

ACTION MINUTES

MINUTES OF THE TOWN OF FLORENCE COUNCIL MEETING HELD ON MONDAY, FEBRUARY 6, 2017, AT 6:00 P.M., IN THE FLORENCE TOWN COUNCIL CHAMBERS, LOCATED AT 775 N. MAIN STREET, FLORENCE, ARIZONA.

1. CALL TO ORDER:

Mayor Walter called the meeting to order at 6:01p.m.

2. ROLL CALL:

Present: Walter, Woolridge, Guilin, Wall, Larsen

Absent: Hawkins, Anderson

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. PRESENTATIONS

- a. Pinal County Transportation Planning Update Presentation. (Andy Smith, Pinal County)
- b. Presentation on the 2017 Legislative Update. (Jess Knudson)
- c. Presentation to provide an update on the 2012 Police Operations and Data Analysis Report. (Dan Hughes)

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 acceptance of the public improvements for the Anthem at Merrill Ranch Subdivision Unit 50 prior to the start of the warranty period beginning February 6, 2017. (Chris Salas)
- b. Approval of the acceptance of the public improvements of Anthem at Merrill Ranch Constitution Way Phase II, prior to the start of the warranty period beginning February 6, 2017. (Chris Salas)
- c. Approval of partial acceptance of the public improvements of Anthem at Merrill Ranch Spirit Loop III Station 10+00 thru 24+00 and Spirit Loop IV Station 10+00 thru 12+09.32, prior to the start of the warranty period beginning February 6, 2017. (Chris Salas)

- d. Favorable recommendation to the Arizona Department of Liquor Licenses and Control on the Elks Lodge of Coolidge/Florence #2350 application for a Special Event Liquor License for their participation in the Anthem at Merrill Ranch Spring Fling event on April 1, 2017. (Lisa Garcia)
- e. Approval of the Pinal County Property Use Agreement for use of the vacant lot, located at 383 N. Main Street, for the Road to Country Thunder event, on April 1, 2017. (Bryan Hughes)
- f. Suspension of the Special Event Vendor Permit rules on April 1, 2017, for the Road to Country Thunder Event. (Bryan Hughes)
- g. Approval of granting Steven Smallidge a 180-day extension, pursuant to the Special Warranty Deed, for completion of the rehabilitation of the Cuen Building. (Lisa Garcia)
- h. Adoption of Resolution No. 1614-17: A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, ACCEPTING THE TRANSFER OF RIGHT-OF-WAY FOR A PORTION OF HUNT HIGHWAY, PURSUANT TO THE CONDITIONS CONTAINED IN PINAL COUNTY CONSENT AGREEMENT FOR TRANSFER OF COUNTY RIGHT-OF-WAY , AND AUTHORIZING THE MAYOR TO EXECUTE THE ATTACHED RIGHT-OF-WAY AGREEMENT. (Chris Salas)
- i. Adoption of Resolution No. 1615-17: A RESOLUTION OF TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING AND AUTHORIZING MAYOR TARA WALTER, TOWN MANAGER BRENT BILLINGSLEY, AND FINANCE DIRECTOR JOE JARVIS TO ACT AS SIGNATORIES FOR THE TRANSACTION OF BUSINESS ON THE TOWN OF FLORENCE BANKING ACCOUNTS, AND DECLARING AN EMERGENCY. (Lisa Garcia)
- j. Re-appointment of Talma Harmon to a two-year term to the Library Advisory Board, with a term to expire December 31, 2018. (Lisa Garcia)
- k. Appointment of Victoria A. Ruiz to fill the remaining one-year term on the Historic District Advisory Commission, with a term to expire December 31, 2017. (Lisa Garcia)
- l. Appointment of Lonnie K. Frost to fill the remaining one-year term on the Planning and Zoning Commission, with a term to expire December 31, 2017. (Lisa Garcia)
- m. Approval of accepting the register of demands ending December 31, 2016, in the amount of \$2,193,556.59.
- n. Notice of Task Orders issued for On-Call Engineering pursuant to Council approved contract. This item is Information Only. (Chris Salas)
 - i. Responses to the Request for Proposals were received on November 2, 2016, for the 1st Street Improvements Project and was awarded to Wilson and Company.
 - ii. Responses to the Request for Proposals were received on December 14, 2016, for the design and permitting of a new recharge facility at the Town of Florence South Plant Wastewater Reclamation Facility (WRF), and for the design and permitting of

a renewed recharge facility at the North WRF and was awarded to Westland Resources.

- iii. Responses to the Request for Proposals were received on December 16, 2016, for the Engineering and Design Services related to Improvements for Well #1 and Associated Equipment and was awarded to Hazen and Sawyer.
- iv. Responses to the Request for Proposals were received on January 5, 2017, for the Engineering and Design Services related to Improvements for Florence Gardens Phase IV and V and was awarded to EPS Group Inc.
- v. Responses to the Request for Proposals were received on January 12, 2017, for the Engineering and Design Services related to North West Florence Gardens Water Storage Tank Structural Assessment and was awarded to Hazen and Sawyer.

On motion of Councilmember Guilin, seconded by Vice-Mayor Woolridge, and carried to approve the Consent Agenda, as written, with the exception of Item 7g.

- g. Approval of granting Steven Smallidge a 180-day extension, pursuant to the Special Warranty Deed, for completion of the rehabilitation of the Cuen Building. (Lisa Garcia)

On motion of Councilmember Guilin, seconded by Vice-Mayor Woolridge, and carried for approval of granting Steven Smallidge a one-time 180-day extension, pursuant to Section 3, Article ii of the Special Warranty Deed with Reverter, to complete the renovation and rehabilitation of the Cuen building and receive a Certificate of Occupancy no later than 11:59 pm, November 11, 2017.

8. NEW BUSINESS

- a. Discussion/Approval/Disapproval of the Terms of Engagement for Legal Services and Engagement Agreement letter dated January 12, 2017 with Gust Rosenfeld, P.L.C., for legal representation of the Town in regulatory matters, including administrative appeals and potential litigation against county, state and federal environmental agencies with respect to the permitting process for the "Florence Copper Project", including but not limited to permits for the proposed "Production Test Facility" and any future commercial operations. (Cliff Mattice)

On motion of Councilmember Wall, seconded by Councilmember Guilin, and carried to approve the Terms of Engagement for Legal Services and Engagement Agreement letter dated January 12, 2017 with Gust Rosenfeld, P.L.C., for legal representation of the Town in regulatory matters.

- b. Resolution No. 1617-17: Discussion/Approval/Disapproval of A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, AUTHORIZING THE MAYOR TO EXECUTE A DEVELOPMENT AGREEMENT RELATING TO REAL PROPERTY FOR CONSTRUCTION OF A SINGLE-STORY MEDICAL OFFICE BUILDING LOCATED AT 174 WEST HIGHWAY 287, FLORENCE, ARIZONA. (Brent Billingsley)

On motion of Councilmember Larsen, seconded by Councilmember Wall, and carried to adopt Resolution No. 1617-17.

- c. Discussion/Approval/Disapproval to approve the purchase of a Kaeser Omega 83P blower from James, Cooke & Hobson, Inc., in an amount not to exceed \$29,088. (Chis Salas)

On motion of Councilmember Wall, seconded by Councilmember Larsen, and carried to approve the purchase of a Kaeser Omega 83P blower from James, Cooke & Hobson, Inc., in an amount not to exceed \$29,088.

9. TOWN MANAGER'S REPORT

10. DEPARTMENT REPORTS

- a. Community Development
- b. Courts
- c. Finance
- d. Fire
- e. Library
- f. Parks and Recreation
- g. Police
- h. Public Works

11. CALL TO THE PUBLIC

12. CALL TO THE COUNCIL – CURRENT EVENTS ONLY

13. ADJOURNMENT TO EXECUTIVE SESSION

An Executive Session will be held during the Council Meeting for the purposes of discussions or consultations with designated representatives of the public body and/or legal counsel pursuant to A.R.S. Sections 38-431.03 (A)(3) and (A)(4) and (A)(7) to consider its position and instruct its representatives and/or attorneys regarding:

- a. Town's position and instruct its attorneys in regard to Arizona Department of Environmental Quality proceedings and related Water Quality Appeals Board Case No. 16-002.
- b. The U.S. Environmental Protection Agency, Region 9 ("EPA"), Class III Underground Injection Control ("UIC") Permit, No. R9UIC-AZ3-FY11-1, issued to Florence Copper, Inc. for an In-Situ Copper Production Test Facility ("PTF"), along with comments and the EPA's response to comments and the Permit proceedings and procedures.
- c. Possible negotiations with government agencies and private entities involving the purchase, sale or lease of the Town's real property, and contracts and/or settlement discussions related to such real property, in the area of the Florence Gardens, Caliente and Casita Hermosa subdivisions.
- d. Possible contract negotiations related to the proposed Johnson Estates development project.

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

14. ADJOURNMENT FROM EXECUTIVE SESSION

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

15.ADJOURNMENT

On motion of Vice-Mayor Woolridge, seconded by Councilmember Larsen, and carried to adjourn the meeting at 8:43 p.m.

Posted this 7th day of February, 2017, on the Town of Florence website at www.florenceaz.gov by Maria Hernandez, Deputy Town Clerk.