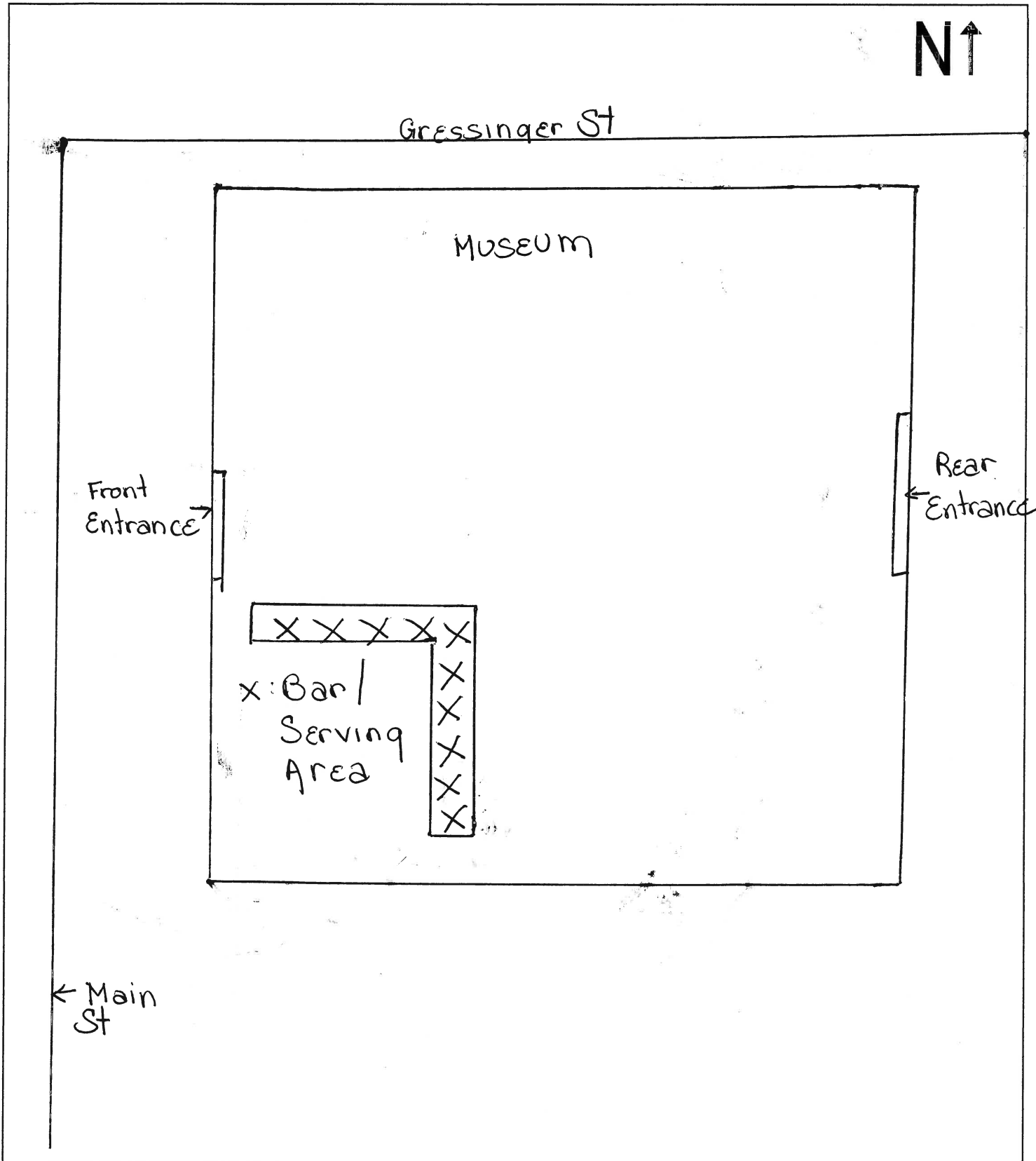
Explanation: Event will be held in Museum property in a completely enclosed area. Board members will be responsible for ensuring all liquor laws are observed.

SECTION 11 Dates and Hours of Event. Days must be consecutive but may not exceed 10 consecutive days.
 See A.R.S. § 4-244(15) and (17) for legal hours of service.

PLEASE FILL OUT A SEPARATE APPLICATION FOR EACH "NON-CONSECUTIVE" DAY

	Date	Day of Week	Event Start Time AM/PM	License End Time AM/PM
DAY 1:	<u>11/18/16</u>	<u>Friday</u>	<u>6:30 pm</u>	<u>8:30 pm</u>
DAY 2:	_____	_____	_____	_____
DAY 3:	_____	_____	_____	_____
DAY 4:	_____	_____	_____	_____
DAY 5:	_____	_____	_____	_____
DAY 6:	_____	_____	_____	_____
DAY 7:	_____	_____	_____	_____
DAY 8:	_____	_____	_____	_____
DAY 9:	_____	_____	_____	_____
DAY 10:	_____	_____	_____	_____

SECTION 12 License premises diagram. The licensed premises for your special event is the area in which you are authorized to sell, dispense or serve alcoholic beverages under the provisions of your license. The following space is to be used to prepare a diagram of your special event licensed premises. Please show dimensions, serving areas, fencing, barricades, or other control measures and security position.



SECTION 13 To be completed only by an Officer, Director or Chairperson of the organization named in Section 1.

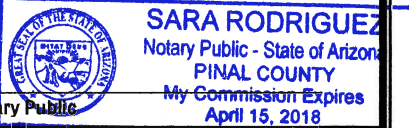
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 Signature Title/ Position Date Phone Number

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State Arizona County of Pinal

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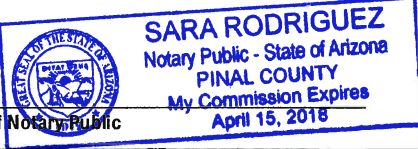
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 (Government Official) (Title)

On behalf of _____, _____, _____, _____
 (City, Town, County) Signature Date Phone

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APPROVAL DISAPPROVAL BY: _____ DATE: ____/____/____


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	TOWN OF FLORENCE COUNCIL ACTION FORM	<u>AGENDA ITEM</u> 7c.
MEETING DATE: August 15, 2016 DEPARTMENT: Administration STAFF PRESENTER: Jennifer Evans, Management Analyst SUBJECT: Letter of Support for Historic Arizona U.S. Route 80 Designation as an Arizona Historic Road	<input checked="" 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"/> 1st Reading <input type="checkbox"/> 2nd Reading <input type="checkbox"/> Other	

RECOMMENDED MOTION/ACTION:

Motion to approve the Letter of Support for the designation of Historic Arizona U.S. Route 80 as an Arizona Historic Road.

BACKGROUND/DISCUSSION:

The Tucson Historic Preservation Foundation (THPF) has worked for the last few years to survey, map and seek designation of Historic Arizona U.S. Route 80 as an Arizona Historic Road. In July 2016, the THPF submitted an application to initiate the designation of Historic U.S. Route 80 to the Arizona Department of Transportation Parkways, Historic and Scenic Roads Advisory Committee for its consideration. THPF has asked communities along Historic U.S. Route 80 to submit letters of support for the application.

The designation of Arizona U.S. Route 80 as an Arizona Historic Road links with similar efforts in California and Texas. The alignment of this significant historic road, second only to Route 66, stretches 504.9 miles across the state from New Mexico to California. The road alignment through Florence is along SR 79, SR 79 Business, Butte Avenue, and then again on SR 79.

U.S. 80 was designated in 1926 as the first all-weather coast-to-coast route from Savannah, Georgia to San Diego, California. The trans-ocean route became an important connection to other significant national highways transforming the American landscape. U.S. 80 no longer serves as a transcontinental highway. The route has been shortened in the western states with all segments being re-designated as state highways. Dallas, TX is the western terminus of U.S. 80 today.

Designated historic roads require the implementation of specific guidelines and rules to preserve the designation. The standards of operation include the areas of vegetation protection, access permits, development, utilities, interpretive sites, and roadway construction maintenance. All vegetation within the designated zone should be

protected against destruction or unauthorized removal. Access permits will be reviewed by ADOT for possible negative environmental and visual impacts before a permit is issued. ADOT recommends that local governments implement protective zoning regulations or a design review overlay zoning to protect, maintain and enhance the scenic quality along the highways. Permits for utility crossings will be reviewed by ADOT for possible negative environmental and visual impacts. ADOT will evaluate potential sites for historical markers, scenic pullouts and interpretive sites. Road construction of any nature shall be done in a manner that will cause the least disturbance to the visual or historic resources of the historic road.

The designation of Historic Arizona U.S. Route 80 as an Arizona Historic Road presents opportunities for heritage tourism and the preservation of historic resources.

FINANCIAL IMPACT:

None

STAFF RECOMMENDATION:

Approve the Letter of Support to designate Historic Arizona U.S. Route 80 as an Arizona Historic Road.

ATTACHMENTS:

Letter of Support
Map of Historic Arizona U.S. Route 80 Alignment through Florence

August 15, 2016

Leroy Brady
Chairman
Parkways, Historic, and Scenic Roads Advisory Committee
1611 W. Jackson Street
MD EM03
Phoenix AZ 85007

Dear Mr. Brady,

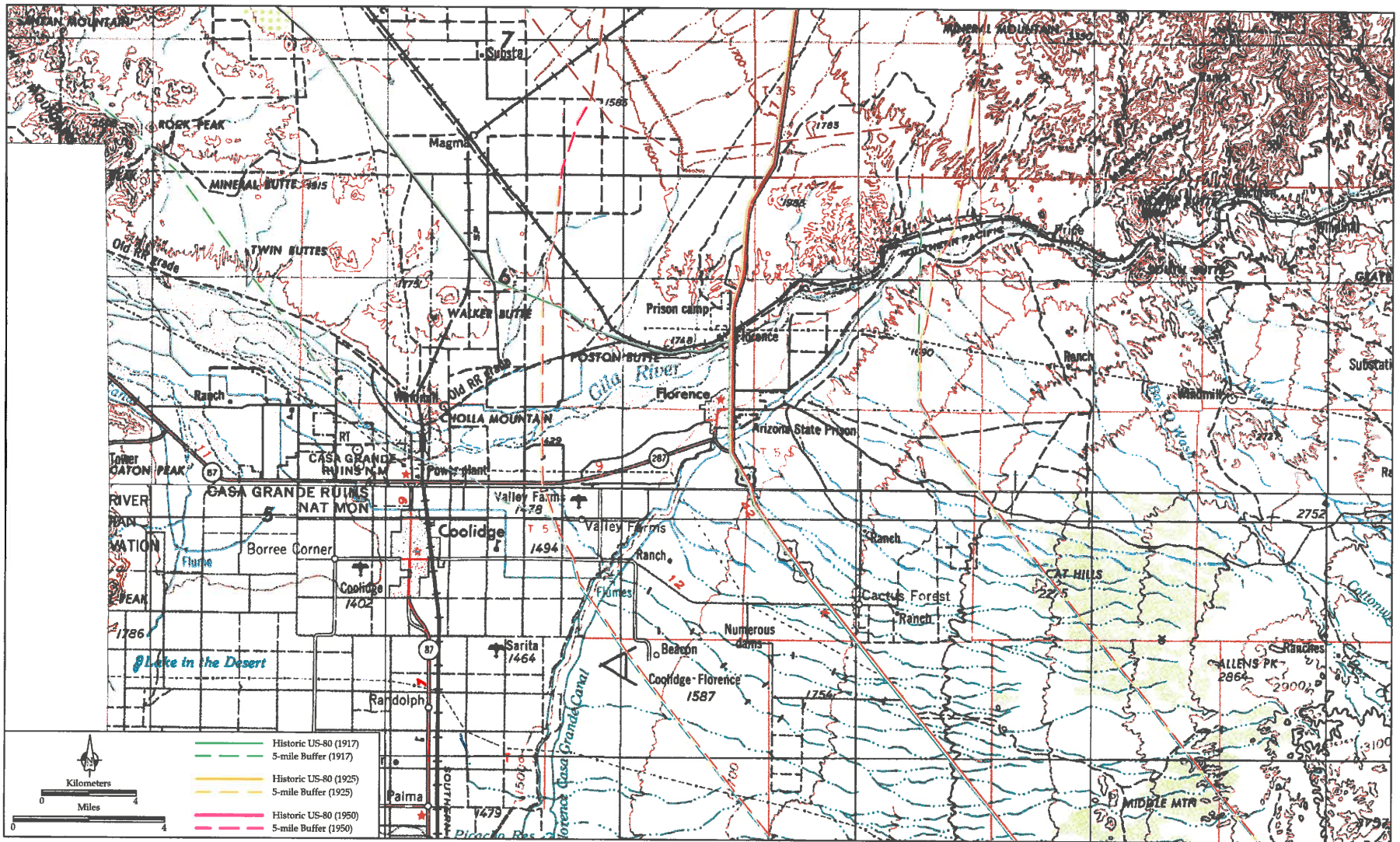
It is my pleasure to write in support of the effort to designate the historic alignment of Arizona U.S. Route 80 as a State Historic Highway. As it passes through Florence, the historic alignment of U.S. 80 touches on several historic and scenic locations including the 1916 Florence Union High School Old Main building, the Florence Townsite Historic District, the 1891 Pinal County Courthouse and our historic downtown, the heart of our town.

Florence is proud of its heritage as the 6th oldest European community in Arizona. We enjoy every opportunity to share our history with the people who live in and those who visit our community. By designating Historic Arizona U.S. Route 80 as a Historic Highway, you will bring to the public's attention some of the many wonderful attributes that make our state such a beautiful place to visit, and an even better place to live and work.

Thank you for considering this request.

Sincerely,

Tom J. Rankin
Mayor



MINUTES OF THE TOWN OF FLORENCE COUNCIL MEETING HELD ON TUESDAY, JULY 5, 2016, AT 6:00 P.M., IN THE FLORENCE TOWN COUNCIL CHAMBERS, LOCATED AT 775 N. MAIN STREET, FLORENCE, ARIZONA.

CALL TO ORDER

Mayor Rankin called the meeting to order at 6:04 pm.

ROLL CALL:

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

MOMENT OF SILENCE

Mayor Rankin called for a moment of silence.

PLEDGE OF ALLEGIANCE

Mayor Rankin led the Pledge of Allegiance.

CALL TO THE PUBLIC

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

Mr. Gem Cox, Florence Resident, discussed the Streetscape Project and asked that the plans and detailed information for the Streetscape Project be available online with depictions of what the benches and lights will look like. He would like details regarding the types of lights that will be installed and if they will be historic lights or replicas. He would like for the public to be informed of the project as well. He stated that the last project that was completed on Main Street was for the bulb-outs, which came about pretty quickly as well as somewhat disruptive. He stated that the bulb-outs are great; however, it created some problems with damaged buildings. The same type of issues may occur with this upcoming project. It will be nice to have underground utilities in the area but is concerned about the activation of termites. The bulb-out project activated the termites and attacked building, including his, which has been treating. He asked that termite treatment be included as part of the project. He would like to see the historic lights left if possible.

Mr. Jim Tchida, Florence Resident, stated that there was discussion about the Town Development Code at the last meeting. He stated that Mr. Eckhoff did a good job of summarizing the Town Development Code in the local newspaper. He stated that it would be foolish to talk about a three year study for \$500,000. The Town is not business friendly and has been this way for the last three years. It is very difficult for someone to start a business in Florence. The Town Code is one aspect of starting a business and the Code needs to be changed. The Town's behavior is like a bureaucracy. He stated that Florence is a small town and there is no need for the Town to be bureaucratic in the eyes of someone trying to start a

business. He stated that Councilmember Anderson wants a change and agrees with Mayor Rankin to make it as easy as possible to provide better opportunities for small businesses. He encouraged the Council to have a work session with the business owners and to meet with them one on one; this needs to be a priority.

Ms. Cathy Adam, Florence Resident and Historic District Advisory Commission (HDAC) Commissioner, spoke in favor of utilizing Community Development Block Grant (CDBG) funds to improve fire safety on Main Street. The Town has lost a lot of buildings due to fire. She stated that many buildings are attached to one another and when one catches fire, there is a likelihood that other buildings will catch fire as well. She stated that neighboring buildings have significant structural and water damage even if they don't catch fire due to putting out the fire and from the vibration from the demolition of the burnt building.

Ms. Adam stated that the buildings along historic Main Street are made up of adobe or brick and are susceptible to water damage and vibration damage.

Ms. Adam stated that there are several projects taking place throughout Florence and there are many hard working individuals working to complete the projects. She said a central focal point is missing and is needed. This individual should have a listing of all the projects happening within the Historical District and should ask the following with regards to each of the projects: why are we doing it, why now, and what do our key stakeholders think.

Ms. Adam stated that the Town should ask the business owners if proposed projects are a priority to them and if it will help them in their business. She stated that the proposed projects are good for the community but it will cause closures of streets and excessive vibration. She stated that once the building owner sees the damage to their building, it cannot be traced back to a specific project. She stated that the projects are planned during the low peaks; however, businesses are struggling. She asked that the Town not make it any harder for the businesses by closing down the streets during their prime selling time.

PUBLIC HEARING AND PRESENTATION

Public Hearing to receive citizens' comments on the proposed final budget for Fiscal Year 2016-2017.

Mr. Gabe Garcia, Finance Director, stated that the public hearing is to receive comments on the tentative budget that was approved on June 20, 2016. There have been no changes to the budget as it was presented to the Council.

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

Presentation on the history of fires in the Town of Florence.

Mr. David Strayer, Fire Chief, provided a presentation regarding fires in the downtown area, which included:

- Background
 - Five major fires have occurred in historic buildings in Florence in a 21 year period

- Four of the fires were in the downtown area
 - Two of the fires occurred within the last five years
 - All were total losses with the exception of the Silver King
- The Town of Florence was sued over the General Store fire
- Spur Theater Fire
 - Year of fire: 1994
 - Cause: Children playing with matches in the back of the building
 - Biggest scar in the downtown area
 - Loss Estimate: Total Loss
- Silver King Fire
 - Year of fire: 1996
 - Cause: Undermined
 - Loss Estimate: 300' x 15' Row of hotel rooms
- General Store Fire
 - Year of fire: 2011
 - Cause: accidental/electrical
 - Loss Estimate: Total Loss
 - The Town and the Fire Department was sued over General Store Fire
 - Town prevailed in the lawsuit; however, it took five years
- Florence High School Gymnasium Fire
 - Year of fire : 1997
 - 30,000 square foot building behind the main building at the high school
 - Cause: accidental/electrical
 - Loss Estimate: Total Loss
- Pinal County Elections Building Fire
 - Year of fire: 2015
 - Cause: accidental/electrical
 - Loss Estimate: Total Loss \$1.2 million
- Location of Downtown
 - From 12th Street to Ruggles, there is approximately 144,000 square feet of total floor area
 - In the last 21 years, 30,000 square feet have been burnt down in the downtown area, or 20% of the area.
- W. C. Smith & Co. Building, Florence Commercial Store, was built in 1890
 - The upstairs of the building burnt due to how the building was constructed.
 - Conquest Arms is currently located in the building.
- Conclusion
 - A great deal of work has been completed in the Historic District, but there is more to do. These historic buildings are irreplaceable.
 - The current level of fire loss is unsustainable. At the current fire loss rate of one major fire every 4.3 years, the entire downtown will be gone in 50 years or less.
 - The potential for a catastrophic fire exists. (recent example: Whiskey Row, Prescott)
 - The General Store fire occurred approximately three to four years after a major occupancy reclassification (retail store to restaurant).
 - True Value installed a fire sprinkler system shortly after, and as a direct result of, the General Store fire.
 - A number of buildings in the downtown area already have fire detection and/or fire sprinkler systems.

- International Fire Code
 - [A] 102.6 Historic buildings. The provisions of this code relating to the construction, alteration, repair, enlargement, restoration, relocation or moving of buildings or structures shall not be mandatory for existing buildings or structures identified and classified by the state or local jurisdiction as historic buildings when such buildings or structures do not constitute a distinct hazard to life or property. Fire protection in designated historic buildings and structures shall be provided in accordance with an approved fire protection plan.
 - There are several factors that must be considered
- Fire Protection Plan Elements
 - Fire sprinkler systems (gold standard)
 - Monitored fire detection systems
 - Appropriate code enforcement (specifically for historical buildings)
 - Regular fire inspections (annually)
 - Property owner fire-safety education
- Historic Buildings in the Downtown area with monitored Fire Detection and/or Fire Sprinkler Systems
 - Florence True Value (full sprinkler system)
 - McFarland State Park (monitoring system)
 - Main Street Vault (monitoring system)
 - Florence Post Office (monitoring system)
 - Silver King Marketplace (full sprinkler system)
- Town of Florence, Arizona, Code of Ordinances
 - §91.03 Fire Chief; Appointment and Powers and Duties
 - (H) Enforce or cause to be enforced all ordinances, laws and regulations of the town and state, insofar as they pertain to fire and safety, in accordance with the adopted Uniform Fire Code (Prior Code Ch. 7, Art II, §7-28) (Ord. 299-00 Passed 10-16-2000).
- Ideas for moving forward
 - CDBG Grant opportunity
 - Education session with the business community
 - Fire safety assessments for commercial property owners

Mr. Brent Billingsley, Town Manager, stated that there is an agenda item to be presented later in tonight's meeting for CDBG and their use in the Town of Florence. Several business owners, building owners, and HDAC members have approached him, needing help regarding life safety requirements, specifically with fire protection in buildings. He stated that people would love to have some of the tools, which were discussed by the Fire Chief, in the downtown area. He stated that financially, it is a very difficult thing to provide. There is more motivation after a disaster; however, the Town cannot have any more disasters.

Mr. Billingsley stated that the Town receives the CDBG funds every other year and they are typically used for housing rehabilitation. One of the options is to utilize the funds for housing rehabilitation. He stated that staff is submitting a proposal to utilize the CDBG funds for fire protection for improvements to not only assist the downtown area but the Town of Florence as a whole, as well as the Town's life safety responders.

Mr. Billingsley stated that the Town does not know the full scope of what the project would entail until they cut into the lines. He stated that they are proposing joint risers for the buildings in the

historic downtown area or individual taps to the existing water mains for each building. The costs of the taps are approximately \$6,000 per tap. He stated that the staff believes it would be beneficial to facilitate further investment by using CDBG Funds for fire protection in the downtown area.

Mr. Billingsley stated that there are fire hydrants in the downtown area with 3" and 4" water lines that come from the water main to feed the hydrants. These lines do not meet modern standards for fire flow or the ability to fight fires. He stated that once you start the improvements, other issues will occur such as water valves and water lines failing. He stated that an additional portion of the scope of work can be to replace valves and other associated infrastructure that will allow the actual infrastructure to be improved.

Mr. Billingsley stated that a booster is the last scope item to be provided for. Staff wants to ensure that if it installs a larger booster to pressurize the system or fire pumps, the booster can react to an emergency and meet 1500 gallons per minute, which is the commercial standard in the Fire Code. This will ensure that they can meet the commercial standard throughout the corridor.

Mr. Billingsley stated that he would like to receive Council's approval to provide this presentation or other presentations that relate to it to the business community and to the HDAC to educate them on the opportunities. He noted that five HDAC members were in the audience.

Mr. Billingsley stated that he and Chief Strayer have had discussions allowing for the provisions of fire safety assessments on commercial properties at no cost. They would love for business owners or those who own a historic building downtown to approach staff to do an evaluation of their building on how to protect their building moving forward.

Councilmember Anderson stated that this would be a valuable opportunity for the Town and he is pleased to see HDAC involved and thinks that having a Worksession is the correct way to move forward.

Vice-Mayor Walter inquired what the fire statistics are for vacant versus inhabited buildings with regards to fires.

Chief Strayer stated that he is unable to cite specific statistics because it depends on the type of building, the location of the building, etc. He stated that unoccupied buildings in certain cities have been a cause of a lot of firefighter deaths. He would need to research the statistics.

Vice-Mayor Walter inquired if the fire gets more out of control in uninhabited buildings than in inhabited buildings.

Chief Strayer stated that it is very difficult to extinguish a fire if it is not monitored and not witnessed and if the fire gets a foot hold in the building.

Vice-Mayor Walter inquired how many vacant buildings are located on Main Street.

Chief Strayer stated that he estimates that one-third to half of the buildings located on Main Street are vacant.

Vice-Mayor Walter stated that there is one owner that owns several properties in Florence and four of their properties located on Main Street seem to be unoccupied. She inquired what can the Town do to get in to those buildings to survey what is wrong with them and what can be done to fix the buildings. She inquired if the Fire Department goes in to those buildings.

Chief Strayer stated that they can legally go in to those buildings and inspect them; however, they would need to contact the owner. He stated that if it is an absentee owner there may be a legal route that the Town would need to pursue to get into the building if the owner was unavailable. He stated that every effort is made to contact the owner.

Vice-Mayor Walter inquired if they have had an opportunity to do inspections for any of the businesses on Main Street.

Mr. Strayer stated that they have done some inspections on Main Street; however, not through this process. There have been some complications and they are trying to address the issue more globally rather than individually. The goal is to preserve the downtown area.

Vice-Mayor Walter inquired if there would be a rubric in which someone would qualify for the grant.

Mr. Billingsley stated that the way it would be set up is that there would be no payback and the Town would provide uniform risers or individual taps for all of the properties on Main Street. The benefit would be provided to all of the properties hoping that the significant investment will parlay into fire sprinkler systems in some of those structures.

Vice-Mayor Walter stated that True Value is good example of what has been done in terms of prevention and maintenance of their buildings.

Councilmember Hawkins stated that utilizing the CDBG monies for fire protection for improvements is wise. He stated that it is important to help the businesses with the costs to avoid a large fire. He stated that the Town has rehabilitated several homes in the past and he would like to see the Town invest in saving Main Street.

Councilmember Woolridge stated that she is in favor of how the Town wishes to utilize the CDBG monies. It is important to save the historic buildings along Main Street. This will be beneficial to the entire town. Florence will lose its appeal if it loses its historic buildings.

Councilmember Hawkins stated that it is his understanding that the Streetscape Project is moving forward and suggested doing both projects simultaneously so not as to open the ground on two separate occasions and to minimize the vibrations as much as possible to avoid damage to the buildings. He stated that grant monies need to be spent within a certain time frame otherwise you lose the funding and this may pose an issue with having both projects done simultaneously.

Vice-Mayor Walter inquired if there can be a matching component attached to the grant or some type of promissory note in which the owner cannot turn around and sell the building once the Town invests money into the building.

Mr. Billingsley stated that the Town is not putting water into the building. He stated that it is a tap into the Town's line and does not add value to the building. It will only save the property owner approximately 33% of the cost if they choose to install a fire sprinkler system.

Vice-Mayor Walter inquired if the property owner would need to commit if the Town installed the tap.

Mr. Billingsley stated that the Town had not considered there to be a requirement and does not know if they can require a commitment. He stated that the request would be to improve the Town's system and provide the opportunity for property owners to utilize the Town's system.

Vice-Mayor Walter inquired if this is something that can be considered after the vote tonight.

Mr. Billingsley stated that the requirement would be separate from the grant. This would be a Town policy item that can be brought back at a future meeting.

Vice-Mayor Walter stated that she would like this brought back to a future meeting.

Councilmember Anderson stated that he would want taps installed for all of the buildings, regardless if the property owner wants to install a sprinkler system. He stated that he would like to see minimal disruption of opening the ground which is why it would be better to install the taps at the same time.

Vice-Mayor Walter inquired if the grant would cover the entire cost of the project.

Mr. Billingsley stated that the intent is to install a tap for each and every property along Main Street at the same time as one project. Staff believes that they can complete the project with the grant funds.

Councilmember Guilin stated that the project will be for Town infrastructure improvements to the Town of Florence. The taps will be made available and has nothing to do with the actual property owners at this time.

Councilmember Anderson inquired about the grant for \$300,000.

Ms. Jennifer Evans, Management Analyst, stated that the \$300,000 that is being referenced is for the State Special Projects (SSP) Fund and that it is the competitive grant round that comes open sometime in February. The Town could apply for those funds at that time to further any projects that the Town is undergoing with the CDBG RA funds.

Mr. Billingsley stated that the agenda item is specific to the Town's allotment of CDBG Funds. If the Town is successful with the CDBG component, it could be continued with an application through the SSP Funds, which is a state-wide competitive grant.

Mayor Rankin stated that it has been said that the Town is business unfriendly, and to a certain point, he agrees. He stated that when it comes to fire and safety, the Town cannot go backwards and the Town has to be able to provide the opportunity and option for fire sprinkler system within their buildings. He stated that the cost of owning a building on Main Street is

tremendous, plus you have to factor in the cost of renovating the building and the cost for the inventory.

Mayor Rankin discussed the various fires that have occurred in Florence and the conditions of the various buildings on Main Street. He stated that some of the vacant buildings on Main Street are fire hazards. He stated that it is great that the Town will be able to provide some assistance to the property owners and provide the ability for them to tap into the Town's main lines.

Chief Strayer stated that the Town Code allows for up to 54,000 square feet of coverage per riser, which means the Town could cover a great area with one riser.

Mr. Billingsley stated that in order to have a common riser you have to have buildings that share walls. He stated that every time there is a break you have to have a riser.

Discussion occurred on buildings who share walls and those who have walls built side by side.

Mayor Rankin stated that there is a building on Main Street that is for rent which has no way out except the front door. It has only one entry/exit point and you would not be able to get out of the building if it caught fire.

Vice-Mayor Walter inquired if the Town has looked at the possibility of having a riser, what the costs would be, and if the property owners would be required to install their part.

Chief Strayer stated that it would cost approximately \$3.00 to \$4.00 per square foot for sprinkler coverage, for the above ground portion. It would be presumed that the business owner would pay for this cost unless there was some other program in place to help with the cost.

Vice-Mayor Walter stated that it should be a partnership where all the stakeholders come together and contribute something to the process.

Mayor Rankin stated that the owners need to have pride in their buildings. He stated that the owners need to take advantage of this and put systems in their buildings.

Mr. Billingsley stated that this is getting complicated regarding the gift clause and use of federal funds. By no means is staff saying that the Town should be installing private improvements on private properties. He stated that staff has discussed providing access to water from the Town's mains for potential improvements by individual property owners.

Vice-Mayor Walter stated that this is why it is important to bring all of the different people together. The Town could do one part, another organization could do another part, and the owners do the third part. She stated that this is how something great can happen.

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.

Authorize the Town Manager to contract for auditing services to Henry and Horne, LLP, in an amount not to exceed \$35,500, for one year with the option for extending two more years.

Approval of accepting the register of demands ending May 31, 2016, in the amount of \$2,235,790.42.

Mayor Rankin asked for clarification on the Request for Council Action Form for Item 7a. He stated that Fiscal Year 2018 is missing. He stated that it goes from Fiscal Year 2017 to Fiscal Year 2019.

Mr. Gabe Garcia, Finance Director, stated that Fiscal Year 2019 was a typographical error and should reflect Fiscal Year 2018.

On motion of Councilmember Wall, seconded by Vice-Mayor Walter, and carried to approve the Consent Agenda, with correction of Item 7a., as well as with the exception of Item 7b.

Approval of accepting the register of demands ending May 31, 2016, in the amount of \$2,235,790.42.

Councilmember Anderson inquired about the temporary vendors listed on the warrant register along with the amount of overpayments.

Mr. Garcia explained that the payments are for reimbursements for overpayments made by the residents for sewer and trash. He stated that they are not consistent vendors which are why they are paid as temporary vendors.

Councilmember Anderson inquired about the Colt Commando 232 11" barrel gun for \$1000 that was purchased by the Police Department.

Lieutenant Terry Tryon explained that the rifle is a replacement rifle for the existing rifle that had a catastrophic malfunction due to faulty ammunition. The ammunition company reimbursed the Town the cost to replace the rifle, which is what the purchase was for. The rifle is used by the Police Officer that is assigned to the Task Force.

Councilmember Anderson asked Mr. Billingsley to elaborate on the \$329,000 payment to Central Arizona Project (CAP).

Mr. Billingsley explained the water settlements under the CAP when it was built. He explained that a number of people were gifted water rights on the CAP when it was built. One of the benefactors was cities and towns in the State of Arizona. Each was given a right to certain acreage of water. The Town does not have to use the water at this time and does not want to lose the right to utilize that water sometime in the future. The Town pays for that water and enters into a separate agreement with the Pinal Water Augmentation Authority (PCWAA) to bank the water purchased with them. A drainage district purchases the water from PCWAA and sells it to farmers for agricultural use. This is done on an annual basis.

On motion of Councilmember Anderson, seconded by Vice-Mayor Walter, and carried to approve the register of demands ending May 31, 2016, in the amount of \$2,235,790.42.

ADJOURN TO A SPECIAL MEETING OF THE MAYOR AND COUNCIL

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

Resolution No. 1590-16

Ms. Lisa Garcia, Deputy Town Manager/Town Clerk, read Resolution No. 1590-16 by title only.

A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, ADOPTING THE BUDGET FOR FISCAL YEAR 2016-2017.

Mr. Garcia stated that there have been no changes to the tentative budget and staff is seeking approval of the budget as it was presented.

Mayor Rankin thanked the Budget Committee and staff for their hard work and dedication in presenting a balanced budget.

On motion of Councilmember Hawkins, seconded by Vice-Mayor Walter, to adopt Resolution No. 1590-16.

Roll Call Vote:

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

Motion Passed: Yes: 7; No: 0

ADJOURN FROM A SPECIAL MEETING OF THE MAYOR AND COUNCIL

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

ADJOURN TO MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 1

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

Public Hearing to receive citizens' comments on the proposed final budget for Merrill Ranch Community Facility District No. 1.

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

Resolution No. MRCFD1 134-16:

Ms. Lisa Garcia, District Clerk, read Resolution No. MRCFD1 134-16 by title only.

A RESOLUTION OF THE MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 1, PINAL COUNTY, ARIZONA, ADOPTING THE BUDGET FOR FISCAL YEAR 2016-2017.

Mr. Garcia stated that there have been no changes since the tentative budget was presented.

On motion of Boardmember Guilin, seconded by Boardmember Hawkins, and carried to adopt Resolution No. MRCFD1 134-16.

Ordinance No. MRCFD1 113-16:

Ms. Garcia read Ordinance No. MRCFD1 113-16 by title only.

AN ORDINANCE OF THE MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 1, PINAL COUNTY, ARIZONA, LEVYING THE ASSESSED VALUATION OF THE PROPERTY WITHIN THE COMMUNITY FACILITIES DISTRICT, SUBJECT TO TAXATION OF CERTAIN SUM UPON EACH \$100 OF VALUATION SUFFICIENT TO RAISE THE AMOUNT ESTIMATED TO BE RECEIVED FROM FUNDS FOR COMMUNITY FACILITIES EXPENSES FOR THE FISCAL YEAR ENDING 30TH DAY OF JUNE, 2017, AND DECLARING AN EMERGENCY.

Mr. Garcia stated that staff is recommending to not raise the secondary tax levy. The amount is to remain at \$3.25 per \$100 of net assessed value for debt service and \$0.30 per \$100 of net assessed value for operations and maintenance.

ADJOURN FROM MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 1

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

ADJOURN TO MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 2

On motion of Councilmember Woolridge, seconded by Vice-Mayor Walter, and carried to adjourn to Merrill Ranch Community Facilities District No. 2.

Public Hearing to receive citizens' comments on the proposed final budget for Merrill Ranch Community Facility District No. 2.

Mr. Garcia stated that there have been no changes to the proposed budget, as presented.

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

Resolution No. MRCFD2 228-16:

Ms. Garcia read Resolution No. MRCFD2 226-16 by title only.

A RESOLUTION OF THE MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 2, PINAL COUNTY, ARIZONA, ADOPTING THE BUDGET FOR FISCAL YEAR 2016-2017.

Mr. Garcia stated that there have been no changes to the Merrill Ranch Community Facilities District No. 2 Budget.

On motion of Boardmember Guilin, seconded by Vice-Chairman Walter, and carried to adopt Resolution No. MRCFD2 228-16.

Ordinance No. MRCFD2 213-16:

Ms. Garcia read Ordinance No. MRCFD2 213-16 by title only.

AN ORDINANCE OF MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 2, PINAL COUNTY, ARIZONA, LEVYING THE ASSESSED VALUATION OF THE PROPERTY WITHIN THE COMMUNITY FACILITIES DISTRICT, SUBJECT TO TAXATION OF CERTAIN SUM UPON EACH \$100 OF VALUATION SUFFICIENT TO RAISE THE AMOUNT ESTIMATED TO BE RECEIVED FROM FUNDS FOR COMMUNITY FACILITIES EXPENSES FOR THE FISCAL YEAR ENDING 30TH DAY OF JUNE, 2017, AND DECLARING AN EMERGENCY.

ADJOURN FROM MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 2

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

NEW BUSINESS

Ordinance No. 651-16:

Ms. Garcia read Ordinance No. 651-16 by title only.

AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, LEVYING THE ASSESSED VALUATION OF THE PROPERTY WITHIN THE TOWN OF FLORENCE SUBJECT TO TAXATION OF CERTAIN SUM UPON EACH \$100 OF VALUATION SUFFICIENT TO RAISE THE AMOUNT ESTIMATED TO BE RECEIVED FROM FUNDS FOR GENERAL MUNICIPAL EXPENSES FOR THE FISCAL YEAR ENDING THE 30TH DAY OF JUNE, 2017, AND DECLARING AND EMERGENCY.

Discussion/Approval/Disapproval of selecting a Community Development Block Grant Project: (Jennifer Evans)

Resolution No. 1591-16, Option A,

Ms. Garcia read Resolution No. 1591-16 Option A by title only.

A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, AUTHORIZING THE SUBMISSION OF APPLICATION(S) FOR FISCAL YEAR 2016

STATE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS, CERTIFYING THAT SAID APPLICATION(S) MEETS THE COMMUNITY'S PREVIOUSLY IDENTIFIED HOUSING AND COMMUNITY DEVELOPMENT NEEDS AND THE REQUIREMENTS OF THE STATE CDBG PROGRAM, AND AUTHORIZING ALL ACTIONS NECESSARY TO IMPLEMENT AND COMPLETE THE ACTIVITIES OUTLINED IN SAID APPLICATION FOR INFRASTRUCTURE IMPROVEMENTS.

Resolution No. 1591-16 , Option B:

Ms. Garcia read Resolution No. 1591-16 Option B by title only.

A RESOLUTION OF THE THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, AUTHORIZING THE SUBMISSION OF APPLICATION(S) FOR FISCAL YEAR 2016 STATE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS, CERTIFYING THAT SAID APPLICATION(S) MEETS THE COMMUNITY'S PREVIOUSLY IDENTIFIED HOUSING AND COMMUNITY DEVELOPMENT NEEDS AND THE REQUIREMENTS OF THE STATE CDBG PROGRAM, AND AUTHORIZING ALL ACTIONS NECESSARY TO IMPLEMENT AND COMPLETE THE ACTIVITIES OUTLINED IN SAID APPLICATION FOR OWNER OCCUPIED HOUSING REHABILITATION.

Ms. Jennifer Evans, Management Analyst, stated that the Town is eligible to apply for \$278,482 in CDBG Regional Account Funds for Fiscal Year 2016. She stated that the second required public hearing was held on June 6, 2016 for projects for this round of CDBG funds. Council is being asked to select a project for the application by choosing either Option A which is for infrastructure improvement or Option B which is for owner-occupied housing rehabilitation.

Councilmember Anderson inquired if Option A includes the standpipes.

Ms. Evans stated that Option A includes the water line improvements along with the taps, etc.

Mr. Billingsley clarified that staff never discussed standpipes. He stated that standpipes are a completely different technology. He stated that the discussion included lines, hydrant, valves, and taps to individual properties and would provide the ability to install a riser and sprinkler system.

Councilmember Wall inquired how much detail must be provided to CDBG in requesting the funds.

Ms. Evans stated that enough detail must be provided so that they have a clear idea of what the project will entail. A finalized scope of work is not required.

Mayor Rankin expressed his support in Option A as it will benefit more people and will allow the Town to be more business friendly.

On motion of Councilmember Anderson, seconded by Councilmember Woolridge, and carried to adopt Resolution No. 1591-16, Option A - Public Infrastructure and Improvements.

TOWN MANAGER'S REPORT

Mr. Billingsley congratulated Alison Feliz on the birth of her son, Layton Knox, born at 12:02 am on July 5, 2016. He congratulated the family on their new addition.

Mr. Billingsley provided an update on the Summer Reading Program:

- Kids under the age of 13 read 37,800 minutes of books in June 2016
 - Exceed total time of reading program from last year of 25,864 minutes
 - Does not include July total reading time
- Schedule of Events
 - Mega Reading Block Party on Mondays
 - Teen Tuesdays
 - Family Story Time on Wednesdays
 - Crafts on Thursdays
 - Family Flick on Fridays

Mr. Billingsley stated that the new contract with the Academy of Emergency Services was recently approved by Council. The Town has been granted tuition of \$7,000 for paramedic training. Mr. Brad Kells has been chosen to attend the next paramedic class.

Mr. Billingsley stated that Mr. Bill Bruin, Mike Sherm and Jason Penrod recently completed Fire Inspector I Certification. Mr. Bruin attended the National Fire Academy and is the first member of the Fire Department to do so. The training was provided to Florence at no cost

Mr. Billingsley stated that the Town has been awarded scholarships to the Arizona State Fire Training – Arizona Firefighters Fund two years in a row. Six scholarships were received last year and six this year. Certificates of Completion are issued to those who attend.

DEPARTMENT REPORTS

Community Development

Courts

Finance

Fire

Library

Parks and Recreation

Police

Councilmember Wall inquired of Mr. Mark Eckhoff, Community Development Director, if the Sandstone Project was completed. She asked if a permanent sign will be placed at the facility.

Mr. Eckhoff responded that Sandstone received their Certificate of Occupancy last week. He stated that they do not have property along Hunt Highway so their permanent sign is set back from the road. The temporary signs will come down and there will not be a permanent sign replacing those signs.

Councilmember Anderson asked Mr. Eckhoff to provide an update to the Superstition Vistas Project.

Mr. Eckhoff stated that after an approximate year of inactivity, they recently had a refresher meeting. The Superstition Vistas planning area has been excluded from all of the municipal planning areas and it is within Pinal County's planning unincorporated area. They have gone

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through a comprehensive plan for the property. East Valley Partnership and many other stakeholders are trying to bring it to light and are very motivated to move forward.

Mr. Eckhoff stated that they had a setback with a parcel of State Land along the US 60. The deal with the developer did not go through and they are marketing that property to find another purchaser.

The Department Reports were received and filed.

CALL TO THE PUBLIC

Ms. Kathy Adam, Florence Resident, thanked the Council for their vote on the use of CDBG funds. She stated that she was at Ms. Ruiz's, one of the recipients of the owner-occupied rehabilitation projects, when they turned over the keys to Ms. Ruiz. She stated that the Town has done a wonderful job with the rehabilitation projects but feels that this is the right option to use the CDBG funds for Main Street. She thanked Vice-Mayor Walter for raising the issues with absentee property owners. She hopes the Fire Chief can get involved. She stated that the HDAC is very concerned about the buildings on Main Street and it is a constant topic of discussion. She stated that it is important to invite the property owners to participate in the process and educate them on what the Town is doing for them.

CALL TO THE COUNCIL – CURRENT EVENTS ONLY

Mayor Rankin stated that the Fourth of July event was successful. He stated that the Parks and Recreation Department did a tremendous job and the fireworks show was one of the best the Town has had.

Councilmember Anderson asked that a presentation be done on the Capital Improvement Plan at the next meeting.

Councilmember Guilin acknowledged all of the departments that worked to put on a great event for Fourth of July.

Councilmember Hawkins stated that people keep saying that the Town is not business friendly. He would like to hear the specifics of how the Town is not business friendly. He stated that Council would then be able to address the specific issues. There are certain laws and procedures that the Town must comply with regards to new businesses that the Town cannot override.

Councilmember Wall stated that Main Street is the cornerstone of the Town and the Town needs to make sure that it is doing everything it can to improve it and encourage people to come to Florence and start businesses. The buildings need to be improved.

Councilmember Woolridge stated that the band at the Fourth of July event was wonderful and would like to see them come back every year. She would have liked for the public restrooms to be open and not to have to have used the outhouses.

Vice-Mayor Walter stated that she is in support of Option A to utilize the CDBG Funds; however, she has an issue with the absentee landlords. The Town has done its part to improve roads,

added crosswalks, and improved crosswalks. She stated that it does no good when a resident walks down the sidewalk and a façade falls on them. She stated that great things can happen when you have a good landlord, there is communication with the Town and resources are pulled together. One of her goals is to see those buildings be safe, be inhabited, and to bring businesses to Main Street.

Mayor Rankin stated the vibrations along Main Street have been addressed. He stated that truck traffic was taken off of Main Street because of the vibrations. He stated that they will not use a jackhammer on the upcoming project on Main Street, and they will saw cut instead. He stated that fire and safety issues remain a priority. He stated that commercial contractors must be utilized when repairs are being made; you are unable to utilize a handyman.

ADJOURNMENT

On motion of Councilmember Hawkins, seconded by Vice-Mayor Walter, and carried to adjourn the meeting at 7:34 pm.

Tom J. Rankin, Mayor

ATTEST:

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 July 5, 2016, and that the meeting was duly called to order and that a quorum was present.

Lisa Garcia, Town Clerk

MINUTES OF THE TOWN OF FLORENCE COUNCIL MEETING HELD ON MONDAY, JULY 18, 2016, AT 6:00 P.M., IN THE FLORENCE TOWN COUNCIL CHAMBERS, LOCATED AT 775 N. MAIN STREET, FLORENCE, ARIZONA.

CALL TO ORDER

Mayor Rankin called the meeting to order at 6:05 pm.

ROLL CALL:

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

MOMENT OF SILENCE

Mayor Rankin called for a moment of silence.

PLEDGE OF ALLEGIANCE

Mayor Rankin led the Pledge of Allegiance.

CALL TO THE PUBLIC

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

Ms. Ruth Harrison, Florence Resident, stated that the proposed directional sign should not be two sided as it could cause problems for people turning left.

ADJOURN TO MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 1

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

Public hearing to receive citizen comments on the Merrill Ranch Community Facilities District No. 1 Secondary Property Tax Levy for Fiscal Year 2016 - 2017.

Chairman Rankin opened the public hearing. Chairman Rankin closed the public hearing.

Ordinance No. MRCFD1 113-16:

Ms. Lisa Garcia, District Clerk, read Ordinance No. MRCFD1 113-16 by title only.

AN ORDINANCE OF THE MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 1, PINAL COUNTY, ARIZONA, LEVYING THE ASSESSED VALUATION OF THE PROPERTY WITHIN THE COMMUNITY FACILITIES DISTRICT, SUBJECT TO TAXATION OF CERTAIN SUM UPON EACH \$100 OF VALUATION SUFFICIENT TO RAISE THE AMOUNT

ESTIMATED TO BE RECEIVED FROM FUNDS FOR COMMUNITY FACILITIES EXPENSES FOR THE FISCAL YEAR ENDING THE 30TH DAY OF JUNE, 2017, AND DECLARING AN EMERGENCY, and roll call vote to consider a motion to levy the increased property tax. (First Reading July 5, 2016)

On motion of Boardmember Anderson, seconded by Boardmember Guilin, to adopt Ordinance No. MR CFD1 113-16.

Roll Call Vote:

Boardmember Anderson: Yes
Boardmember Guilin: Yes
Boardmember Wall: Yes
Boardmember Hawkins: Yes
Boardmember Woolridge: Yes
Vice-Chairman Walter: Yes
Chairman Rankin: Yes

Motion carried: Yes: 7; No: 0

ADJOURN FROM MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 1

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

ADJOURN TO MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 2

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

Public hearing to receive citizen comments on the Merrill Ranch Community Facilities District No. 2. Secondary Property Tax Levy for Fiscal Year 2016 - 2017.

Mr. Gabe Garcia, District Treasurer, stated that this is the secondary tax levy for Merrill Ranch Community Facilities District No. 2. The rates will remain the same, which is \$3.55 per \$100 Net Assessed Value (NAV), or \$3.25 per \$100 NAV for debt service and \$0.30 per \$100 NAV for operations and maintenance.

Chairman Rankin opened the public hearing. Chairman Rankin closed the public hearing.

Ordinance No. MR CFD2 213-16:

Ms. Lisa Garcia, District Clerk, read Ordinance No. MR CFD1 113-16 by title only.

AN ORDINANCE OF MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 2, PINAL COUNTY, ARIZONA, LEVYING THE ASSESSED VALUATION OF THE PROPERTY WITHIN THE COMMUNITY FACILITIES DISTRICT, SUBJECT TO TAXATION OF CERTAIN SUM UPON EACH \$100 OF VALUATION SUFFICIENT TO RAISE THE AMOUNT ESTIMATED TO BE RECEIVED FROM FUNDS FOR COMMUNITY FACILITIES EXPENSES FOR THE FISCAL

YEAR ENDING THE 30TH DAY OF JUNE, 2017, AND DECLARING AN EMERGENCY, and roll call vote to consider a motion to levy the increased property tax. (First Reading July 5, 2016)

Mr. Garcia stated that the ordinance is to adopt the secondary tax rate.

On motion of Boardmember Woolridge, seconded by Boardmember Wall, to adopt Ordinance No. MRCFD2 213-16.

Roll Call Vote:

Boardmember Woolridge: Yes

Boardmember Wall: Yes

Boardmember Anderson: Yes

Boardmember Guilin: Yes

Boardmember Hawkins: Yes

Vice-Chairman Walter: Yes

Chairman Rankin: Yes

Motion carried: Yes: 7; No: 0

ADJOURN FROM MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 2

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

PUBLIC HEARING AND PRESENTATION

Public hearing to receive citizen comments on the property tax levy of the Town of Florence Ordinance No. 651-16.

Ms. Lisa Garcia, Deputy Town Manager/Town Clerk, read Ordinance No. 651-16 by title only.

AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, LEVYING THE ASSESSED VALUATION OF THE PROPERTY WITHIN THE TOWN OF FLORENCE SUBJECT TO TAXATION OF CERTAIN SUM UPON EACH \$100 OF VALUATION SUFFICIENT TO RAISE THE AMOUNT ESTIMATED TO BE RECEIVED FROM FUNDS FOR GENERAL MUNICIPAL EXPENSES FOR THE FISCAL YEAR ENDING THE 30TH DAY OF JUNE, 2017, AND DECLARING AN EMERGENCY, and roll call vote to consider a motion to levy the increased property tax. (First Reading July 5, 2016)

Mr. Gabe Garcia, Finance Director, stated that this is the primary tax levy for the Town of Florence. Staff is not recommending raising the levy, and it will remain at \$1.1182 per \$100 of Net Assessed Value. The rate has been the same for the last two years.

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

On motion of Councilmember Guilin, seconded by Councilmember Woolridge, to adopt Ordinance No. 651-16.

Roll Call Vote:

Councilmember Guilin: Yes

Councilmember Woolridge: Yes

Councilmember Anderson: Yes

Councilmember Wall: Yes

Councilmember Hawkins: Yes

Vice-Mayor Walter: Yes

Mayor Rankin: Yes

Motion Carried: Yes: 7; No: 0

Presentation and discussion of Historic Preservation Conference and Historic Preservation and Adaptive Reuse field trip to Tucson, Arizona.

Mr. William Randolph, Planner, Community Development Department, stated that he, along with other staff members and the Historic District Advisory Commission Members, attended the Historic Preservation Conference. He stated that the conference was worthwhile in terms of the material and information provided. Florence was involved in three sessions. Mr. Mark Eckhoff, Community Development Director, had his own session where he showcased the Silver King Marketplace and Padilla Park. He stated that there were several informative sessions inclusive of technology outlets, preservation using technology outlets such as social media and current practices and methods of preserving historic buildings.

Ms. Cathy Adam, Historic District Advisory Commission, stated that the annual conference is their education and training. She stated that it is a requirement that the members are familiar with governmental and open meeting law. They also delved in to more historical aspects. She stated that she also attended a Planning and Zoning Conference and found it to be very interesting and very similar to HDAC and did not realize there to be so much cross over.

Ms. Adam recommended that Council attend the Certified Local Government (CLG) Program training, which is a federally mandated program. She stated that it is interesting to hear how other governments are doing historic preservation. She will request that Florence conduct one of the sessions next year because Florence is a small rural community and it is important to showcase how the residents come together, unlike the metropolitan areas where they have hired professionals. The conference will be held in Oro Valley and, she along with others, are working to have field trips to Florence during the training session.

Mr. Randolph provided an overview of the locations they visited during their field trip to Tucson, which included:

- Reilly Funeral Home
 - Built in 1902
 - Had mortuary in basement
 - Has been transformed into a restaurant and beer garden
 - The integrity of the building and architectural features remained intact during the renovation.
- Historic Broadway Village
 - Built in 1939
 - Current uses include restaurants, yoga, food carts, etc.

- Have mechanisms to make safety codes easily adaptable for small businesses to gradually ease in occupancies to make it affordable for small business owners.
- One of the businesses had a pizza oven brought in from Florence, Italy.
 - Example of creative use that can be brought to historic structures

Ms. Adam stated that some of the areas were very large and did not have sprinkler systems. She stated that the sprinkler system requirement is based on occupancy, so some businesses opt for less occupancy, which will allow them to grow into the space. This helps minimize the start-up costs.

Ms. Adam stated that she spoke to many of the business owners regarding start-up costs and found that the cost was minimal if the building had been properly maintained. She stated that none of the businesses felt that it was an additional burden to have their business in a historical building. She stated that the businesses were successful in their first to third years, which is when many businesses fail.

Ms. Adam stated that their hosts were a design build architect/contractor and the Chief Preservation Officer of Tucson, Arizona. She stated that their learning experience was to know what was working for them and found out that it was the initial conversations and discussing the process prior to starting the work that makes it successful.

Ms. Adam shared her personal experience of the work she did on her home and working with the Community Development Department. She understands where issues can occur when a person who is doing a project does not fully understand the requirements and the reasons for complying with the requirements.

Ms. Adam expressed the importance of having professional guidance when doing historic projects. She thanked the Town Manager for putting the trip together and recommended that the building inspector attend the CLG Training.

Mayor Rankin inquired if the hosts would be interested in reviewing some of the buildings in Florence.

Ms. Adam stated that she plans on having discussions with them in the future. She stated that design builders are an economical way to go about renovations.

Mayor Rankin inquired if the Town's Code is similar to Tucson's Code.

Ms. Adam stated that at a superficial level, believes it to be workable. She stated that with regards to her personal project. The Town went through several building inspectors and she received a lot of confusing answers. She is not sure if that was a Code problem or a personnel problem.

Councilmember Hawkins inquired if commercial contractors and commercial engineers were required for the historic buildings.

Ms. Adam responded that they hire engineers as needed. She stated that they felt it was not a huge incremental cost if buildings had roofs, doors, and secured windows; however, the buildings were a wreck inside.

Councilmember Hawkins stated that there has been talk that the Town requires more than the requirements and is trying to ascertain what Tucson requires. It has been mentioned that it is unfair and a burden to require commercial contractors and commercial engineers. The Town is trying to be business-friendly and be as economically feasible as possible, while still complying within the parameters of the state statutes.

Ms. Adam explained the importance of maintaining a roof on the buildings as it prevents erosion, etc. and makes it easier to sell or to do something with the building. She stated that it may be cost prohibitive to renovate a building that has severe roof damage.

Presentation and update of the Main Street Streetscape Project. (Jess Knudson)

Mr. Jess Knudson, Assistant Town Manager, stated that Arizona Department of Transportation (ADOT) has bid out the project. A bid was accepted and the Notice of Award was executed with the contractor. He stated that he provided an update to the HDAC at their last meeting.

Mr. Knudson provided an update on the Main Street Streetscape Project, in which he outlined the following:

- Overview
 - Funds received through a TEA-21 Grant
 - ADOT oversees the grant
 - TEA-21 Grants no longer exist
 - Streetscape-type improvements to Main Street, between Ruggles Street and Butte Avenue
 - Project started in 2006
 - Public input incorporated into the project
 - Streetscape Committee
 - Council, business owners, Historic District Advisory Commission (HDAC), Main Street Program, Redevelopment Commission and Town staff.
 - Original recommendations but not necessarily part of the existing scope
 - * keep acorn streetlights
 - * Change out ballasts and heads on existing acorn streetlights
 - * Add two new acorn streetlights into the downtown
 - * Add entry way and directional signage into the downtown
 - * More trees and plants
 - * Permit crosswalks
 - * Pedestrian ramps
 - * Bulb-outs at the curbs in the intersections
 - * Replace street furniture
 - * Remove the gooseneck lights and wires
 - * Install informational kiosk
 - * Renovate pass through area that connects Main Street to the high profile parking lot
 - Presentations to the Town Council and HDAC
 - Delays to project
 - Modifications to project needed
 - Changes in scope has been a large reason as to why the project has taken so long to move forward towards construction

- Scope
 - Removal of all existing streetlights and overhead electrical lines in the downtown
 - Goosenecks
 - Acorn streetlights
 - Installation of 15 new energy efficient streetlights
 - LED – energy efficient
 - Modern-looking (SHPO Approved)
 - SHPO requires lights that are used at the current time
 - HDAC liked one of the proposed streetlights; preferred acorn streetlight
 - Town provided many streetlight examples for SHPO to approve
 - Placement of new street furniture
 - Benches
 - Trash cans
 - Bike racks
 - Metal and powder coated
- Provided depiction of what the downtown currently looks like
- Provided design of streetlight and examples of what would be installed
- Provided design of street furniture
- Where are we at?
 - ADOT advertised the project
 - ADOT selected the contractor who submitted the lowest bid
 - ADOT executed the contract with the contractor (AJP Electric, Phoenix)
 - Scope to be finalized
 - Minimize hardship to downtown businesses during construction
 - Respect the structural integrity of the historic buildings
 - No jackhammers
 - No vibrations of buildings
 - Construction anticipated to begin in September/October

Councilmember Anderson inquired if the streetlights will be located in the same location as the existing lights. He thanked Mr. Knudson for the outstanding work that he has done on this project, as well as HDAC.

Mr. Knudson responded that the lights will not be located in the same location. A lighting analysis was done to provide the maximum amount of lighting in the downtown area.

Councilmember Woolridge inquired about the time frame of the project. She stated that it is too bad they could not have done this project during the summer.

Mr. Knudson stated the project time frame is four to five weeks for construction to be completed. He stated that the Town has not met with the general contractor. He will come before the Council when he has more specifics as well as informing the businesses.

Councilmember Wall inquired if the trash containers will have an insert that will prevent trash from blowing out.

Mr. Knudson stated that plastic trash liners and trash bags will be placed in the trash receptacles.

Councilmember Hawkins stated that the Council, as well as many others, wanted to have the acorn streetlights saved; however, SHPO will not allow for the use of the lights. The Town even offered to have the lights refitted with LED lighting and they said if we did not remove the lights, the Town would forfeit the funding for the project.

Councilmember Guilin thanked Mr. Knudson for his tenacity as well as documentation of the project. She stated that the integrity of the staff is outstanding.

Mayor Rankin stated the project is not very large. He stated that there has been much discussion regarding the project and misinformation has been spread. The acorn streetlights are not historic and have not been approved to remain. He stated that the project has been ongoing for ten years and hopes that it will be finished this year. He stated that it was suggested that the Town not do the project; however monies for the project have already been expended and the Town would need to reimburse the grant approximately \$200,000 should we not move forward. He stated that it is important to utilize the acorn streetlights elsewhere.

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.

Resolution No. 1592-16:

Ms. Garcia read Resolution No. 1592-16 by title only.

Adoption of A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, ACCEPTING TRIBAL GAMING FUNDS GRANTED BY THE GILA RIVER INDIAN COMMUNITY.

Resolution No. 1593-16:

Ms. Garcia read Resolution No. 1593-16 by title only.

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

Approval of the June 6 and June 20, 2016 Council minutes.

Receive and file the following board and commission minutes:

December 2, 2015, January 6, January 28, February 24, March 23, and April 27, 2016 150 Year Anniversary Celebration Ad Hoc Committee minutes.

May 25, 2016 Historic District Advisory Commission minutes.

April 20, 2016 Library Advisory Board minutes.

May 5, 2016 Planning and Zoning Commission minutes.

On motion of Councilmember Woolridge, seconded by Vice-Mayor Walter, and carried to approve the Consent Agenda, as written.

UNFINISHED BUSINESS

Discussion on possible need for amendment of the Town of Florence Development Code with special emphasis on the Design Review Code.

Mr. Brent Billingsley, Town Manager, stated that he has not received any comments or requests from any of the Council, outside of the initial report. He inquired how Council would like to proceed.

Mayor Rankin stated since there are no new comments to add, the Design Review Code must be working.

Councilmember Anderson disagreed that the Design Review Code is fine, but will concede to the Council.

Vice-Mayor Walter stated that the backup for the agenda item is not in the electronic packet.

Ms. Garcia stated that the item is listed on the agenda for discussion only and does not have any backup information or handouts.

Mr. Billingsley stated the backup documentation was provided at the initial meeting when the item was discussed.

Mayor Rankin stated that Council was instructed to provide their comments to staff, which none were received, so the Design Review Code will remain status quo.

Councilmember Hawkins stated that customers can always come to Council should they have any specific issues. Staff has worked very diligently with customers with regards to their projects.

Mayor Rankin stated that the Code is in place to ensure safety.

NEW BUSINESS

Discussion/Approval/Disapproval of entering into a contract with Koko Entertainment, LLC, for Teen Leadership and Programming, in an amount not to exceed \$48,000, and authorize the Town Manager to transfer ownership of a 1995 Ford Club Wagon Van scheduled for disposal to Mr. Hunter.

Mr. Bryan Hughes, Parks and Recreation Director, stated that Mr. Kim "Koko" Hunter met with staff in May 2016 to brainstorm opportunities that the Town can do in terms of teen leadership programs and other programs to get teens involved. He stated that the teens state that there is nothing to do in our community, and to a certain extent, he agrees with them. The Town is a little stagnant on teen programming.

Mr. Hughes stated that the Town did some introductory things with the teens right before school let out for the summer. It has been challenging to reach out to the teens during the summer months; however, they have been able to reach out to some of the teens and received feedback

as to what it was that they would like to see done. He stated that the list of activities included in the packet is not all-inclusive.

Mr. Kim “Koko” Hunter, Koko Entertainment, LLC, stated that he came to Florence for the first time on April 22, 2016 and met with several key people in the community. He stated that the Town understands that protecting its youth is protecting its future.

Mayor Rankin inquired about his name. He also inquired how many other communities he is working with at this time.

Mr. Hunter explained that he adapted that name from his grandfather, who was a blues Hall of Famer and a very influential person in his life. He explained that he is a Dean at a Phoenix High School and works with a youth group on campus.

Mayor Rankin stated that he wants the program to be successful and to offer something for the teenagers. He stated that Florence needs to build leaders.

Vice-Mayor Walter inquired how many teens attended the programs over the summer.

Mr. Hunter stated that there were approximately 30 teens at the pool party. He stated that approximately 16 teens attended the Teen Council meeting. There are approximately 12 teens that assist with the events. There were approximately 15 to 20 teens who handed out items at the youth program at the library.

Vice-Mayor Walter inquired if he will be able to coordinate events during the week with the Florence Unified School District (FUSD) with his position as a Dean at another school.

Mr. Hunter stated that he will be in a Florence a few days per week. He stated that he is a full time dean and he has spoken with his supervisor.

Vice-Mayor Walter stated that it is important to have a partnership with the school district as well as local organizations and churches. She stated that the Town is facing Home Rule, Proposition 411, and it is important to build the contingency into the budget to provide for our youth.

Mr. Brent Billingsley, Town Manager, stated that he does not want to give the impression that only 15 to 20 teens have attended the events. He stated that there are weekly meetings, in which he has attended most meetings, and there are approximately 15 to 20 teens at each meeting. He stated that the participants are from the entire region including Cactus Forest, Anthem, and the core.

Mr. Billingsley stated that sustainability is important and Mr. Hunter is to train our staff to continue the programs forward. He will set up the programs, train the staff and get Florence moving in the right direction. He stated that he believes Florence is making a critical investment. He gave a brief overview of all of the events and meetings that have taken place. He stated that the intent is not to entertain kids but to build leaders going forward. He stated that there are various components including volunteer, education and leadership. He stated that people will be impressed with the number of teens, the diversity, and their growth. The Youth

Leadership Group will attend the League of Arizona Cities and Towns conference to represent Florence. He is requesting that the youth carry the flag in the parade.

Councilmember Woolridge stated that this is something that she and her husband have been championing for years. She is excited to see the program starting. It is important to get kids excited about living in this community. She stated that a goal is to have some of the youth become councilmembers in the future.

Vice-Mayor Walter stated that the vehicle is on the Town's disposal list. She inquired if there are issues with it or if it is functioning.

Mr. Billingsley stated that the vehicle runs and is safe. He stated that the challenge with the vehicle is the mileage and that it is over 20 years old. He stated that the air conditioning does not work all the time. He stated that Mr. Hunter needs a vehicle that can haul equipment as well as students from place to place. If the Town were to shuttle the students, it would need to utilize a town vehicle and an employee to do so. Mr. Hunter will ensure that the air conditioning system is repaired. The benefit is that the Town will have a \$50,000 contract with Mr. Hunter and only have to pay \$48,000.

Vice-Mayor Walter inquired if transportation is being provided for the youth that do not have a way to get here for the programs.

Mr. Billingsley stated that there is no intent to pick up students for the events. There is intent to transport the students to special events or from the high school to a Town facility. He stated that there will be a partnership with the FUSD.

Councilmember Woolridge stated that she would like to be actively involved.

Mr. Anderson inquired if the contract went out for competitive bid. He stated that the contract price seems high for two days per week. He inquired why the Town didn't hire an employee.

Mr. Billingsley stated that the Town did not go out for competitive bid because there aren't many individuals who offer these types of services. Mr. Hunter has been dedicated to the Town for months, most of the time with no pay, trying to advise and help the Town set up the program. He has a proven track record and has worked for many cities. He has a stellar reputation. The Town does not have to go out for bid because it is a professional services contract.

Mr. Billingsley stated that the fee is not solely for Mr. Hunter's time. There is funding for the preparation, organization, categorization, purchase of supplies, food, and transportation. He stated that it is for an all-inclusive program to be successful.

Mayor Rankin stated that the program is already included in the budget, and approved by Council.

Councilmember Hawkins explained the vehicle has a lot of service life left.

Councilmember Anderson inquired if the Town decal will be removed from the vehicle.

Mr. Billingsley stated that the decals will be removed before it is transferred to Mr. Hunter.

Councilmember Guilin stated that the participant numbers are minimal compared to what she believes what they will have once summer ends.

On motion of Councilmember Woolridge, seconded by Councilmember Wall, and carried to enter into a contract with Koko Entertainment, LLC, for Teen Leadership and Programming, in an amount not to exceed \$48,000, and authorize the Town Manager to transfer ownership of a 1995 Ford Club Wagon Van scheduled for disposal to Mr. Hunter.

Discussion/Approval/Disapproval of a Town directional sign, proposed to be located at the northwest corner of State Highway 79 and the Main Street extension, with external illumination, in an amount not to exceed \$16,000.

Mr. Mark Eckhoff, Community Development Director, stated that there have been minimal changes to the sign. He stated that the depiction provided in the agenda packet is the final design for the directional sign that will be located at the northwest corner of State Highway 79 and Main Street extension. He stated that the changes included:

- Changed Central Business District to Historic Business District because that term is not commonly used
- Increased the size of the word “Florence”
- Added color logo on the sign
- Added restaurants to the bottom of the sign

Mr. Eckhoff stated that the sign is two-sided and illuminated by solar. He stated that he received a comment regarding obtaining an additional bid for the solar component; which can be done. The sign is protected by the company that made the proposal. The lighting can be done by a different vendor if they receive another bid. He stated that currently, they have two separate bids from the company (one for the sign and one for the lighting). He stated that they did go out for bid on the sign as a whole package; however, when the bids came in, the sign was itemized separately from the lighting.

Councilmember Wall inquired if there have been any accidents attributed from vehicles coming from the south, turning left onto the Main Street extension.

Mr. Dan Hughes, Police Chief, stated that they have had no accidents at that intersection.

Councilmember Woolridge inquired if the sign will contain the exact wording as depicted in the picture. She inquired if they can add the Visitor Center to the sign.

Mr. Eckhoff stated that the wording will be identical. He stated they can add the Visitor Center if it is the consensus of the Council.

It was the consensus of the Council to add the Visitor Center wording.

On motion of Councilmember Guilin, seconded by Councilmember Woolridge, and carried to approve a Town directional sign, proposed to be located at the northwest corner of State Highway 79 and the Main Street extension, with external illumination, in an amount not to exceed \$16,000.

TOWN MANAGER’S REPORT

Mr. Billingsley provided an updated on the CIPs. He explained a tool that will be added to the website that will be an interactive GIS map. The projects will be shown on the map and it will provide the location scope, cost and where it is in its development, and other information. The tool should be implemented within the next two months.

Mr. Billingsley stated that the projects were approved less than one month ago and staff will not move forward with construction until after the vote in August, regarding Home Rule; however, the legwork is being done such as scopes, figuring out how to bid the projects, etc.

Mr. Billingsley stated that Diversion Dam Road is currently under construction and is approximately 60% complete.

Mr. Billingsley stated that he distributed to the Council the termination of Consent Order WS 3013. The Town has been under a consent order from the Arizona Department of Environmental Quality since August 2013 regarding the south wastewater treatment plant. The necessary improvements have been made removing the Town from the Consent Order.

Mr. Billingsley read the following memorandum from Police Chief Dan Hughes and Lieutenant Terry Tryon that was sent to all Police Department personnel into the record:

“The recent weeks have been devastating for law enforcement across the nation. More claims of excessive force, wrongful shootings have again continued to smear this great profession that each of you has chosen. It is difficult in these times to stay focused with the negative reports in the national news and on social media. Now officers are being targeted and killed at peaceful rallies for doing their job, a job that only a special few will do. We are fortunate in this community to serve a group of citizens that appreciate your service each and every day. Your dedication and professional service to this community is greatly admired by this administration, the Town government and community members. We want all of you to know that you do a great job for this community in continuing to serve and protect hoping you will remain vigilant every second that you are out there doing the job that you do. Do not allow yourself to get complacent for one second, giving anyone an opportunity to cause you harm, to you or to your partner. We greatly appreciate all of you here at the Florence Police Department.”

Mr. Billingsley read the following letter from S. Power into the record:

“I wanted to write and extend my sincere appreciation to the Town of Florence for their collaboration and support on the Sandstone Solar Project. Together we built one of the largest solar projects in Arizona by installing over 182,000 photovoltaic panels on 340 acres. This project powers over 8,000 homes and removes 88,000 metric tons of carbon emissions annually. The Community Development Department was instrumental in helping us find the initiative, innovative, and creative solutions. We successfully navigated the Planning and Zoning Design Review Plan review construction and commissioning aspects of the project. Staff's coordination and responsiveness was truly exceptional when dealing with the complicated asks from investors, financiers, title companies, the Bureau of Indian Affairs and Salt River Project (SRP). Even when S Power needed to add 40 acres to our initial approval the last minute, Mark and his team worked with us to amend the design review approvals in less than two months and obtain building permits to start construction in another two months. This immediate turn around was above and beyond our expectations and critical in meeting our financing obligations. Without Town support we would have not been able to provide over 175,000 hours of work for local employees. With accolades received from the Governor's

Office, Senators, State Representatives, the Arizona Corporation Commission, Pinal County and SRP executives, we hope Florence is as proud of the Sandstone Solar as we are.

Please extend our appreciation to your staff. We look forward to doing more business in Florence in the future.”

Mr. Billingsley recognized the following:

- Ray White, Fleet – Public Works Department, has approved two levels of automotive technician under the ASC Certification rules.
- 30 employees who passed forklift operations and forklift safety and have their certifications

Mr. Billings read the following letter into the record:

“Thank you. In my haste to run off with my sons to see the fireworks show in Mesa, I completely forgot to turn off my sprinkler system to water the plants. It was a senior moment I hope not to repeat. I just want to thank you so much for taking the time to come out and check it all out and turn off the problem and for taking my flag down. My father was a World War II pilot and I am so proud to be part of a military family. With the Florence Police always helping my neighbors and the Fire Department being so vigilant even with old ladies who forget to turn off their sprinklers, I am glad I made the decision to move out of the boonies to this village eight years ago. I have always felt safe and secure here.”

Mr. Billingsley stated that Wal-Mart has provided a grant to the Town of Florence to allow us to do the Police Department Citizen’s Academy for one more year. The grant is for \$700.

CALL TO THE PUBLIC

Ms. Harrison stated that now that Council has approved the directional sign at the corner of State Highway 79 and Main Street extension, she suggested a different font. She stated that attractions are printed in all caps and are difficult to read. She suggested that a capital letter be used and the beginning of the word and lower case for the remaining letters in each of the words. The sign will be easier to read. She hopes the lighting will be aimed down and not up, to preserve dark skies.

CALL TO THE COUNCIL – CURRENT EVENTS ONLY

Councilmember Hawkins stated that there innuendoes and misinformation going around, inclusive of being in the local paper, which accuses staff and Council of not being business friendly. The information states that we are going to destroy Main Street. The negativity that is being spread will keep businesses from coming to Florence. Council has made many changes to be business friendly. He asked the public to address their concerns with staff or the Council. The Town will not grow with the bad publicity. He asked people to be cautious with information that they are disseminating.

Councilmember Wall offered her support to Police Chief Hughes and the Police Department.

Councilmember Anderson stated that the Town has an outstanding team of first responders in the Police and Fire Departments. He also thanked Jason Joynes and his staff for the work that

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they did at the south wastewater treatment plant to have the Consent Order terminated. He stated he attended the Florence Unified School District convocation and reminded everyone that school is going to start soon. He asked that we use caution with the children in the streets.

Councilmember Guilin stated that the Town has several employees who have worked with the Town ten years or more and are dedicated and highly qualified people. She thanked all the employees and asked everyone to pray for the police officers in Florence and nationwide.

Vice-Mayor Walter stated that the Florence Unified School District had Jason Schechterle as the guest speaker at the convocation. He authored "Behind the Badge" and was involved in an accident in 2001 that changed his life forever. He was an amazing speaker who delivered a powerful message. She welcomed Koko Entertainment, LLC, into the Town, as part of the contract with the Town and bridging the youth.

Vice-Mayor Walter stated that there was a fire this morning and that no one was injured. She expressed her appreciation to the Fire and Police staff.

Vice-Mayor Walter stated that she has not received any negative comments regarding the Town not being business friendly..

Mayor Rankin stated that the fire could have been worse. The first responders did a great job. He stated that he has a blue light at his house symbolizing the police offices and respect for the officers.

Mayor Rankin stated that he attended the Diamondbacks game where Tammy Borin, 3rd Grade Teacher, Florence K-8 received a \$1,000 donation from the Diamondbacks in recognition for being a great teacher. Her slogan is "Once a duck, always a duck". Mayor Rankin also attended the convocation.

Mayor Rankin stated that school will start soon and asked everyone to follow the speed limits and use caution.

ADJOURN TO EXECUTIVE SESSION

An Executive Session will be held during the Council Meeting for legal matters pursuant to A.R.S. Section 38-431.03 (A)(1), (A)(3), (A)(4), and (A)(7) for the purpose of discussion and consultation with the Town's attorneys for legal advice on the following items:

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 2015-000325.

Town's position and instruct its attorneys in regard to Arizona Department of Environmental Quality proceedings.

Town's attorneys for legal advice on a pending and threated claim filed by Johnson Utilities.

Town's attorney regarding potential contract dispute for solid waste services.

Evaluation of the Town Manager's three-year performance plan.

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

ADJOURN FROM EXECUTIVE SESSION

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

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).

On motion of Vice-Mayor Walter, seconded by Councilmember Wall, and carried to adjourn the meeting at 9:18 p.m.


Tom J. Rankin, Mayor

ATTEST:

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 July 18, 2016, and that the meeting was duly called to order and that a quorum was present.

Lisa Garcia, Town Clerk

	TOWN OF FLORENCE COUNCIL ACTION FORM	<u>AGENDA ITEM</u> 8a.
MEETING DATE: August 15, 2016 DEPARTMENT: Finance STAFF PRESENTER: Gabriel Garcia, Finance Director SUBJECT: Modification to the Intergovernmental Agreement with Arizona Department of Revenue related to Uniform Administration of the Town's Transaction Privilege Tax		<input checked="" 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"/> 1st Reading <input type="checkbox"/> 2nd Reading <input type="checkbox"/> Other

RECOMMENDED MOTION/ACTION:

Approve the modifications to the Intergovernmental Agreement, dated June 15, 2015, incorporating five agreed upon changes into the existing Intergovernmental Agreement between the Town of Florence and the Arizona Department of Revenue related to the collection of the Town's Transaction Privilege Tax (TPT).

BACKGROUND/DISCUSSION:

This Intergovernmental Agreement (IGA) was negotiated with the Arizona Department of Revenue (ADOR) by a consortium of city and town representatives along with assistance from the League of Arizona Cities and Towns. Additionally, several attorneys and tax experts from many cities and towns reviewed and commented on the language during the process, resulting in a document that provides the maximum level of information and assurances for the cities possible.

Local Transaction Privilege Tax administration is governed by A.R.S. § 42-6001. This statute was recently modified for the purpose of tax simplification with the passage of House Bill 2111 in 2013 and House Bill 2389 in 2014. This statute now requires the ADOR to administer the transaction privilege and use taxes imposed by all cities and towns and to enter into a new IGA with each city and town to reflect these changes and clearly define the working relationship between ADOR and Arizona cities and towns.

The terms of this IGA run on an annual basis from July 1, 2015 through June 30, 2016, and it renews automatically each year. Either party has the right to reopen and renegotiate the terms according to provisions within the agreement.

The League of Cities and Towns has provided a summary of changes to the IGA for transaction privilege tax collection by the Arizona Department of Revenue and a copy is attached to this RCA.

FINANCIAL IMPACT:

This modification agreement will not result in any budgetary impact to the Town; however, this year's fee for administration and collection is \$63,407.10, pursuant to Laws 2016, Chapter 125, HB 2708.

STAFF RECOMMENDATION:

Approve the modifications to the Intergovernmental Agreement dated June 15, 2015.

ATTACHMENTS:

IGA with ADOR Original Agreement (Dated July 15, 2015)

IGA with ADOR Modifications

Summary of Changes

INTERGOVERNMENTAL AGREEMENT

TOWN OF FLORENCE
an Arizona municipal corporation

AND

STATE OF ARIZONA
DEPARTMENT OF REVENUE

July 1, 2015

**INTERGOVERNMENTAL AGREEMENT BETWEEN
THE STATE OF ARIZONA AND
THE TOWN OF FLORENCE, ARIZONA**

THIS AGREEMENT is entered into this 15th day of June, 2015, by and between the Arizona Department of Revenue, hereinafter referred to as Department, and the Town of Florence, an Arizona municipal corporation, hereinafter referred to as Town. This Agreement shall supersede and replace all previous intergovernmental agreements, including amendments thereto, entered into by the Department and Town regarding the administration, collection, audit and/or licensing of transaction privilege tax, use tax, severance tax, jet fuel excise and use taxes and rental occupancy taxes imposed by the State, cities or towns.

R E C I T A L S

WHEREAS, Title 11, Chapter 7, Article 3 (A.R.S. § 11-952) authorizes two or more public agencies to enter into intergovernmental agreements to contract for services, if authorized by their legislative or governing bodies.

WHEREAS, A.R.S. § 42-6001 et seq. was amended effective January 1, 2015 to provide that the Department shall collect and administer any transaction privilege and affiliated excise taxes imposed by any city or town in Arizona and that the Department and each city or town shall enter into an intergovernmental contract or agreement pursuant to A.R.S. § 11-952 to provide a uniform method of administration, collection, audit and licensing of transaction privilege and affiliated excise taxes imposed by the State, cities or towns.

WHEREAS, Town has taken appropriate action by ordinance, resolution or otherwise, pursuant to the laws applicable to the governing body of Town, to approve and authorize Town to enter into this Agreement.

A G R E E M E N T

NOW, THEREFORE, in consideration of the foregoing, the Department and Town enter into this intergovernmental agreement as follows:

1. Definitions

- 1.1 A.R.S.** means the Arizona Revised Statutes.
- 1.2 Adoption of an Ordinance** means final approval by majority vote of the Town council.
- 1.3 Audit** means a review to determine the correct amount of tax owed by a taxpayer and includes, but is not limited to, desk reviews and reviews of claims for refund.
- 1.4 Closing Agreement** means an agreement to compromise or settle a tax liability.
- 1.5 Confidential Information** means all such information as defined in A.R.S. § 42-2001.

- 1.6 **Confidentiality Standards** means the standards set forth in Appendix A or such other written standards mutually agreed to by the Department and Town.
- 1.7 **Federal Tax Information** means federal return or return information the Department receives from the Internal Revenue Service including any information created by the Department derived from that information. Documents obtained from a taxpayer or State records are not considered Federal Tax Information.
- 1.8 **Model City Tax Code** means the document defined in A.R.S. § 42-6051. The official copy of the Model City Tax Code is published at modelcitytaxcode.az.gov.
- 1.9 **Modification** means a change to an assessment required or authorized by statute.
- 1.10 **Municipal Tax(es)** means transaction privilege and affiliated excise taxes, including use tax, severance tax, jet fuel excise and use tax, and rental occupancy tax, imposed by Town in accordance with the Model City Tax Code. Unless the context provides otherwise, this definition includes tax, license fees, penalties, interest and other similar charges.
- 1.11 **State** means the State of Arizona.
- 1.12 **State and Local Uniformity Group (“SLUG”)** means an advisory group comprised of four representatives from municipal taxing jurisdictions and four representatives of the Department as set forth in Section 13 below.
- 1.13 **Taxpayer Information** means information protected from disclosure pursuant to Model City Tax Code § 510.

2. **Disclosure of Information by Town to Department**

- 2.1 **Qualified Recipients of Information:** The Department shall provide a list of the names and job titles of Department employees authorized to request and receive Taxpayer Information from Town. The Department shall inform Town of any additions, deletions or changes to this list within fifteen calendar days after the change occurs and shall provide an updated list at least annually. This information shall be sent via email to Town at finance@florenceaz.gov. The Town will not disclose Taxpayer Information to a Department employee whose name is not included on this list. Town may contact the Department with any questions related to qualified recipients by contacting the Cities Unit at CitiesUnit@azdor.gov.
- 2.2 **Use of Information:** Any Taxpayer Information released by Town to the Department may only be used by the Department for tax administration and collection purposes, and may not be disclosed to the public in any manner that does not comply with the Model City Tax Code. All Taxpayer Information shall be stored and destroyed in accordance with the Confidentiality Standards.
- 2.3 **Municipal Ordinance:**

- (a) Town shall provide the Department with a copy of its Municipal Tax code or any Town ordinances imposing the taxes to be collected hereunder within ten calendar days of a request for such information from the Department. This information shall be sent via email to the Cities Unit at CitiesUnit@azdor.gov.
- (b) Town shall provide the Department with a copy of any ordinance adopted by Town after execution of this Agreement that imposes or modifies the Municipal Taxes to be collected hereunder, including a new or different tax rate as defined by A.R.S. § 42-6053(E), within ten calendar days of Adoption of an Ordinance. This information shall be sent via email to the Cities Unit at CitiesUnit@azdor.gov. No such ordinance shall take effect on a date other than the first day of the month that is at least sixty calendar days after Town provides notice to the Department unless Town and the Department agree otherwise. The Department shall add the change to the official copy of the Model City Tax Code within ten business days of receipt of notice from Town. Town is responsible for confirming the change has been made. Pursuant to A.R.S. § 42-6053(E)(2), changes in tax rates have no effect unless reflected in the official copy of the Model City Tax Code.
- (c) Within fifteen calendar days following the adoption of an annexation ordinance, one copy of the ordinance and notification of the effective date of such ordinance shall be sent to the Department via email at GIS@azdor.gov. Town shall also include with the notice a list of businesses Town knows to be located in the annexed area. The Department shall not be obligated to begin collection of Municipal Tax any sooner than the first day of the month that is at least sixty calendar days after the date the Department received notice from Town of the annexation.

2.4 Development and Impact Fees: Upon request, Town shall provide to the Department any information regarding development and impact fees to assist the Department with the auditing of taxpayers and billing and collection of taxes.

2.5 Audits: Upon request by the Department, Town shall allow inspections and copies of any Town tax audits.

2.6 Other Information: Town shall also provide other relevant information necessary for tax administration and collection purposes as requested by the Department.

2.7 Statutory Authority: The disclosure of confidential Town tax information is governed by Model City Tax Code Section 510.

3. Disclosure of Information by Department to Town.

3.1 Qualified Recipients of Information: Town shall provide a list of the names and job titles of Town employees and any independent auditors acting on behalf of Town authorized to receive Confidential Information. Town shall inform the Department of any additions, deletions or changes to this list within fifteen calendar

days after the change occurs and shall provide an updated list at least annually. This information shall be sent via email to the Cities Unit at CitiesUnit@azdor.gov. The Department will not disclose any Confidential Information to a Town employee or independent auditor whose name is not included on this list. The Department may contact Town with any questions related to qualified recipients by contacting the Town's Finance Director at finance@florenceaz.gov.

3.2 Suspension of Information: The Department will not withhold Confidential Information from Town so long as Town complies with A.R.S. § 42-2001 et seq. and the Confidentiality Standards.

(a) If the Department has information to suggest Town, or any of its duly authorized representatives, has violated A.R.S. § 42-2001 or the Confidentiality Standards, the Department will send written notice to Town detailing the alleged breach as understood by the Department and requesting a response to the allegation within twenty calendar days of the date of the letter.

(b) The Department will review the written response from Town and consider the information contained therein and all relevant circumstances surrounding the alleged violation before making a written determination as to whether a suspension of information is warranted and the length of the suspension.

(c) If Town is dissatisfied with the Department's determination it may within ten calendar days, submit a written request to SLUG requesting the group review the determination.

(d) If the Department has information to suggest Town has violated the Confidentiality Standards, the Department may inspect Town's records, facilities, and equipment to confirm whether there has been a violation.

3.3 Information to be Provided: Within the restrictions outlined in this Section, the Department shall provide all of the information detailed in Appendix B, which may be modified by the mutual agreement of the parties. The Department shall not provide Federal Tax Information to Town. In addition to the information detailed in Appendix B, Town may obtain upon request:

(a) Inspections and/or copies of Department tax audits, including all information related to all cities and towns included in the tax audit; and

(b) Other relevant information necessary for tax administration and collection purposes, including all information necessary to verify Town received all revenues collected by the Department on behalf of Town.

3.4 Storage and Destruction of Confidential Information: All Confidential Information provided by the Department to Town shall be stored, protected, and destroyed in accordance with the Confidentiality Standards.

3.5 Statutory Authority: The Department may disclose Confidential Information to Town pursuant to A.R.S. § 42-2003(H) if the information relates to a taxpayer who is or may be taxable by a county, city or town. Any Confidential Information released to Town:

- (a) May only be used for internal tax administration purposes as defined in A.R.S. § 42-2001(4); and
- (b) May not be disclosed to the public in any manner that does not comply with the Confidentiality Standards.

A.R.S. § 42-2003(H)(2) provides that any release of Confidential Information that violates the Confidentiality Standards will result in the immediate suspension of any rights of Town to receive taxpayer information pursuant to A.R.S. § 42-2003(H).

3.6 Specificity of Data: A.R.S. § 42-6001 provides that taxpayers shall file and pay Municipal Taxes to the Department if the Department has developed the electronic and nonelectronic tools necessary to capture data with sufficient specificity to meet the needs of all taxing jurisdictions, including specific data regarding each tax classification and any corresponding deductions at each business location of the taxpayer. Pursuant to A.R.S. § 42-5015, the electronic system utilized by the Department must be able to capture data with sufficient specificity to meet the needs of the taxing jurisdiction. The Department and Town agree that JT2 and TPT2 (as summarized in Appendix C) are required to meet the specificity needs of Town.

(a) Non-Program City/Town: If City/Town performed its own Municipal Tax administration, collection, and licensing prior to July 1, 2015, then if the Department is unable to commit by September 1, 2015 that the data detail behind the JT2 and TPT2 will be provided to City/Town beginning and from January 1, 2016, the following shall take place:

- (1) The term of the agreement entered into by the Department and City/Town pertaining to City/Town performing municipal licensing services on behalf of the Department shall be extended for one (1) year; and
- (2) All provisions in this Agreement pertaining to the administration, collection, and licensing of Municipal Taxes shall not go into effect until such time as the Department is able to meet the requirements of A.R.S. § 42-6001 and A.R.S. § 42-5015, however all language in this Agreement related to audit functions shall remain in full force and effect.

(b) Program Cities/Towns: If the Department performed Municipal Tax administration, collection and licensing for City/Town prior to July 1, 2015, then if the Department is unable to commit by September 1, 2015 that the data detail behind the JT2 and TPT2 will be provided to City/Town beginning and from January 1, 2016, the Department will continue to perform those functions. The continued provision of such service, however, shall not be deemed waiver of any legal rights or remedies afforded to City/Town including,

but not limited to, a failure to meet the requirements of A.R.S. § 42-6001 and A.R.S. § 42-5015.

4. **Audit.**

The Department shall administer the audit functions for Town in accordance with the following provisions.

- 4.1 **Training:** All auditors and supervisors shall be trained in accordance with the policies of the Department. Auditors who have not completed the training may only work in connection with a trained auditor and cannot be the only auditor assigned to the audit. The Department shall:
- (a) Provide audit training at least three times per year, or more frequently if there is a demonstrated need, and be responsible for its costs of the training and any associated materials;
 - (b) Provide additional training when practical;
 - (c) Notify Town of any training sessions at least thirty calendar days before the date of the training session;
 - (d) Provide copies of State tax statutes, audit reference materials and audit procedures and manuals;
 - (e) Permit Town auditors and supervisors to attend any scheduled training as space permits at designated training location: and
 - (f) Provide additional training as needed to inform auditors and supervisors regarding changes in State law or Department policy.
- 4.2 **Conflict of Interest:** An auditor or supervisor trained and authorized to conduct an audit may not conduct any of the following prohibited acts:
- (a) Represent a taxpayer in any tax matter against the Department or Town while employed or in an independent contractor relationship with the Department or Town.
 - (b) Attempt to use his/her official position to secure any valuable thing or valuable benefit for himself/herself or his/her family members.
 - (c) Represent a taxpayer before the Department or Town concerning any matter in which he/she personally participated for a period of one year after he/she ends employment or the independent contractor relationship with the Department or Town.
 - (d) Use information he/she acquires in the course of the official duties as an auditor or supervisor in a manner inconsistent with his/her official duties without prior written approval from the Department.

- (e) For a period of one year after he/she ends employment or an independent contractor relationship with the Department or Town, work in the same firm as a person who represents a taxpayer against the Department or Town unless the firm institutes formal barriers to prevent any sharing of information between the trained auditor or supervisor and the remainder of the firm.

The Department may revoke an individual's authority to audit and prohibit the use of any auditor or supervisor who violates this provision.

4.3 Audits and Refunds:

- (a) Town may conduct an audit of a taxpayer engaged in business only in Town. Before commencing such audit, Town shall notify the Department to ensure the taxpayer is not already scheduled for an audit. The Department will provide Town with a written response within fifteen calendar days of the notice from Town.
- (b) Except as permitted below, the Department shall conduct all audits of taxpayers having locations in two or more cities or towns. A Town auditor may participate in any audit Town requested the Department to perform.
- (c) Town shall notify the Department if it wants an audit of a taxpayer having locations in two or more Arizona cities or towns and whose primary business activity is in the following business classifications taxable by Town, but not a taxable activity under State law:
 - 1. Residential rentals;
 - 2. Commercial rentals;
 - 3. Speculative Builders; or
 - 4. Advertising.

The Department will authorize such audits, to be overseen by the Department, unless there is already an audit of the taxpayer scheduled, or the Department determines the audit selection is discriminatory, an abuse of process or poses other similar defects. The Department will notify Town of its determination within thirty calendar days. No initial audit contact may occur between Town and a taxpayer until the Department approves the audit notice.

- (d) Town may request the Department conduct an audit of a taxpayer having locations in two or more Arizona cities or towns and whose primary business is subject to both city and state tax. The request must be made using the Department's audit request form. Copies of the form can be obtained from the Department's TPT Hub Unit at HubUnit@azdor.gov. The Department shall notify Town of the decision regarding the request within thirty calendar days of receipt of the request.

- (e) The Department may deny a request for an audit for the following reasons:
 - 1. An audit is already scheduled or planned for the taxpayer within six months of the request;
 - 2. The requested audit would interfere with strategic tax administration planning;
 - 3. The audit selection is discriminatory, an abuse of process or poses other similar defects;
 - 4. The request lacks sufficient information for the Department to determine whether it is appropriate;
 - 5. The Taxpayer was audited within the previous two years;
 - 6. The Department lacks sufficient resources to conduct the audit; or
 - 7. The scope or subject of the audit does not justify the use of Department resources.
- (f) If the Department denies a request to conduct an audit because it either lacks resources to conduct the audit itself or the scope or subject of the audit does not justify the use of Department resources then Town shall notify the Department if it wants to conduct the audit under the supervision of the Department. No initial audit contact may occur between Town and a taxpayer until the Department appoints someone to supervise the audit.
- (g) Any decision by the Department denying Town's request to conduct any audit may be referred to SLUG in accordance with Section 13 of this Agreement.
- (h) All audits conducted by Town shall be in accordance with standard audit procedures defined in the Department audit manual. All auditors shall be trained in accordance with Section 4.1 above.
- (i) The Department may appoint a manager to supervise any audit conducted by Town.
- (j) All audits shall include all taxing jurisdictions in the State regardless of which jurisdiction's auditors participate in the audit. All desk reviews must include all taxing jurisdictions for which there is information available.
- (k) The Department shall issue all audit assessments on behalf of all taxing jurisdictions in a single notice to the taxpayer.
- (l) The Department shall issue Modifications to audit assessments on behalf of all taxing jurisdictions in a single notice to the taxpayer.

4.4 Claims for Refund:

- (a) When a taxpayer files a request for refund, including refunds requested by filing amended returns, the Department shall process the request and review it for mathematical errors or for the failure of the taxpayer to properly compute the tax based on the taxable income reported on the return or refund request.
- (b) The Department will notify Town of all refund requests that are processed involving Town's Municipal Taxes within thirty calendar days of processing the refund. Town may request an audit of the taxpayer as set forth in Section 4.3 above. .
- (c) The Department may assign an auditor to review requests for refunds. The Department will notify Town, within thirty calendar days of initiating a review, of all refunds under review by an auditor pertaining to a taxpayer who engages in business within Town's taxing jurisdiction and may request that Town assign an auditor to assist with such reviews.
- (d) Town is responsible for payment of all amounts to be refunded to taxpayers for Municipal Tax incorrectly paid to Town. The Department may offset a remittance to Town under this Agreement to cover the amounts of allowed refunds. If there are insufficient funds available to pay the refund, Town must pay the Department within sixty days of written demand from the Department.
- (e) The Department shall issue refund approvals/denials on behalf of all taxing jurisdictions in a single notice to the taxpayer. Town may request copies of such determinations.

4.5 Protests: Taxpayer protests of audit assessments and desk review assessments and refund denials shall be directed to the Department. Appeals of audit assessments, desk review assessments and refund denials shall be administered pursuant to Title 42, Chapter 1, Article 6, Arizona Revised Statutes. Upon request, the Department shall notify Town of any appeals within 30 days of receipt of the protest.

4.6 Notice of Resolution: The Department shall notify Town when a protest is resolved, including information concerning the resolution of the protest, within 30 days after the resolution of a protest.

4.7 Status Reports: The Department shall keep SLUG apprised of the status of each protested matter involving the imposition of Municipal Taxes. Town may request to be on a distribution list for monthly status reports by contacting the Department's Cities Unit.

5. Voluntary Disclosure Agreements

The Department may enter into a voluntary disclosure agreement with a taxpayer. A voluntary disclosure agreement may limit the years subject to audit and waive penalties. Town may

request to be kept informed of voluntary disclosure agreements involving Town Municipal Tax. If Town makes that request, the Department will notify Town of the Department's intent to enter into an agreement and the Department will provide the taxpayer's identity within thirty calendar days of disclosure. Town may request an audit of a taxpayer subject to a voluntary disclosure agreement pursuant to Section 4.3 above.

6. License Compliance

6.1 License Issuance and Renewal: The Department shall issue new Municipal Tax licenses and renew such licenses for Town Municipal Tax. The Department of Revenue shall provide Town with information about all persons obtaining and renewing tax licenses as set forth in Appendix B.

6.2 License Checks: The Department and Town shall coordinate efforts to conduct tax license compliance checks through canvassing and other compliance methods.

6.3 Confidentiality: Any tax license information Town obtains from the Department is considered Confidential Information and may only be disclosed as authorized by A.R.S. § 42-2003. Any tax license information Town obtains through its own efforts may be disclosed as allowed by applicable Town laws.

6.4 Changes to License Fees: Within fifteen calendar days following the Adoption of an Ordinance (or official acknowledgment of approval of an ordinance by voters in an election of a charter city) issuing or modifying a tax license fee, one copy of the ordinance and notification of the effective date of such ordinance shall be sent to the Department via email at CitiesUnit@azdor.gov. The Department shall not be obligated to begin collection of the new or modified fee any sooner than sixty calendar days after the date the Department received the ordinance from Town. Notice of an ordinance concerning a renewal tax license fee must be received by the Department by July 31 in order to be collected the following calendar year.

7. Closing Agreements

7.1 Approval - The Department shall notify Town before entering into a Closing Agreement related to the tax levied and imposed by Town. The Department shall seek approval from either Town or SLUG before entering into such Closing Agreement. If the Closing Agreement concerns only Town, then the Department will attempt to obtain approval from Town first, and will only seek approval from SLUG if Town is unresponsive or the Department and Town cannot reach an agreement. Approval and notice is not required for Modifications of assessments.

7.2 Litigation - During the course of litigation, the Department shall seek a range of settlement authority from Town or SLUG, unless the circumstances prevent such action. The Department may also request a telephonic meeting of SLUG if time and circumstances require immediate action.

8. Responsibility for Representation in Litigation.

- 8.1 Administrative Proceedings:** The Department shall be responsible for coordinating the litigation and defending the assessment or refund denial in any administrative appeals before the Office of Administrative Hearings or the Director of the Department regardless of who conducted the audit. The Department shall be reasonably diligent in defending the interests of Town and Town shall assist in such representation as may be requested by the Department.
- 8.2 Further Appeals:** The Arizona Attorney General is responsible for defending the assessment or refund denial at the Board of Tax Appeals, the Arizona Tax Court and all higher courts. Town shall assist the Attorney General in such representation and litigation as requested by the Attorney General's Office.
- 8.3 Mutual Cooperation:** The Department and Town agree they shall cooperate in the appeal and litigation processes and shall ensure their auditors, supervisors, and other necessary employees are available to assist the Department and the Attorney General for informal interviews, providing documents and computer records, preparing for depositions, attending depositions and trial as witnesses, and assisting in trial/hearing preparation as needed.
- 8.4 Administrative Decisions:** The Department shall provide a copy of any and all administrative hearing level decisions, including Director's decisions issued by the Department to all jurisdictions on a distribution list. Town may request to be on the distribution list by contacting the Department's Cities Unit. Administrative decisions are Confidential Information and must be stored and destroyed in accordance with the Confidentiality Standards.

9. Collection of Municipal Taxes

- 9.1 Tax Returns:** Taxpayers who are subject to Town Municipal Taxes shall pay such taxes to the Department. Tax payments shall be accompanied by a return prepared by taxpayer on a form prescribed by the Department.
- 9.2 Collection:** The Department shall collect any Municipal Tax imposed by Town recorded on the Department's tax accounting system. Amounts the Department collects for delinquent Town Municipal Tax accounts after the termination of this Agreement shall be forwarded to Town.
- 9.3 Remittance:** All amounts collected by the Department for Municipal Taxes under this Agreement shall be remitted to Town weekly on the basis of actual collections. The Department shall initiate the electronic payment by noon on the Monday after the end of the week in which the collections were made. Remittance shall be made in the form of immediately available funds transferred electronically to the bank account designated by Town.

- 9.4 Abatement:** The Department, with the approval of the Attorney General, may abate tax under certain circumstances. During the ordinary course of business, the Department may determine for various reasons that certain accounts shall be closed or cancelled. The Department shall seek input from Town or SLUG before abating tax or closing accounts. The Department may request a telephonic meeting of SLUG if time and circumstances require immediate action.
- 9.5 Funds Owed to Town:** At all times and under all circumstances payments remitted by a taxpayer to the Department for Town Municipal Taxes will be considered property of Town. The Department may not retain or fail to remit such funds to Town for any reason not specifically set forth in this Agreement including, but not limited to, during the course of a dispute between Town and the Department.

10. Financing Collection of Taxes.

The costs incurred by the Department in administering this Agreement shall be financed through the State general fund appropriation to the Department.

11. Inter-Jurisdictional Transfers.

All inter-jurisdictional transfers of Municipal Tax monies by the Department shall be handled in the following manner:

- 11.1 Requests:** Requests for inter-jurisdictional transfers shall be made to the Department. The Department will review the request and will not automatically accept the request.
- 11.2 Notice:** The Department shall notify Town and any other city or town implicated in the requested transfer a minimum of thirty calendar days prior to any inter-jurisdictional transfer of money.
- 11.3 Dispute Resolution:** Any city or town subject to an inter-jurisdictional transfer shall resolve any dispute over the allocation of the tax in accordance with A.R.S. § 42-6003 and the Department shall transfer the funds subject to an inter-jurisdictional transfer in accordance with the agreed upon allocation in a timely manner.

12. Educational Outreach.

Town may conduct, at its own expense, educational outreach to taxpayers who are conducting business activities within Town's taxing jurisdiction concerning the Model City Tax Code and the collection and administration of Municipal Taxes. Educational outreach shall be consistent

with applicable law and Department written guidance. Upon request, Town shall provide information to the Department concerning such educational outreach efforts.

13. SLUG.

The Department shall create an advisory group to help resolve issues

- 13.1 Members:** The members shall consist of four seats representing municipal taxing jurisdictions and four seats representing the Department. Member seats may be split so some people fill the position for only certain issues, such as audit selection or collection abatement. There shall also be a list of alternate members, who may be asked by a regular member who is unable to attend a meeting to take that member's place at a SLUG meeting.
- 13.2 Selection:** The Director of the Department shall appoint people to serve as members of SLUG. Municipal taxing jurisdictions shall nominate members from municipal taxing jurisdictions. All members shall serve for a period of one year unless they resign at an earlier date. Members may be appointed to serve consecutive terms. Members appointed to fill vacancies shall serve for the time remaining on the term.
- 13.3 Meetings:** SLUG shall meet on a regular basis and at least monthly unless the members agree to cancel the meetings due to a lack of agenda items. It can schedule additional meetings as necessary to timely discuss issues presented. Alternate members may attend meetings, but cannot participate in any discussion or voting, unless filling the seat of a regular member.
- 13.4 Issues:** Town may refer issues to SLUG involving the following:
 - (a) Decisions by the Department to not audit a taxpayer;
 - (b) Amendments to Department audit procedures or manuals;
 - (c) Closing Agreements or a range of settlement authority;
 - (d) Abatement or account closure in collections;
 - (e) Suspension of disclosure of information from the Department; and
 - (f) Other issues as authorized by the Director of the Department or agreed upon by the parties.
- 13.5 Recommendations:** SLUG shall make recommendations to the Director of the Department. If the recommendation is approved by at least five members of SLUG, the Director will accept the recommendation of SLUG. If SLUG cannot

reach a recommendation agreeable to at least five members of the group, the Director may act as he deems to be in the best interests of all parties.

13.6 Voting: Voting shall be by secret ballot.

13.7 Procedures: SLUG may develop procedures concerning the operation of the group as long as they are not inconsistent with this Agreement.

14. Funding of Additional Auditors by Town.

14.1 Funding: At the sole discretion of Town, Town may contribute funding to the Department to pay for additional auditors to assist the Department in the performance of audits of Municipal Tax owed to Town. Such additional auditors funded by Town shall at all times be deemed to be employees of the Department and under no circumstances shall be deemed to be employees or agents of Town. It is the parties' intention that Town funding be used to increase the capabilities of the Department to perform Municipal Tax audits and not to subsidize or replace State funding required for audit and collection of taxes.

14.2 Use of Funds: Town funding for additional auditors under this Section shall be used to fund the auditors' salaries and employee related expenses and shall not be used to pay for Department office space, utilities, equipment, supplies, or similar kinds of overhead.

14.3 Pool of Funds: The Department may pool any Town funding with any other similar funding provided by other municipal taxing jurisdictions to pay for additional auditors. The Department shall separately account for such funds in its annual budget.

14.4 Accounting: The Department shall provide an annual accounting to Town, by August 31 each year describing how Town funding was used during the prior fiscal year.

15. Satellite Offices for Department Auditors.

15.1 Funding: Town, at its own expense and at its sole discretion, may provide one or more satellite offices and associated amenities for use by Department employees to provide audit and/or customer service to taxpayers. Use of such facilities by Department employees shall be at the sole discretion of the Department. Nothing in this section shall require the Department to make use of such facilities provided by Town.

15.2 Requirements: Any Department employee using a Town satellite office must meet reasonable requirements of Town related to the use of the facility. Town shall be responsible for notifying the Department of any concerns, and the

Department shall be responsible for taking appropriate actions to resolve those concerns.

15.3 Termination: Once a satellite office is established, Town shall provide at least 180 calendar days written notice to the Department prior to the termination or relocation of a satellite office. The Department may discontinue the use of a satellite office at any time upon notice to Town and shall promptly remove all Department property.

15.4 License: All requirements of Town and the Department related to the satellite office shall be outlined in a mutually acceptable form of license and subject to separate approval.

16. Non-availability of Funds.

Every payment obligation of the Department and the Town pursuant to this Agreement is conditioned upon the availability of funds appropriated or allocated for the payment of such obligation, except for the rendering of funds to Town paid by a taxpayer for Municipal Taxes or tax license fees of Town. If funds are not appropriated, allocated and available or if the appropriation is changed resulting in funds no longer being available for the continuance of this Agreement, this Agreement may be terminated at the end of the period for which funds are available. No liability shall accrue to the State in the event this provision is exercised, and the State shall not be obligated or liable for any future payments or for any damages as a result of termination under this Section. The termination of this Agreement shall not entitle the Department to retain any Municipal Tax collected on behalf of Town pursuant to this Agreement.

17. Waiver.

Nothing in this Agreement should be interpreted as Town relinquishing its legal rights under the Arizona Constitution or other applicable law, nor that Town is conceding the administration and collection of its Municipal Tax is not of a local interest or should not be under local control.

18. Cancellation

The requirements of A.R.S. § 38-511 apply to this Agreement. The Department or Town may cancel this Agreement, without penalty or further obligation, if any person significantly involved in initiating, negotiating, securing, drafting or creating this Agreement on behalf of the Department or Town is, at any time while this Agreement or any extension is in effect, an employee, agent or consultant of the other party with respect to the subject matter of this Agreement.

19. Notice.

- (a) When any Notice to Town is required under the terms of this Agreement, such Notice shall be mailed to Town at the following address, directed to the attention of:

Town of Florence
Attn: Town Manager
PO Box 2670
775 N. Main Street
Florence, AZ 85132

- (b) When any Notice to the Department is required under the terms of this Agreement, such Notice shall be mailed to:

Arizona Department of Revenue
Attn: Director, Division Code 20
1600 W. Monroe
Phoenix, AZ 85007

Notice to the Department's Hub Unit or City Unit may be mailed to:

Arizona Department of Revenue
Division Code 16
1600 W. Monroe
Phoenix, AZ 85007

20. Non-discrimination.

The Department and Town shall comply with Executive Order 2009-9, which mandates all persons, regardless of race, color, religion, sex, age, or national origin, shall have equal access to employment opportunities, and all other applicable State and Federal employment laws, rules, and regulations, including the Americans with Disabilities Act. The Department and /Town shall take affirmative action to ensure applicants for employment and employees are not discriminated against due to race, creed, color, religion, sex, national origin or disability.

21. Compliance with Immigration Laws and A.R.S. § 41-4401.

- 21.1** The Department and Town shall comply with all Federal immigration laws and regulations relating to employees and warrants compliance with A.R.S. § 23-214(A) which reads in part: "After December 31, 2007, every employer, after hiring an employee, shall verify the employment eligibility of the employee through the e-verify program."
- 21.2** A breach of compliance with immigration laws and regulations shall be deemed a material breach of this Agreement and may be grounds for the immediate termination of this Agreement.

21.3 The Department and Town retain the legal right to inspect the papers of any employee who works on the Agreement to ensure the Department and Town is complying with the applicable Federal immigration laws and regulations and State statutes as set forth above.

22. Audit of Records.

Town and the Department shall retain all data, books, and other records (“Records”) relating to this Agreement for at least six (6) years (a) after termination of this Agreement, and (b) following each annual renewal thereof. All Records shall be subject to inspection by audit by the State at reasonable times. Upon request, the Department and Town shall produce any or all such records. This Agreement is subject to A.R.S. §§ 35-214 and -215.

23. Amendments.

Any amendments to or modifications of this Agreement must be executed in writing in accordance with the provisions of this Agreement.

24. Mutual Cooperation.

In the event of a disagreement between the parties with regard to the terms, provisions and requirements of this Agreement or in the event of the occurrence of any circumstances bearing upon or affecting this Agreement, parties hereby agree to mutually cooperate in order to resolve the said disagreement or deal with the said circumstance.

25. Arbitration.

To the extent required by A.R.S. § 12-1518(B) and as provided for in A.R.S. § 12-133, the parties agree to resolve any dispute arising out of this Agreement by arbitration. The parties agree that any lawsuit filed by Town relating to the issues outlined in Section 17 of this Agreement is not considered to be a dispute arising out of this Agreement.

26. Implementation.

The implementation and execution of the provisions of this Agreement shall be the responsibility of the Director of the Department or his representative and the Mayor his/her designee, or another party with designated authority pursuant to applicable law or Town charter on behalf of Town.

27. Limitations.

Nothing in this Agreement shall be construed as limiting or expanding the statutory responsibilities of the parties in performing functions beyond those granted to them by law, or as requiring the parties to expend any sum in excess of their appropriations.

28. Duration.

- 28.1 The term of this Agreement shall be from July 1, 2015 through June 30, 2016. This Agreement shall automatically be renewed for successive one year terms thereafter unless either party shall terminate this Agreement by notice, in writing, no later than sixty calendar days prior to the expiration of the term then in effect.
- 28.2 If State legislation enacted subsequent to the date of this Agreement substantially affects the performance of this Agreement by either party or substantially diminishes the benefits either party would receive under this Agreement, either party may then terminate this Agreement by giving at least thirty calendar days' notice to the other party. The termination will become effective immediately upon the expiration of the notice period unless otherwise agreed to by the parties.
- 28.3 Notwithstanding any provision to the contrary herein, both parties may by mutual agreement provide for the termination of this contract upon such terms and at such time as is mutually agreeable to them.
- 28.4 Any notice of termination shall be mailed and served on the other party in accordance with Section 19 of this Agreement.
- 28.5 During the term of this Agreement, the terms and conditions of this Agreement will undergo an annual review to be completed no later than March 1st of each year. The review will be performed by a committee made up of equal parts representatives of the Department and representatives of the municipal taxing jurisdictions entering into an IGA with the Department for the administration and collection of Municipal Taxes.

29. Choice of Law.

The laws and regulations of the State of Arizona shall govern the rights of the parties, the performance of this Agreement, and any disputes arising from this Agreement.

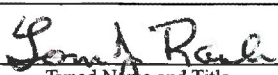
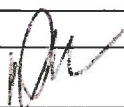
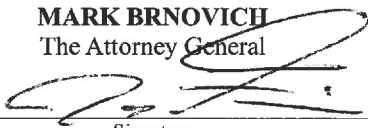

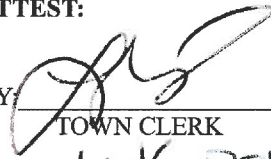
30. Entire Agreement.

This document, including other documents referred herein, and any approved subcontracts, amendments and modifications made thereto, shall constitute the entire Agreement between the parties and shall supersede all other understandings, oral or written.

31. Signature Authority.

- 31.1 By signing below, the signer certifies he or she has the authority to enter into this Agreement on behalf of his or her respective party, and he or she has read the foregoing and agrees to accept the provisions herein on said party's behalf.

31.2 This Intergovernmental Agreement may be executed in counterpart.

Signature  Date _____	Signature  Date <u>6/22/15</u>
Tom Rankin, Mayor <small>Typed Name and Title</small>	David Kaber, Director <small>Typed Name and Title</small>
Town of Florence <small>Entity Name</small>	Arizona Dept. of Revenue <small>Entity Name</small>
PO Box 2670, N. Main Street <small>Address</small>	1600 W. Monroe <small>Address</small>
Florence AZ 85132 <small>City State Zip</small>	Phoenix, AZ 85007 <small>City State Zip</small>
RESERVED FOR THE ATTORNEY GENERAL:	RESERVED FOR TOWN ATTORNEY:
<p>This agreement between public agencies has been reviewed pursuant to A.R.S. § 11-952 by the undersigned Assistant Attorney General who has determined that it is in proper form and is within the powers and authority granted under the laws of the State of Arizona to the Arizona Department of Revenue represented by the Attorney General.</p> <p>MARK BRNOVICH The Attorney General</p>  <small>Signature</small> Assistant Attorney General	<p>APPROVED AS TO FORM AND AUTHORITY:</p> <p>BY:  TOWN ATTORNEY</p> <p>Date: <u>6-15-15</u></p>
<p>Date: <u>6/19/15</u></p>	<p>ATTEST:</p> <p>BY:  TOWN CLERK</p> <p>Date: <u>6-15-2015</u></p>

APPENDIX A

ARIZONA DEPARTMENT OF REVENUE CONFIDENTIALITY REQUIREMENTS

1. Confidential Information

- 1.1 Confidential Information is defined in A.R.S § 42-2001. Confidential Information may not be disclosed except as provided by statute. A.R.S. § 42-2001(B).
- 1.2 License information obtained from the Department of Revenue is Confidential Information and may only be disclosed as authorized by A.R.S. § 42-2003. License information obtained from other sources is not Confidential Information.
- 1.3 Information about a taxpayer's identity obtained from the Department of Revenue is Confidential information and may only be disclosed as authorized by A.R.S. § 42-2003. Identity information obtained from other sources is not Confidential Information.
- 1.4 Confidential Information includes information about a single taxpayer and also aggregated information about a group of identified or identifiable taxpayers. Aggregated information from fewer than three taxpayers in a grouping on a statewide basis or fewer than ten taxpayers in a grouping for an area that is less than state level (city or town) may be Confidential Information. Such information may not be released unless the Town Administrator reviews the relevant information concerning the aggregate data and makes a determination in writing that the aggregate data does not reveal information about any specific taxpayer. Such determination should take into consideration the following:
 - a. The proportionality of the tax information applicable to individual members of the group of taxpayers; no individual taxpayer's information should be discernable due to its relative size/taxable sales, compared to other members of the group;
 - b. The total aggregated tax information; the aggregate information cannot allow viewers to draw conclusions about individual taxpayers (e.g., there are 6 car dealers in the city and the total aggregate sales were \$900,000 and none of them reported individual sales above the \$20,000 mark, which would have qualified for the lower tax rate on large purchases)
 - c. Any other factor that could cause the aggregate data to be used to determine information specific to a single taxpayer.

2. Protecting Information

- 2.1 City/Town must identify all places, both physical and logical, where Confidential Information is received, processed and stored and create a plan to adequately secure those areas.

- 2.2 Confidential Information must be protected during transmission, storage, use, and destruction. Town must have policies and procedures to document how it protects its information systems, including Confidential Information contained therein. An example of appropriate protection standards is set forth in National Institute of Standards and Technology Special Publication 800-53. The publication may be found at <http://nvlpubs.nist.gov/nistpubs/SpecialPublications/NIST.SP.800-53r4.pdf>
- 2.3 Employees are prohibited from inspecting information unless they have a business reason for the information. Browsing information concerning friends, neighbors, family members, or people in the news is strictly prohibited.
- 2.4 All removable media, including paper and CDs, containing Confidential Information must be secured when not in use and after normal business hours by placing all materials in a locked drawer or cabinet. During use, Confidential Information must be protected so that it is not visible to members of the public or anyone without a business need for the information.
- 2.5 All individuals accessing or storing Confidential Information from an alternative work site must enter into a signed agreement that specifies how the Confidential Information will be protected while at that site. Only trusted employees shall be permitted to access Confidential Information from alternative sites. Confidential Information may not be accessed while in public places such as restaurants, lounges, or pools.
- 2.6 Confidential Information may not be sent outside the local area network by unencrypted email. Town is responsible for ensuring in-flight email communications containing Confidential Information are sent through a secure process. This may include encryption of the email message, a secure mailbox controlled by Town, an encrypted point-to-point tunnel between the correspondents or use of Transport Layer Security (TLS) between correspondents. The acceptable encryption algorithms are set forth in the standards attached as Exhibit 1, which may be updated to accommodate changed technology.
- 2.7 Confidential Information may not be discussed in elevators, restrooms, the cafeteria, or other public areas. Terminals should be placed in such a manner that prohibits public viewing of Confidential Information.
- 2.8 When transporting confidential materials the materials should be covered so that others cannot see the Confidential Information. When sending Confidential Information by fax a cover sheet should always be used.
- 2.9 Any person with unsupervised access to Confidential Information shall receive training on the confidentiality laws and requirements to protect such information before being given access to such Information and annually thereafter. They must sign certificates after the training acknowledging that they understand their responsibilities. Town must keep records to document this training and certification.

3. Disclosure of Information

- 3.1 Confidential Information may only be disclosed as permitted by A.R.S. § 42-2003.
- 3.2 Confidential Information is confidential by statute and, therefore, does not have to be disclosed in response to a public records request. A state agency may deny inspection of public records if the records are confidential by statute. *Berry v. State*, 145 Ariz. 12, 13 699 P.2d 387, 388 (App. 1985).
- 3.3 A taxpayer may designate a person to whom Confidential Information may be disclosed by completing a Department of Revenue Form 285, or such other form that contains the information included in the Form 285. Town may contact the Department of Revenue's Disclosure Officer if there are any questions concerning this requirement.

Disposal of Information

- 4.1 All removable media containing Confidential Information must be returned to the Department of Revenue or sanitized before disposal or release from the control of City/Town.
- 4.2 Confidential Information may be destroyed by shredding or burning the materials when no longer needed. Confidential Information may not be disposed of by placing the materials in the garbage or recycle bins. Destruction of Confidential Information may be performed by a third party vendor. Town must take appropriate actions to protect the Confidential Information in transit and storage before it is destroyed, such as periodic inspections of the vendor.
- 4.3 Computer system components and devices such as copiers and scanners that have been used to store or process Confidential Information may not be repurposed for non-tax administration uses unless the memory or hard drive of the device is sanitized to ensure under no circumstances Confidential Information can be restored or recovered.

EXHIBIT 1

ENCRYPTION STANDARDS

1.0 Acceptable Encryption Algorithms – The following encryption algorithms are considered acceptable for use in information systems to protect the transmission or storage of Confidential Information and system access.

1.1.1 Acceptable Security Strength – the security strength of an encryption algorithm is a projection of the time frame during which the algorithm and the key length can be expected to provide adequate security. The security strength of encryption algorithms is measured in bits, a measure of the difficulty of discovering the key.

a. The current minimum key strength for Confidential Information is 112 bits.

1.1.2 Symmetric Encryption Algorithms – The following symmetric encryption algorithms are considered acceptable for use.

Algorithm	Reference	Acceptable Key Strengths
Advanced Encryption Standard (AES)	FIPS 197	128, 192 or 256 bits
Triple Data Encryption Algorithm (TDEA) (three key 3DES)	SP 800-67	168 bits

1.1.3 Key Agreement Schemes – The following key agreement schemes are considered acceptable for use

Key Agreement Scheme	Reference	Acceptable Key Strengths	
		Finite Fields	Elliptical Curves
Diffie-Hellman (DH) or MOV	SP 800-56A	P = 2048	N: 224-255 and H=14 N: 256-383 and H=16
	SP 800-135	Q = 224 or 256	N: 384-511 and H=24 N: 512+ and H=32
RSA – based	SP 800-131A	N = 2048	

1.1.4 Hash Functions – The following hash functions are considered acceptable for use

Digital Signature Generation	Digital Signature Verification	Non-digital signature generation applications
SHA-224	SHA-224	SHA-1
SHA-256	SHA-256	SHA-224
SHA-384	SHA-384	SHA-256

SHA-512	SHA-512	SHA-384 SHA-512
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1.1.5 Digital Signature Algorithms – The following digital signature algorithms are considered acceptable for use.

Digital Signature Algorithm	FIPS Publication	Digital Signature Generation Settings	Digital Signature Verification Settings	Relative Strengths
Digital Signature Standard (DSA)	FIPS 186-4	p ≥ 2048 q = 224	p ≥ 2048 q = 224	≥ 112 bits
RSA Digital Signature	FIPS 186-4	2048	2048	≥ 112 bits
ECDSA	FIPS 186-4	224	224	≥ 112 bits

1.1.6 Message Signature Algorithms – The following digital signature algorithms are considered acceptable for use.

Hash Algorithms	Hash Generation	Hash Verification
HMAC	≥ 112 bits	≥ 112 bits
CMAC	AES, 3DES	AES, 3DES
CCM and GCM/GMAC	AES	AES

APPENDIX B

From the effective date of this Agreement until the new functionalities set forth below are implemented, the Department of Revenue will provide the following reports:

City Payment Journal Detail;
City Payment Journal Summary;
New License Report

Within 30 days after the first month's implementation of the JT2, the Department of Revenue will provide a new License Report and License Update Report containing at least the following fields:

NEW LICENSE REPORT AND LICENSE UPDATE REPORT

Fields displayed:

- Region Code
- Run Date
- Report Start Date
- Report End Date
- Update Date
- ID Type
- ID
- Account ID
- Entity Name
- Ownership Type
- License ID
- OTO/Applied For indicator
- Bankruptcy Indicator
- Filing Frequency
- Issue Date
- Account Start Date
- Business Start Date
- Arizona Start Date
- Doc Loc Nbr
- Accounting Method
- Close Date
- Close Code
- Business Description
- NAICS1
- NAICS2
- NAICS3
- NAICS4
- Mailing Street1
- Mailing Street2
- Mailing Street3
- Mailing City

- Mailing State
- Mailing ZIP
- Mailing Country
- Mailing Phone Number
- Mailing Address Add date
- Mailing Address End Date
- Audit Street1
- Audit Street 2
- Audit Street 3
- Audit City
- Audit State
- Audit Zip
- Audit Country
- Audit Phone Number
- Audit Address Add Date
- Audit Address End Date
- Location Code
- Business Codes
- Location Name (DBA)
- Number of Units
- Location Street 1
- Location Street 2
- Location Street 3
- Location City
- Location State
- Location Zip
- Location Country
- Location Phone Number
- Location Start Date
- Location End Date
- Primary Location Street 1
- Primary Location Street 2
- Primary Location Street 3
- Primary Location City
- Primary Location State
- Primary Location Zip Code
- Primary Location Country
- Primary Location Phone Number
- Primary Location Start Date
- Primary Location End Date
- Owner Name
- Owner Title
- Owner Name 2
- Owner Title 2
- Owner Name 3
- Owner Title 3

Within 30 days of the implementation of the TPT2, the Department of Revenue will provide the following reports with at least the fields indicated below:

CITY PAYMENT JOURNAL

- Run Date
- Report Start Date
- Report End Date
- GL Accounting Period
- Period End Date
- Payment received date
- Return received date
- Payment process date
- Return process date
- Filing Frequency
- License ID
- Entity Name
- Location Code
- Location Name (DBA)
- Location Street 1
- Location Street 2
- Location Street 3
- Location City
- Location State
- Location Zip
- Location Country
- NAICS
- Business Code
- Doc Loc Nbr
- Pmt Loc Nbr
- Gross Receipts
- Total Deductions
- Tax or Fee Collected
- P & I Collected
- Audit Collections
- Tran Type
- Tran Subtype
- Rev Type

CITY PAYMENT JOURNAL SUMMARY

- Region Code
- Run Date
- Report Start Date
- Report End Date
- GL Accounting Period
- Business Code
- Number of Accounts

- Collections

Within 30 days after the first month's implementation of the TPT2, the following reports with at least the fields indicated below:

NO MONEY REPORT

- Region Code
- GL Accounting Period
- Period End Date
- Payment received date
- Return received date
- Payment process date
- Return process date
- Filing Frequency
- License ID
- Entity Name
- Location Code
- Location Name (DBA)
- Location Street 1
- Location Street 2
- Location Street 3
- Location City
- Location State
- Location Zip
- Location Country
- NAICS
- Business Code
- Doc Loc Nbr
- Pmt Loc Nbr
- Gross Receipts
- Total Deductions
- Tax or Fee Collected
- P & I Collected
- Audit Collections
- Tran Type
- Tran Subtype

DEDUCTION REPORT

- Region Code
- Run Date
- Report Start Date
- Report End Date
- GL Accounting Period
- Period End Date
- License ID
- Entity Name

- Location Code
- Location Name (DBA)
- Business Code
- Doc Loc Nbr
- Deduction Code
- Deduction Amount
- Tran Type
- Tran Subtype
- Rev Type

Within 30 days after taxes (subject to fund distributions) are collected, the Department of Revenue will provide the following report with at least the fields indicated below:

FUND DISTRIBUTION REPORT

- Region Code
- Run Date
- Report Start Date
- Report End Date
- GL Accounting Period
- Period End Date
- Payment Received Date
- Return Received Date
- Payment Processed Date
- Return Processed Date
- License ID
- Entity Name
- Location Code
- Location Name (DBA)
- Business Code
- Doc Loc Nbr
- Fund Allocation Code
- Amount Distributed

FUND DISTRIBUTION SUMMARY REPORT

- Region Code
- Run Date
- Report Start Date
- Report End Date
- GL Accounting Period
- Fund Allocation Code
- Amount Distributed

ARIZONA JOINT TAX APPLICATION (JT-2)



License & Registration
ARIZONA DEPARTMENT OF REVENUE
 PO BOX 29032
 Phoenix, AZ 85038-9032

IMPORTANT! Incomplete applications WILL NOT BE PROCESSED.

- Please read form instructions while completing the application. Additional information and forms available at www.azdor.gov
- Required information is designated with an asterisk (*).
- Return completed application AND applicable license fee(s) to address shown at left.
- For licensing questions regarding transaction privilege tax, call Taxpayer Information & Assistance: (602) 542-4576

**You can file and pay for
 this application online
 at www.AZTaxes.gov.**
It is fast and secure.

SECTION A: Business Information

1* Federal Employer Identification No. or Social Security No. <small>if sole proprietor without employees</small>		2* License Type – Check all that apply: <table style="width: 100%; border: none;"> <tr> <td><input type="checkbox"/> Transaction Privilege Tax (TPT)</td> <td><input type="checkbox"/> Use Tax</td> </tr> <tr> <td><input type="checkbox"/> Withholding/Unemployment Tax (if hiring employees)</td> <td><input type="checkbox"/> TPT for Cities ONLY</td> </tr> </table>		<input type="checkbox"/> Transaction Privilege Tax (TPT)	<input type="checkbox"/> Use Tax	<input type="checkbox"/> Withholding/Unemployment Tax (if hiring employees)	<input type="checkbox"/> TPT for Cities ONLY												
<input type="checkbox"/> Transaction Privilege Tax (TPT)	<input type="checkbox"/> Use Tax																		
<input type="checkbox"/> Withholding/Unemployment Tax (if hiring employees)	<input type="checkbox"/> TPT for Cities ONLY																		
3* Type of Organization/Ownership – Tax exempt organizations must attach a copy of the Internal Revenue Service's letter of determination. <table style="width: 100%; border: none;"> <tr> <td><input type="checkbox"/> Individual/Sole Proprietorship</td> <td><input type="checkbox"/> Subchapter S Corporation</td> <td><input type="checkbox"/> Government</td> <td><input type="checkbox"/> Joint Venture</td> </tr> <tr> <td><input type="checkbox"/> Corporation</td> <td><input type="checkbox"/> Association</td> <td><input type="checkbox"/> Estate</td> <td><input type="checkbox"/> Receivership</td> </tr> <tr> <td>State of Inc. _____</td> <td><input type="checkbox"/> Partnership</td> <td><input type="checkbox"/> Trust</td> <td></td> </tr> <tr> <td>Date of Inc. _____</td> <td><input type="checkbox"/> Limited Liability Company</td> <td><input type="checkbox"/> Limited Liability Partnership</td> <td></td> </tr> </table>				<input type="checkbox"/> Individual/Sole Proprietorship	<input type="checkbox"/> Subchapter S Corporation	<input type="checkbox"/> Government	<input type="checkbox"/> Joint Venture	<input type="checkbox"/> Corporation	<input type="checkbox"/> Association	<input type="checkbox"/> Estate	<input type="checkbox"/> Receivership	State of Inc. _____	<input type="checkbox"/> Partnership	<input type="checkbox"/> Trust		Date of Inc. _____	<input type="checkbox"/> Limited Liability Company	<input type="checkbox"/> Limited Liability Partnership	
<input type="checkbox"/> Individual/Sole Proprietorship	<input type="checkbox"/> Subchapter S Corporation	<input type="checkbox"/> Government	<input type="checkbox"/> Joint Venture																
<input type="checkbox"/> Corporation	<input type="checkbox"/> Association	<input type="checkbox"/> Estate	<input type="checkbox"/> Receivership																
State of Inc. _____	<input type="checkbox"/> Partnership	<input type="checkbox"/> Trust																	
Date of Inc. _____	<input type="checkbox"/> Limited Liability Company	<input type="checkbox"/> Limited Liability Partnership																	
4* Legal Business Name 																			
5* Mailing Address – number and street 		City	State	ZIP Code															
County/Region		Country																	
6* Business Phone No. (with area code)	7 Email Address	8 Fax Number (with area code)																	
9* Description of Business: Describe merchandise sold or taxable activity. 																			
10* NAICS Codes: Available at www.azdor.gov																			
11* Did you acquire or change the legal form of an existing business? <input type="checkbox"/> No <input type="checkbox"/> Yes → You must complete Section F.		12* Are you a construction contractor? <input type="checkbox"/> No <input type="checkbox"/> Yes (see bonding requirements)																	
BONDING REQUIREMENTS: Prior to the issuance of a Transaction Privilege Tax license, new or out-of-state contractors are required to post a Taxpayer Bond for Contractors unless the contractor qualifies for an exemption from the bonding requirement. The primary type of contracting being performed determines the amount of bond to be posted. Bonds may also be required from applicants who are delinquent in paying Arizona taxes or have a history of delinquencies. Refer to the publication, Taxpayer Bonds, available online at www.azdor.gov or in Arizona Department of Revenue offices.																			
WITHHOLDING LICENSE ONLY																			
13* Withholding Physical Location Number and street (Do not use PO Box, PMB or route numbers)		City	State	ZIP Code															
County/Region		Country																	

Continued on page 2 →

FOR AGENCY USE ONLY		
	ACCOUNT NUMBER	DLN
<input type="checkbox"/> New	START	TRANSACTION PRIVILEGE TAX
<input type="checkbox"/> Change	S/E DATE	WITHHOLDING / SSN / EIN
<input type="checkbox"/> Revise	COMPLETED DATE	EMPLOYEE'S NAME
<input type="checkbox"/> Reopen	LIABILITY	LIABILITY ESTABLISHED

CASHIER'S STAMP ONLY. DO NOT MARK IN THIS AREA.

Name (as shown on page 1)	FEIN or SSN (as shown on page 1)
---------------------------	----------------------------------

SECTION B: Identification of Owners, Partners, Corporate Officers Members/Managing Members or Officials of this Employing Unit

If you need more space, attach Additional Owner, Partner, Corporate Officer(s) form available at www.azdor.gov. If the owner, partners, corporate officers or combination of partners or corporate officers, members and/or managing members own more than 50% of or control another business in Arizona, attach a list of the businesses, percentages owned and unemployment insurance account numbers or provide a Power of Attorney (Form 285) which must be filled out and signed by an authorized corporate officer.

Owner 1	*Social Security No.	*Title	*Last Name	First Name	Middle Intl.
	*Street Address		*City	*State	* % Owned
	*ZIP Code	*County	*Phone Number (with area code)		*Country

Owner 2	*Social Security No.	*Title	*Last Name	First Name	Middle Intl.
	*Street Address		*City	*State	* % Owned
	*ZIP Code	*County	*Phone Number (with area code)		*Country

Owner 3	*Social Security No.	*Title	*Last Name	First Name	Middle Intl.
	*Street Address		*City	*State	* % Owned
	*ZIP Code	*County	*Phone Number (with area code)		*Country

SECTION C: Transaction Privilege Tax (TPT)

1* Date Business Started in Arizona	2* Date Sales Began	3 What is your anticipated annual income for your first twelve months of business?	
4 Filing Frequency <input type="checkbox"/> Monthly <input type="checkbox"/> Quarterly <input type="checkbox"/> Seasonal <input type="checkbox"/> Annual If seasonal filer, check the months for which you intend to do business: <input type="checkbox"/> JAN <input type="checkbox"/> FEB <input type="checkbox"/> MAR <input type="checkbox"/> APR <input type="checkbox"/> MAY <input type="checkbox"/> JUN <input type="checkbox"/> JUL <input type="checkbox"/> AUG <input type="checkbox"/> SEP <input type="checkbox"/> OCT <input type="checkbox"/> NOV <input type="checkbox"/> DEC			
5 Does your business sell tobacco products? <input type="checkbox"/> Yes → <input type="checkbox"/> Retailer OR <input type="checkbox"/> Distributor		6 TPT Filing Method <input type="checkbox"/> Cash Receipts <input type="checkbox"/> Accrual	7 Does your business sell new motor vehicle tires or vehicles? <input type="checkbox"/> Yes → You will have to file Motor Vehicle Tire Fee form available at www.azdor.gov
8* Tax Records Physical Location – number and street <i>(Do not use PO Box, PMB or route numbers)</i>		City	State ZIP Code
County		Country	
9* Name of Contact		* Phone Number (with area code)	Extension

SECTION D: Transaction Privilege Tax (TPT) Physical Location

1* Business Name, "Doing Business As" or Trade Name at this Physical Location				
2* Physical Location of Business or Commercial/Residential Rental Number and street <i>(Do not use PO Box, PMB or route numbers)</i>		City	State	ZIP Code
County/Region		Country		
Residential Rental Only – Number of Units		Reporting City <i>(if different than the physical location city)</i>		
3* Additional County/Region Indian Reservation: County/Region and Indian Reservation Codes available at www.azdor.gov				
County/Region		City		
Business Codes (Include all codes that apply): See instructions. Complete list available at www.azdor.gov				
State/County		City		

If you need more space, attach Additional Business Locations form available at www.azdor.gov

Name (as shown on page 1)	FEIN or SSN (as shown on page 1)
---------------------------	----------------------------------

SECTION E: Withholding & Unemployment Tax Applicants

1* Regarding <i>THIS</i> application, Date Employees First Hired in Arizona _____	2 Are you liable for Federal Unemployment Tax? <input type="checkbox"/> Yes → First year of liability: _____								
3 Are individuals performing services that are excluded from withholding or unemployment tax? <input type="checkbox"/> Yes → Describe services: _____	4 Do you have an IRS ruling that grants an exclusion from Federal Unemployment Tax? <input type="checkbox"/> Yes → Attach a copy of the Ruling Letter.								
5 Do you have, or have you previously had, an Arizona unemployment tax number? <input type="checkbox"/> No <input type="checkbox"/> Yes → Business Name: _____ Unemployment Tax Number: _____									
6 First calendar quarter Arizona employees were/will be hired and paid (indicate quarter as 1, 2, 3, 4):	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:15%;">Hired Year</th> <th style="width:15%;">Hired Quarter</th> <th style="width:15%;">Paid Year</th> <th style="width:15%;">Paid Quarter</th> </tr> <tr> <td>_____</td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> </table>	Hired Year	Hired Quarter	Paid Year	Paid Quarter	_____	_____	_____	_____
Hired Year	Hired Quarter	Paid Year	Paid Quarter						
_____	_____	_____	_____						
7 When did/will you first pay a total of \$1,500 or more gross wages in a calendar quarter? (indicate quarter as 1, 2, 3, 4) <small>Exceptions: \$20,000 gross cash wages Agricultural: \$1,000 gross cash wages Domestic/Household: not applicable to 501(c)(3) Non-Profit.</small>	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:15%;">Year</th> <th style="width:15%;">Quarter</th> </tr> <tr> <td>_____</td> <td>_____</td> </tr> </table>	Year	Quarter	_____	_____				
Year	Quarter								
_____	_____								
8 When did/will you first reach the 20 th week of employing 1 or more individuals for some portion of a day in each of 20 different weeks in the same calendar year? (indicate quarter as 1, 2, 3, 4) <small>Exceptions: 10 or more individuals Agricultural; 4 or more individuals 501(c)(3) Non-Profit; not applicable to Domestic/Household.</small>	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:15%;">Year</th> <th style="width:15%;">Quarter</th> </tr> <tr> <td>_____</td> <td>_____</td> </tr> </table>	Year	Quarter	_____	_____				
Year	Quarter								
_____	_____								

SECTION F: Acquired Business Information

If you answered "Yes" to Section A, question 11, you must complete Section F.

1* Did you acquire or change all or part of an existing business? <input type="checkbox"/> All <input type="checkbox"/> Part	2* Date of Acquisition _____	3* EIN of Business Under Previous Owner _____
4* Previous Owner's Telephone Number _____	5* Name of Business Under Previous Owner _____	6* Name of Previous Owner _____
7* Did you change the legal form of all or part of the Arizona operations of your existing business? (e.g., change from sole proprietor to corporation or etc.) <input type="checkbox"/> All <input type="checkbox"/> Part	8* Date of Change _____	9* EIN of Previous Legal Form _____

SECTION G: AZTaxes.gov Security Administrator (authorized users)

By electing to register for www.AZTaxes.gov, you can have online access to account information, file and pay Arizona transaction privilege, use, and withholding taxes. You may also designate authorized users to access these services. Please provide the name of the authorized user for AZTaxes.gov.

Name of Authorized User _____
Title _____
Email Address _____
Phone Number (with area code) _____

SECTION H: Required Signatures

This application must be signed by either a sole owner, at least two partners, managing member or corporate officer legally responsible for the business, trustee or receiver or representative of an estate that has been listed in Section B.

Under penalty of perjury I (we), the applicant, declare that the information provided on this application is true and correct. I (we) hereby authorize the security administrator, if one is listed in Section G, to access the AZTaxes.gov site for the business identified in Section A. This authority is to remain in full force and effect until the Arizona Department of Revenue has received written termination notification from an authorized officer.

1 Print or Type Name _____	2 Print or Type Name _____
Title _____	Title _____
Date _____	Date _____
Signature _____	Signature _____

This application must be completed, signed, and returned as provided by A.R.S. § 23-722.

Equal Opportunity Employer/Program
This application available in alternative formats at Unemployment Insurance Tax Office.

PLEASE COMPLETE SECTION I: STATE/COUNTY & CITY LICENSE FEE WORKSHEET TO CALCULATE AND REMIT TOTAL AMOUNT DUE WITH THIS APPLICATION.

Name (as shown on page 1)	FEIN or SSN (as shown on page 1)
---------------------------	----------------------------------

SECTION I: State/County & City License Fee Worksheet

ALL FEES ARE SUBJECT TO CHANGE. Check for updates at azdor.gov.

To calculate CITY FEE: Multiply No. of Locations by the License Fee and enter sum in License Subtotal.

City/Town	Code	No. of Loc's	License Fee	License Subtotal	City/Town	Code	No. of Loc's	License Fee	License Subtotal	City/Town	Code	No. of Loc's	License Fee	License Subtotal
Apache Junction	AJ		\$50.00		Goodyear	GY		\$5.00		Sahuarita	SA		\$5.00	
Avondale	AV		\$40.00		Guadalupe	GU		\$2.00		San Luis	SU		\$2.00	
Benson	BS		\$5.00		Hayden	HY		\$5.00		Scottsdale	SC		\$50.00	
Bisbee	BB		\$1.00		Holbrook	HB		\$1.00		Sedona	SE		\$2.00	
Buckeye	BE		\$2.00		Huachuca City	HC		\$2.00		Show Low	SL		\$2.00	
Bullhead City	BH		\$2.00		Jerome	JO		\$2.00		Sierra Vista	SR		\$1.00	
Camp Verde	CE		\$2.00		Kearny	KN		\$2.00		Snowflake	SN		\$2.00	
Carefree	CA		\$10.00		Kingman	KM		\$2.00		Somerton	SO		\$2.00	
Casa Grande	CG		\$2.00		Lake Havasu	LH		\$5.00		South Tucson	ST		\$2.00	
Cave Creek	CK		\$20.00		Litchfield Park	LP		\$2.00		Springerville	SV		\$5.00	
Chandler	CH		\$50.00		Mammoth	MH		\$2.00		St. Johns	SJ		\$2.00	
Chino Valley	CV		\$2.00		Marana	MA		\$5.00		Star Valley	SY		\$2.00	
Clarkdale	CD		\$2.00		Maricopa	MP		\$2.00		Superior	SI		\$2.00	
Clifton	CF		\$2.00		Mesa	ME		\$30.00		Surprise	SP		\$10.00	
Colorado City	CC		\$2.00		Miami	MM		\$2.00		Taylor	TL		\$2.00	
Coolidge	CL		\$2.00		Nogales	NO		\$25.00		Tempe	TE		\$50.00	
Cottonwood	CW		\$2.00		Oro Valley	OR		\$12.00		Thatcher	TC		\$2.00	
Dewey/Humboldt	DH		\$2.00		Page	PG		\$2.00		Tolleson	TN		\$2.00	
Douglas	DL		\$5.00		Paradise Valley	PV		\$2.00		Tombstone	TS		\$1.00	
Duncan	DC		\$2.00		Parker	PK		\$2.00		Tucson	TU		\$45.00	
Eagar	EG		\$10.00		Patagonia	PA		\$25.00		Tusayan	TY		\$2.00	
El Mirage	EM		\$15.00		Payson	PS		\$2.00		Wellton	WT		\$2.00	
Eloy	EL		\$10.00		Peoria	PE		\$50.00		Wickenburg	WB		\$2.00	
Flagstaff	FS		\$46.00		Phoenix	PX		\$50.00		Willcox	WC		\$25.00	
Florence	FL		\$2.00		Pima	PM		\$2.00		Williams	WL		\$2.00	
Fountain Hills	FH		\$2.00		Pinetop/Lakeside	PP		\$2.00		Winkelman	WM		\$2.00	
Fredonia	FD		\$10.00		Prescott	PR		\$25.00		Winslow	WS		\$10.00	
Gila Bend	GI		\$2.00		Prescott Valley	PL		\$2.00		Youngtown	YT		\$10.00	
Gilbert	GB		\$2.00		Quartzsite	QZ		\$2.00		Yuma	YM		\$2.00	
Glendale	GE		50.00		Queen Creek	QC		\$2.00						
Globe	GL		\$2.00		Safford	SF		\$2.00						

Subtotal City License Fees (column 1) \$	Subtotal City License Fees (column 2) \$	Subtotal City License Fees (column 3) \$
--	--	--

AA TOTAL City License Fee(s) (column 1 + 2 + 3)..... \$

	No. of Loc's	Fee per Location	TOTAL
BB TOTAL State License Fee(s): Calculate by multiplying number of business locations by \$12.00		\$12.00	\$
Residential Rental License Fees - Multiply the number of units per locations by \$2.00 (\$50.00 Annual Cap per license).	No. of Units	No. of Loc's	City Fee
ONLY CHANDLER, PHOENIX, and SCOTTSDALE need to use this section, and NOT the fee chart above, to calculate license fee(s). The amount for each city CANNOT EXCEED \$50.00	Residential Rental License-Chandler		\$
	Residential Rental License-Phoenix		\$
	Residential Rental License-Scottsdale		\$

CC TOTAL City Residential Rental License Fees (Add Chandler, Phoenix, & Scottsdale)..... \$

DD TOTAL DUE (Add lines AA + BB + CC)..... \$

- Make check payable to Arizona Department of Revenue.
- Include FEIN or SSN on payment.
- Do not send cash.
- License will not be issued without full payment of fee.

TRANSACTION PRIVILEGE, USE, AND SEVERANCE TAX RETURN - (TPT-2)

LICENSE NUMBER: _____

PAGE 2 OF _____

STATE (AZ) /COUNTY TRANSACTION DETAIL (See Table 1 on the Tax Rate Table, www.azdor.gov)

(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)	(M)
REG. CODE	NAME OF REGION	BUS. CODE	DESC. OF BUS. ACTIVITY	GROSS RECEIPTS	DEDUCTIONS FROM SCHEDULE A	(F) - (G) = (H) NET TAXABLE	AZ / COUNTY TAX RATE	(H) X (I) = (J) TOTAL TAX	ACCTNG CREDIT RATE	(H) X (K) = (L) ACCOUNTING CREDIT	(J) - (L) = (M) AZ/COUNTY TAX DUE	
1												
2												
3												
4												
5												
6												
7												
8												
9												
10												
11												
12												
13												
14												
15												
16												
17												
18												
19												
20												
21												
22												
23												
24												
25												
GG SUBTOTAL												
HH TOTALS FROM ADDITIONAL AZ/COUNTY PAGE(S)												
II TOTAL (LINE GG + LINE HH = LINE II)												
JJ EXCESS TAX COLLECTED												
KK EXCESS TAX ACCOUNTING CREDIT: (SEE INSTRUCTIONS)												
LL NET AZ/COUNTY EXCESS TAX COLLECTED (LINE JJ, COLUMN (M) - LINE KK, COLUMN (M))												
MM NET AZ/COUNTY TAX (LINE II, COLUMN (M) + LINE LL, COLUMN (M))												

CITY TRANSACTION DETAIL (See Table 2 on the Tax Rate Table, www.azdor.gov)

(A) LOC. CODE	(B) CITY CODE	(C) NAME OF CITY	(D) BUS. CODE	(E) DESC. OF BUS. ACTIVITY	(F) GROSS RECEIPTS	(G) DEDUCTIONS FROM SCHEDULE A	(H) (F) - (G) = (H) NET TAXABLE	(I) CITY TAX RATE	(J) (H) X (I) = (J) TOTAL TAX	(K)	(L) CITY CREDIT	(M) (J) - (L) = (M) CITY TAX DUE
1												
2												
3												
4												
5												
6												
7												
8												
9												
10												
11												
12												
13												
14												
15												
16												
17												
18												
19												
20												
21												
22												
23												
24												
25												
NN CITY SUBTOTAL												
OO CITY SUBTOTALS FROM ADDITIONAL CITY PAGE(S)												
PP CITY TOTAL (LINE NN + LINE OO = LINE PP)												
QQ CITY EXCESS TAX COLLECTED												
RR NET CITY TAX (LINE PP, COLUMN (M) + LINE QQ, COLUMN (M))												

TRANSACTION PRIVILEGE, USE, AND SEVERANCE TAX RETURN - (TPT-2)
ADDITIONAL TRANSACTIONS

LICENSE NUMBER: _____ PAGE 2A OF _____

STATE (AZ) /COUNTY TRANSACTION DETAIL (See Table 1 on the Tax Rate Table, www.azdor.gov)

(A)	(B) REG. CODE	(C) NAME OF REGION	(D) BUS. CODE	(E) DESC. OF BUS. ACTIVITY	(F) GROSS RECEIPTS	(G) DEDUCTIONS FROM SCHEDULE A	(H) (F) - (G) = (H) NET TAXABLE	(I) AZ / COUNTY TAX RATE	(J) (H) X (I) = (J) TOTAL TAX	(K) ACCTNG CREDIT RATE	(L) (H) X (K) = (L) ACCOUNTING CREDIT	(M) (J) - (L) = (M) AZ/COUNTY TAX DUE
1												
2												
3												
4												
5												
6												
7												
8												
9												
10												
11												
12												
13												
14												
15												
16												
17												
18												
19												
20												
21												
22												
23												
24												
25												
AZ/COUNTY SUBTOTAL					\$	\$					\$	\$

ADD SUBTOTALS OF AZ/COUNTY ADDITIONAL TRANSACTIONS TO THE 2ND PAGE QF RETURN

TRANSACTION PRIVILEGE, USE, AND SEVERANCE TAX RETURN - (TPT-2)
ADDITIONAL TRANSACTIONS

LICENSE NUMBER: _____

PAGE 3A OF _____

CITY TRANSACTION DETAIL (See Table 2 on the Tax Rate Table, www.azdor.gov)

(A) LOC. CODE	(B) CITY CODE	(C) NAME OF CITY	(D) BUS. CODE	(E) DESC. OF BUS. ACTIVITY	(F) GROSS RECEIPTS	(G) DEDUCTIONS FROM SCHEDULE A	(H) (F) - (G) = (H) NET TAXABLE	(I) CITY TAX RATE	(J) (H) X (I) = (J) TOTAL TAX	(K)	(L) CITY CREDIT	(M) (J) - (L) = (M) CITY TAX DUE
1												
2												
3												
4												
5												
6												
7												
8												
9												
10												
11												
12												
13												
14												
15												
16												
17												
18												
19												
20												
21												
22												
23												
24												
25												
CITY SUBTOTAL					\$	\$					\$	\$

ADD SUBTOTALS OF CITY ADDITIONAL TRANSACTIONS TO THE 3RD PAGE OF RETURN

TPT-2 – SCHEDULE A DEDUCTIONS – STATE/COUNTY TRANSACTION PRIVILEGE, USE, AND SEVERANCE TAX

LICENSE NUMBER: _____

Page _____ of _____

STATE (AZ) /COUNTY DEDUCTIONS DETAIL

(A)	(B) REGION CODE	(C) BUSINESS CODE	(D) DEDUCTION CODE	(E) DEDUCTION AMOUNT	(F) DESCRIPTION OF DEDUCTION CODE
1				\$	
2				\$	
3				\$	
4				\$	
5				\$	
6				\$	
7				\$	
8				\$	
9				\$	
10				\$	
11				\$	
12				\$	
13				\$	
14				\$	
15				\$	
16				\$	
17				\$	
18				\$	
19				\$	
20				\$	
21				\$	
22				\$	
23				\$	
24				\$	
25				\$	
26				\$	
27				\$	
28				\$	
29				\$	
30				\$	
31				\$	
32				\$	
33				\$	
34				\$	
35				\$	
AA	SUBTOTAL OF DEDUCTIONS.....			\$	
BB	DEDUCTION TOTALS FROM ADDITIONAL AZ/COUNTY PAGE(S) ...			\$	
CC	TOTAL DEDUCTIONS (LINE AA + LINE BB = LINE CC).....			\$	
TOTAL MUST EQUAL TOTAL ON PAGE 2, LINE II, COLUMN G					

**TPT-2 – SCHEDULE A DEDUCTIONS – CITY
TRANSACTION PRIVILEGE, USE, AND SEVERANCE TAX**

LICENSE NUMBER: _____

Page _____ of _____

CITY DEDUCTIONS DETAIL

	(A) LOCATION CODE	(B) CITY CODE	(C) BUSINESS CODE	(D) DEDUCTION CODE	(E) DEDUCTION AMOUNT	(F) DESCRIPTION OF DEDUCTION CODE
1					\$	
2					\$	
3					\$	
4					\$	
5					\$	
6					\$	
7					\$	
8					\$	
9					\$	
10					\$	
11					\$	
12					\$	
13					\$	
14					\$	
15					\$	
16					\$	
17					\$	
18					\$	
19					\$	
20					\$	
21					\$	
22					\$	
23					\$	
24					\$	
25					\$	
26					\$	
27					\$	
28					\$	
29					\$	
30					\$	
31					\$	
32					\$	
33					\$	
34					\$	
35					\$	
AA	SUBTOTAL OF DEDUCTIONS.....				\$	
BB	DEDUCTION TOTALS FROM ADDITIONAL CITY PAGE(S).....				\$	
CC	TOTAL DEDUCTIONS (LINE AA + LINE BB = LINE CC).....				\$	

TOTAL MUST EQUAL TOTAL ON PAGE 3, LINE PP, COLUMN G

**MODIFICATION TO INTERGOVERNMENTAL AGREEMENT
BETWEEN
THE STATE OF ARIZONA AND THE TOWN OF FLORENCE**

WHEREAS, The Arizona Department of Revenue, hereinafter referred to as Department of Revenue and the Town of Florence, an Arizona municipal corporation, hereinafter referred to as The Town of Florence, have entered into an Intergovernmental Agreement regarding the administration of taxes imposed by the State or The Town of Florence dated the 15th day of June, 2015, hereinafter referred to as the IGA, and

WHEREAS, the Department of Revenue and the Town of Florence intend to continue with the IGA for an additional one year term in order to determine whether the general terms of the IGA meet the parties' needs, with the exception of the modifications set forth below.

The parties agree to modify the IGA as follows effective July 1, 2016:

1. Add the following new subsection to Section 9, Collection of Municipal Taxes:

9.6 Adjustments to Reported Taxes: If the Department of Revenue determines that a payment remitted by a taxpayer incorrectly identifies the city or town to which the payment should be made, the Department of Revenue may temporarily hold the payment until the distribution of the payment is corrected so that the appropriate city or town receives the payment.

2. Add the following new subsection to Section 9, Collection of Municipal Taxes:

9.7 Taxpayer Rulings and Uniformity: Recognizing taxpayer written requests for interpretation of the statutes and/or the Model City Tax Code, as well as guidance regarding uniform application and interpretation of the statutes and the Model City Tax Code impact all taxing jurisdictions, and further recognizing responsibility for such rulings and interpretation of the Model City Tax Code had previously been the sole domain of the municipalities, the Department shall include at least two representatives of the municipalities as regular members of any group established to respond to such taxpayer ruling requests and to issue such uniform interpretations and guidance promulgated by the Department. Participation by the two representatives of the municipalities on any such group is limited to instances when there is an issue raised that solely involves the Model City Tax Code and/or presents an issue of first impression, including requests for private taxpayer rulings. The municipal representatives may also be consulted by the Department on information letters, or when issuing statements of general guidance. Written requests involving common questions or issues that have previously been addressed, whether unique to the Model City Tax Code or not, may be handled in the regular course of Department processes without consulting the representatives of the municipalities.

3. Amend Section 10, Financing Collection of Taxes as follows:

10. Financing Collection of Taxes.

The costs incurred by the Department in administering this Agreement shall be financed through the State general fund appropriation to the Department. This provision does not relieve The Town of Florence of any financial obligation imposed by statute.

4. Amend subsection 28.1 of Section 28, Duration, relating to automatic renewal of the agreement as follows:

28.1 The term of this Agreement shall be from July 1 through June 30 of each year. This Agreement shall automatically be renewed for successive one year terms thereafter unless either party shall terminate this Agreement by notice, in writing, no later than sixty calendar days prior to the expiration of the term then in effect. Any agreed upon modifications to the terms and conditions of this agreement shall be incorporated to be effective during the term identified by the review committee provided for in section 28.5.

5. Amend subsection 28.5 of Section 28, Duration, relating to annual review of the agreement as follows:

28.5 During the term of this Agreement, the terms and conditions of this Agreement will undergo an annual review to be initiated no later than June 1st of each year. The review will be performed by a committee made up of equal parts representatives of the Department and representatives of the municipal taxing jurisdictions entering into an IGA with the Department for the administration and collection of Municipal Taxes.

Signature Authority.

By signing below, the signer certifies that he or she has the authority to enter into this Agreement and has read the foregoing and agrees to accept the provisions herein. This modification may be executed in counterparts.

Signature	Date	Signature	Date
Brent Billingsley, Town Manager		Gabriel Garcia, Finance Director	
Town of Florence		Town of Florence	

RESERVED FOR THE ATTORNEY GENERAL:	RESERVED FOR TOWN OF FLORENCE ATTORNEY:
<p>Attorney General no. _____, which is an agreement between public agencies, has been reviewed pursuant to A.R.S. § 11-952 by the undersigned Assistant Attorney General who has determined that it is in proper form and is within the powers and authority granted under the laws of the State of Arizona to the Arizona Department of Revenue represented by the Attorney General.</p> <p style="text-align: center;">MARK BRNOVICH The Attorney General</p> <hr/> <p style="text-align: center;">Signature Assistant Attorney General</p> <p>Date: _____</p>	<p>APPROVED AS TO FORM AND AUTHORITY:</p> <p>BY: _____ TOWN OF FLORENCE ATTORNEY</p> <p>Date: _____</p>

SUMMARY OF CHANGES TO THE IGA FOR TRANSACTION PRIVILEGE TAX COLLECTION BY THE ARIZONA DEPARTMENT OF REVENUE

The attached “Modification to Intergovernmental Agreement Between the State of Arizona And the Town of Florence” incorporates five agreed upon changes into the existing intergovernmental agreement between the Town of Florence and the Department related to the collection of the Town of Florence transaction privilege tax. Below is a summary of the intent and impact of each change by section.

1) 9.6 Adjustments to Reported Taxes

The addition of this new section addresses an issue that came up during the past year. In some cases, the Department knew there was an error by the taxpayer in identifying which city or town was supposed to receive the tax, but there was no mechanism allowing them to hold the distribution while the error was being corrected. As a result there were instances when the DOR had to send funds to a city or town knowing it was incorrect, only to pull those funds back in a subsequent distribution after the error had been resolved. This change allows the Department to avoid these incorrect distributions and recoveries when they are aware of a problem from the outset.

2) 9.7 Taxpayer Rulings and Uniformity

The addition of this new section provides for municipal input in the drafting of rulings and interpretations that impact the Model City Tax Code, including interpretations of State statute that flow through to the MCTC because the Model language matches the State language. Under current statute, the DOR is responsible for addressing all taxpayer written requests for rulings, even when the question is based on the Model City Tax Code. This section allows the cities to have some influence over issues raised by taxpayers that have a direct impact on local tax imposition and interpretation, without disrupting the normal course of business within the Department on routine matters.

3) 10. Financing Collection of Taxes

This section is being amended by adding the second sentence. This addition recognizes that the cities and towns have agreed to a statutory financial obligation to contribute to the State for the operation of the DOR, and this obligation is not in conflict with the Department’s TPT collection and administration efforts being financed through the State general fund appropriation.

4) 28.1 (relating to automatic annual renewal of the agreement)

This section has been changed to remove the specific years in the original document, so this section will not need to be changed annually. Also, this section added a provision stating any agreed upon changes that arise from the annual review in Section 28.5 are retroactive to July 1st of each year. The agreement automatically renews without any action unless there are modifications agreed upon in any given year, and if so, you only need to adopt the modifications.

5) 28.5 (relating to annual review of the IGA)

This section has been changed to state the review period begins on June 1st, rather than requiring the review being completed by March 1st. The March 1st deadline was simply unrealistic given the legislative session responsibilities of many of the typical reviewers.