

TOWN OF FLORENCE REGULAR MEETING AGENDA

Mayor Tara Walter
Vice-Mayor Vallarie Woolridge
Councilmember Bill Hawkins
Councilmember Becki Guilin
Councilmember John Anderson
Councilmember Karen Wall
Councilmember Kristen Larsen



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

Monday, June 19, 2017

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, June 19, 2017, 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: Walter __, Woolridge __, Hawkins __, Guilin __, Anderson __,
Wall ____, Larsen __.

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. PRESENTATION

a. **Proclamation declaring** July 2017 as Parks and Recreation Month in the Town of Florence, Arizona, and to encourage residents to get outdoors and enjoy their community through parks and recreation. (Bryan 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 a Professional Services Contract with Nu-Trend Architectural Services, LLC, for Building Official, Architectural Support and One-Stop Shop Consulting Services, in an amount not to exceed \$34,320. (Chris Salas)
- b. Approval of a Waterline Easement between Simoncre Beacon V, LLC, also known as Dollar General, and the Town of Florence Medical Office Building, to be used for Town sponsored water system improvements. (Chris Salas)
- c. Approval of a Lease Addendum between the Town of Florence, and Weagant Law Offices, at the Brunenkant Building. (Jennifer Evans)
- d. Approval of the May 1 and May 15, 2017 Town Council Meeting minutes.
- e. Receive and file the following board and commission minutes:
 - i. April 13, 2017 Arts and Culture Commission Meeting minutes.
 - ii. February 16, and April 20, 2017 Planning and Zoning Commission Meeting minutes.

8. NEW BUSINESS

- a. Resolution No. 1627-17: Discussion/Approval/Disapproval of A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, ADOPTING THE TENTATIVE ESTIMATES OF THE AMOUNT REQUIRED FOR THE PUBLIC EXPENSE FOR THE TOWN OF FLORENCE FOR FISCAL YEAR 2017-2018; ADOPTING A TENTATIVE ANNUAL BUDGET; SETTING FORTH THE RECEIPTS, EXPENDITURES AND THE AMOUNT PROPOSED TO BE EXPENDED FOR VARIOUS PURPOSES; GIVING NOTICE OF THE TIME FOR PUBLIC HEARING FOR TAXPAYERS ON THE ADOPTION OF THE FINAL BUDGET; ADOPTING THE BUDGET IN ACCORDANCE WITH THE STATE-IMPOSED EXPENDITURE LIMITATION AND VOTER-APPROVED EXCESS AMOUNT; DECLARING AN EMERGENCY. (Joe Jarvis)
- b. Resolution No. 1628-17: Discussion/Approval/Disapproval of A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, ADOPTING THE TOWN OF FLORENCE RECOMMENDED FY2017-2018 EMPLOYEE COMPENSATION AND CLASSIFICATION PLANS. (Scott Barber)
- c. Resolution No. 1629-17: Discussion/Approval/Disapproval of A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING AND AUTHORIZING THE TOWN OF FLORENCE TO PURSUE THE INVESTIGATION OF AND THE FULL PROSECUTION/LITIGATION OF THE APPLICATION FOR AQUIFER PROTECTION PERMIT OTHER AMENDMENT IN APP PERMIT NO. P-101704, AND THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION AND DECLARING AN EMERGENCY. (Brent Billingsley)

9. TOWN MANAGER'S REPORT

10. CALL TO THE PUBLIC


11. CALL TO THE COUNCIL – CURRENT EVENTS ONLY

12. 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 JUNE 15, 2017, 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: June 19, 2017 DEPARTMENT: Parks and Recreation STAFF PRESENTER: Bryan C. Hughes, Parks and Recreation Director SUBJECT: Parks and Recreation Month Proclamation		<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
STRATEGIC PLAN REFERENCE: <input checked="" type="checkbox"/> Community Vitality <input type="checkbox"/> Economic Prosperity <input type="checkbox"/> Leadership and Governance <input type="checkbox"/> Partnership and Relationships <input type="checkbox"/> Transportation and Infrastructure <input type="checkbox"/> Statutory <input type="checkbox"/> None		

RECOMMENDED MOTION/ACTION:

Proclaim July 2017 as Parks and Recreation Month in the Town of Florence, and encourage residents to get outdoors and enjoy their community through parks and recreation.

BACKGROUND/DISCUSSION:

Since 1985, America has celebrated July as the nation’s official Park and Recreation Month. This July, discover your super powers at your local parks and rec. When we work together to further health and wellness, conservation and social equity efforts, awesome things happen!

The Town of Florence Parks and Recreation Department has numerous programs and activities that take place during the month of July, including the Fourth of July Freedom Fest and related activities, swimming lessons, summer camps, field trips and more.

A VOTE OF NO WOULD MEAN:

Not applicable

A VOTE OF YES WOULD MEAN:

Not applicable

FINANCIAL IMPACT:

None

ATTACHMENTS:

Parks and Recreation Month Proclamation

Proclamation

Park and Recreation Month

WHEREAS, parks and recreation programs are an integral part of communities throughout this country, including the Town of Florence; and

WHEREAS, our parks and recreation are vitally important to establishing and maintaining the quality of life in our communities, ensuring the health of all citizens, and contributing to the economic and environmental well-being of a community and region; and

WHEREAS, parks and recreation programs build healthy, active communities that aid in the prevention of chronic disease, provide therapeutic recreation services for those who are mentally or physically disabled, and also improve the mental and emotional health of all citizens; and

WHEREAS, parks and recreation programs increase a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and

WHEREAS, parks and recreation areas are fundamental to the environmental well-being of our community; and

WHEREAS, parks and natural recreation areas improve water quality, protect groundwater, prevent flooding, improve the quality of the air we breathe, provide vegetative buffers to development, and produce habitat for wildlife; and

WHEREAS, our parks and natural recreation areas ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors; and

WHEREAS, the U.S. House of Representatives has designated July as Parks and Recreation Month; and


WHEREAS, Town of Florence recognizes the benefits derived from parks and recreation resources

NOW THEREFORE, BE IT RESOLVED by Mayor Tara Walter, that July 2017 is recognized as Park and Recreation Month in the Town of Florence.

Tara Walter, Mayor

ATTEST:

Lisa Garcia, Town Clerk

	TOWN OF FLORENCE COUNCIL ACTION FORM	<u>AGENDA ITEM</u> 7a.
MEETING DATE: June 19, 2017 DEPARTMENT: Public Works Department STAFF PRESENTER: Christopher A. Salas, Public Works Director/Town Engineer SUBJECT: Approval to award Nu-Trend Architectural Services, LLC, a contract for Public Works Building Official, Architectural Support and One-Stop Shop Consulting Services		<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"/> 1 st Reading <input type="checkbox"/> 2 nd Reading <input type="checkbox"/> Other
STRATEGIC PLAN REFERENCE: <input checked="" type="checkbox"/> Community Vitality <input type="checkbox"/> Economic Property <input type="checkbox"/> Leadership and Governance <input type="checkbox"/> Partnership and Relationships <input type="checkbox"/> Transportation and Infrastructure <input type="checkbox"/> Statutory <input type="checkbox"/> None		

RECOMMENDED MOTION/ACTION:

Approval of a Professional Services Contract with Nu-Trend Architectural Services, LLC, for Building Official, Architectural Support and One-Stop Shop Consulting Services in an amount not to exceed \$34,320.

BACKGROUND/DISCUSSION:

Nu-Trend Architectural Services, LLC is a full-service Building Official, Code Official, Architectural, Plan Review & One-Stop Shop Consultant Firm.

The Town of Florence currently has been using Nu-Trend Architectural Services, LLC, since October 6, 2016, for the above-mentioned services and has now reached the Town Manager’s signatory authorization. The Town would like to continue to contract with Nu-Trend Architectural Services, LLC, to develop Plan Reviewers and a Building Official internal to the organization. For years, the Town has used outside consultants to perform building safety and fire plan reviews. In order for the Town to develop current employees into these roles, the Town needs to contract with Nu-Trend Architectural Services, LLC.

The Town is currently working on adopting 2012 International Codes and Nu-Trend Architectural Services, LLC, is instrumental in the adoption process as well. Town staff has an implemented plan that will eventually eliminate the

ongoing need for outside consultant services to be required, including Nu-Trend Architectural Services, LLC.

The Town is currently working with the development team responsible for the Windmill Winery Expansion, preliminary discussions with the development team and their expedited review requirements will require a dedicated plan review team to meet the development team's self-imposed deadlines. The Town will need Nu-Trend Architectural Services, LLC, to perform these services. The developer will pay the fees to the Town and the Town will pay the contracted services to the Nu-Trend Architectural Services, LLC.

The Nu-Trend Architectural Services, LLC Fees are as follows:

- \$880 per day (10 hours) for work done within the Community Development Services Building
- \$80 per hour for plan review done offsite

The Term of the contract is from July 1, 2017 through September 30, 2017.

A VOTE OF NO WOULD MEAN:

A vote of 'No' would mean that the Town would be left without an employee having the proper accreditations, Certified Building Official, to properly interpret and enforce the Town's adopted code manuals. The Town would need to contract with another firm until a Building Official can be hired. Currently the Town is advertising for the staff position of a Building Official.

A VOTE OF YES WOULD MEAN:

A vote of 'Yes' would mean that the Town would contract an employee having the proper accreditations, Certified Building Official, to properly interpret and enforce the Town's adopted code manuals. The Town would not need to spend the time contracting with another firm until a Building Official can be hired. Currently the Town is advertising for the staff position of a Building Official.

FINANCIAL IMPACT:

The fiscal impact is \$34,320 to be funded from the Community Development and Professional Services accounts 010-515-217. The additional contract amount will be paid by the developer. This is included in the current fiscal year's budget.

Procurement Process:

This contract is for Professional Services and was procured following the Town's Purchasing Policy, Section 5.76 Professional Services:

5.76 Professional Services

The procurement of services from professional classifications, without regard to dollar amount of contract, is exempt from the competitive bid process. The selection of professional services is based on qualifications. Such professional services include, but are not limited to: engineer, management services for construction projects, architects, geologists, hydrologists, land surveyors, landscape architects, assayers, real estate, computers, accounting, actuaries, personnel and insurance consultants; psychologist, medical doctors and attorneys-at-law. See ARS for more information.

The Town and Nu-Trend Architectural Services, LLC agree to a Professional Services Contract dated June 19, 2017.

ATTACHMENTS:

Professional Services Contract

**TOWN OF FLORENCE
PROFESSIONAL SERVICES CONTRACT**

THIS PROFESSIONAL SERVICES CONTRACT ("**Contract**"), is made and entered into as of June 19, 2017 ("Effective Date"), and is by and between the Town of Florence, a municipal corporation of the State of Arizona ("**Town**"), and Nu-Trend Architectural Services, L.L.C. ("**Contractor**"). The Town and the Contractor may be referred to in the Contract collectively as the "parties" and each individually as a "party".

RECITALS

WHEREAS, the Town desires to contract for professional third-party inspection, plan review and Building Code Official services as specified in Exhibit "A" ("**Scope of Work**" or "**Services**");

WHEREAS, Contractor is duly qualified to perform the requested Services;

WHEREAS, Contractor has agreed to perform the Services as set forth in Exhibit "A" attached hereto and incorporated herein.

NOW THEREFORE, in consideration of the mutual promises and obligations set forth herein, the parties hereto agree as follows:

AGREEMENTS

1.0 DESCRIPTION, ACCEPTANCE, DOCUMENTATION

Contractor shall act under the authority and approval of the Contract Administrator for the Town, further named herein, to provide the professional services required by this Contract.

1.1 Service Description. The Contractor shall provide the requested services as set forth in Exhibit "A" (the "Services"). Contractor shall perform the Services in conformance with generally accepted industry standards and the standard of care for like professionals in the same geographic area.

1.2 Acceptance and Documentation.

1.2.1 Each deliverable shall be reviewed and approved by the Town Manager or his designee to determine acceptable completion.

1.2.2. The Town shall provide all necessary information to the Contractor for timely completion of the tasks specified in Item 1.1 above.

1.2.3 All documents, including but not limited to, data compilations, studies, and/or reports, which are prepared in the performance of this Contract are to be and remain the property of the Town and are to be delivered to the Town Manager before final payment is made to the Contractor.

2.0 FEES, CATEGORIES OF SERVICE AND PAYMENTS

2.1 Contract: The contract shall not exceed \$34,320.00.

2.2. Fees. Contractor will be paid within 30 days of the receipt of an itemized invoice. Monthly payment based on the rates described herein may be made to Contractor on the basis of a progress report prepared and submitted by Contractor for the Services

completed through the last day of the proceeding calendar month and for the production of the deliverables as described in Exhibit "A".

2.3 Payment Approval. Amounts set forth in Section 1.1 and 2.1 represent the rates and entire amounts payable under this Contract and shall be paid upon the submission of monthly invoices to and approved by the Town.

2.4 Business License. Contractor will purchase and maintain a business license with the Town of Florence.

3.0 SCHEDULE AND TERMINATION

3.1 Project Schedule. The Contractor shall perform the Scope of Work in accordance with the schedule attached as Exhibit "A".

3.2 Termination.

3.2.1 Termination for Cause: Town may terminate this Contract with seven (7) days' prior written notice for cause in the event of any default by the Contractor, or if the Contractor fails to comply with any industry standards and customary practices terms and conditions of this Contract. Unsatisfactory performance as judged by industry standards and customary practices, and failure to provide Town, upon request, with adequate assurances of future performance shall all be causes allowing Town to terminate this Contract for cause. In the event of termination for cause, Town shall not be liable to Contractor for any amount, and Contractor shall be liable to Town for any and all damages sustained by reason of the default which gave rise to the termination.

3.2.2 Termination for Convenience. The Town may terminate performance of the Services under this Contract, in whole or, from time-to-time, in part, if Town determines termination is in Town's interest. Town shall effect such termination by delivering to Contractor a written Notice of Termination specifying the extent of termination and the effective date. Town may terminate this Contract, or any part thereof for its sole convenience, at any time, without penalty or recourse. The Town may also terminate this Contract, without penalty or recourse, upon hiring a full-time employee who is appointed as the Town's Building Official and the Town shall effect such termination by delivering to Contractor a written Notice of Termination specifying the extent of termination and the effective date.

3.2.3 Termination for Violation of Law. In the event Contractor is in violation of any Federal, State, County or Town law, regulation or ordinance, the Town may terminate this Contract immediately upon giving notice to the Contractor.

3.3 Funds Appropriation. If the Town Council does not appropriate funds to continue this Contract and pay for charges hereunder, the Town may terminate this Contract at the end of the current fiscal period. The Town agrees to give written notice pursuant to Section 4.13 of termination to the Contractor at least thirty (30) days prior to the end of its current fiscal period and will pay to the Contractor all approved charges incurred through the end of such period.

3.4 Term. The term of this Contract shall be from the Effective Date through September 30, 2017, unless earlier terminated.

4.0 GENERAL TERMS

4.1 Entire Contract. This Contract constitutes the entire understanding of the parties and supersedes all previous representations, written or oral, with respect to the Services specified herein. This Contract may not be modified or amended except by a written document, signed by authorized representatives of each party.

4.2 Arizona Law. This Contract shall be governed and interpreted according to the laws of the State of Arizona, without reference to choice of law or conflicts of laws principles thereof.

4.3 Modifications. Any amendment, modification or variation from the terms of this Contract shall be in writing and shall be effective only after approval of all parties signing the original Contract.

4.4 Assignment. Services covered by this Contract shall not be assigned or sublet in whole or in part without the prior written consent of the Public Works Director and Contract Administrator. The Town acknowledges the sub-consultant(s) listed in Exhibit "A" and consents to the use of that sub-consultant.

4.5 Successors and Assigns. This Contract shall extend to and be binding upon Contractor, its successors and assigns, including any individual, company, partnership or other entity with or into which Contractor shall merge, consolidate or be liquidated, or any person, corporation, partnership or other entity to which Contractor shall sell its assets.

4.6 Contract Administrator. The Contract Administrator for the Town shall be the Town Manager, or designee. The Contract Administrator shall oversee the execution of this Contract, assist the Contractor in accessing the organization, audit billings, and approve payments. The Contractor shall channel reports and special requests through the Contract Administrator.

4.7 Records and Audit Rights.

4.7.1 Contractor's records (hard copy, as well as computer readable data), and any other supporting evidence deemed necessary by the Town to substantiate charges and claims related to this Contract shall be open to inspection and subject to audit and/or reproduction by Town's authorized representative to the extent necessary to adequately permit evaluation and verification of cost of the Services, and any invoices, change orders, payments or claims submitted by the Contractor or any of his payees pursuant to the execution of the Contract. The Town's authorized representative shall be afforded access, at reasonable times and places, to all of the Contractor's records and personnel pursuant to the provisions of this section throughout the term of this Contract and for a period of three years after last or final payment.

4.7.2 Contractor shall require all subcontractors, insurance agents, and material suppliers to comply with the provisions of this section by insertion of the requirements hereof in a written agreement between the Contractor and such subcontractors, insurance agents, and material suppliers.

4.7.3 If an audit in accordance with this section, discloses overcharges, of any nature, by the Contractor to the Town in excess of one percent (1%) of the monthly billings, the actual cost of the Town's audit shall be reimbursed to the Town by the Contractor. Any adjustments and/or payments which must be made as a result of any such audit or inspection of the Contractor's invoices and/or records shall be made within a reasonable amount of time, not to exceed thirty (30) days from presentation of Town's findings to Contractor.

4.8 Attorneys' Fees. In the event either party brings any action for any relief, declaratory or otherwise, arising out of this Contract, or on account of any breach or default hereof, the prevailing party shall be entitled to receive from the other party reasonable attorneys' fees and reasonable costs and expenses, determined by the court sitting without a jury, which shall be deemed to have accrued on the commencement of such action and shall be enforceable whether or not such action is prosecuted to judgment.

4.9 Ineligible Bidder. The preparer of specifications is not eligible to submit a bid or proposal on the solicitation for which they prepared the specification, nor is the preparer eligible to supply any product to a bidder or contractor on the solicitation for which they prepared the specification.

4.10 Independent Contractor.

4.10.1 The Services Contractor provides under the terms of this Contract to the Town are that of an Independent Contractor, not an employee, or agent of the Town. The Town will report the value paid for these services each year to the Internal Revenue Service (I.R.S.) using Form 1099.

4.10.2 Town shall not withhold income tax as a deduction from contractual payments. As a result of this, Contractor may be subject to I.R.S. provisions for payment of estimated income tax. Contractor is responsible for consulting the local I.R.S. office for current information on estimated tax requirements.

4.11 Conflict of Interest. The Town may cancel any contract or agreement, without penalty or obligation, if any person significantly involved in initiating, negotiating, securing, drafting or creating the contract on behalf of the Town's departments or agencies is, at any time while the contract or any extension of the contract is in effect, an employee of any other party to the contract in any capacity or a consultant to any other party to the contract with respect to the subject matter of the contract. The cancellation shall be effective when written notice from the Town is received by all other parties to the contract, unless the notice specifies a later time (A.R.S. § 38-511).

4.12 Compliance with Federal and State Laws.

4.12.1 The Contractor understands and acknowledges the applicability to it of the American with Disabilities Act, the Immigration Reform and Control Act of 1986 and the Drug Free Workplace Act of 1989.

4.12.2 Under the provisions of A. R. S. § 41-4401, Contractor hereby warrants to the Town that the Contractor and each of its subcontractors will comply with, and are contractually obligated to comply with, all Federal Immigration laws and regulations that relate to their employees and A. R. S. § 23-214 (A) (hereinafter "**Contractor Immigration Warranty**").

4.12.3 A breach of the Contractor Immigration Warranty shall constitute a material breach of this Contract and shall subject the Contractor to penalties up to and including termination of this Contract at the sole discretion of the Town.

4.12.4 The Town retains the legal right to inspect the papers of any Contractor or Subcontractor's employee who works on this Contract to ensure that the Contractor or Subcontractor is complying with the Contractor Immigration Warranty. Contractor agrees to assist the Town in regard to any such inspections.

4.17 Counterparts. This Contract may be executed in one or more counterparts, and each originally executed duplicate counterpart of this Contract shall be deemed to possess the full force and effect of the original, but all of which together shall constitute one and the same instrument, binding on the parties. The parties agree that this Contract may be transmitted between them via facsimile or so called "PDF" signature. The parties intend that faxed or "PDF" signatures constitute original signatures and that a fully collated agreement containing the signatures (original, faxed or PDF) of the parties is binding upon the parties.

4.18 Captions. The captions used in this Contract are solely for the convenience of the parties, do not constitute a part of this Contract and are not to be used to construe or interpret this Contract.

4.19 Subcontractors. During the performance of the Contract, the Contractor may engage such additional sub-consultants as may be required for the timely completion of this Contract. The addition of any sub-consultant shall be subject to the prior approval of the Town. In the event of subcontracting, the sole responsibility for fulfillment of all terms and conditions of this Contract rests with the Contractor. The Town acknowledges the sub-consultant(s) listed in Exhibit "A" and consents to the use of that sub-consultant.

4.20 Indemnification.

4.20.1 To the fullest extent permitted by law, Contractor, its successors, assigns and guarantors, shall indemnify, defend, hold harmless the Town of Florence, its Mayor and Council members and its agents, representatives, officers, directors, officials and employees from and against all allegations, demands, proceedings, suits, actions, claims, damages, losses, expenses, including but not limited to damages for personal injury or personal property damage, attorneys' fees, court costs, and the cost of appellate proceedings, and all claim adjusting and handling expenses, related to, arising from or out of, or resulting from any negligent or intentional actions, acts, errors, mistakes or omissions caused in whole or part by Contractor relating to the Services in the performance of this Contract, including but not limited to, any sub-consultant or anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable and any injury or damages claimed by any of Contractor's and sub-consultant's employees.

4.20.2 Insurance provisions set forth in this Contract are separate and independent from the indemnity provisions of this section and shall not be construed in any way to limit the scope and magnitude of the indemnity provisions. The indemnity provisions of this section shall not be construed in any way to limit the scope and magnitude and applicability of the insurance provisions.

4.21 Changes in the Services.

4.21.1 The Town may at any time, as the need arises, order changes within the scope of the Services without invalidating the Contract. If such changes increase or decrease the amount due under the Contract documents, or in the time required for performance of the work, an equitable adjustment shall be authorized by written Change Order.

4.21.2 The Town will execute a formal Change Order based on detailed written quotations from the Contractor for work related changes and/or a time of completion variance. All Change Orders are subject to the prior written approval by the Town.

4.21.3 Contract Change Orders are subject to the Rules and Procedures within the Town's Procurement Code.

4.22 Alternative Dispute Resolution. If a dispute arises between the parties relating to this Contract, the parties agree to use the following procedure prior to either party pursuing other available remedies:

4.22.1 A meeting shall be held promptly between the parties, attended by individuals with decision-making authority regarding the dispute, to attempt in good faith to negotiate a resolution of the dispute.

4.22.2 If, within 30 days after such meeting, the parties have not succeeded in negotiating a resolution of the dispute, they will jointly appoint a mutually acceptable neutral person not affiliated with either of the parties (the "neutral"), seeking assistance in such regard if they have been unable to agree upon such appointment within 40 days from the initial meeting. The fees of the neutral shall be shared equally by the parties.

4.22.3 In consultation with the neutral, the parties will select or devise an alternative dispute resolution procedure ("ADR") by which they will attempt to resolve the dispute, and a time and place for the ADR to be held, with the neutral making the decision as to the procedure, and/or place and time (but unless circumstances require otherwise, not later than 60 days after selection of the neutral) if the parties have been unable to agree on any of such matters within 20 days after initial consultation with the neutral.

4.22.4. The parties agree to participate in good faith in the ADR to its conclusion as designated by the neutral. If the parties are not successful in resolving the dispute through the ADR, then the parties may agree to submit the matter to arbitration or a private adjudicator, or either party may seek an adjudicated resolution through the appropriate court.

4.23 Town Provided Information and Services. The Town shall furnish the Contractor available studies, reports and other data pertinent to the Contractor's Services; obtain or authorize the Contractor to obtain or provide additional reports and data as required; furnish to the Contractor services of others required for the performance of the Contractor's Services hereunder, and the Contractor shall be entitled to use and rely upon all such information and services provided by the Town or others in performing the Contractor's Services under this Agreement.

4.24 Estimates and Projections. In providing opinions of cost, financial analyses, economic feasibility projections, and schedules for potential projects, the Contractor has no control over cost or price of labor and material; unknown or latent conditions of existing equipment or structures that may affect operation and maintenance costs; competitive bidding procedures and market conditions; time or quality of performance of third parties; quality, type, management, or direction of operating personnel; and other economic and operational factors that may materially affect the ultimate project cost or schedule. Therefore, the Contractor makes no warranty that the Town's actual project costs, financial aspects, economic feasibility, or schedules will not vary from the Contractor's opinions, analyses, projections, or estimates.

4.25 Access. The Town shall arrange for access to and make all provisions for the Contractor to enter upon public and private property as required for the Contractor to perform Services hereunder.

4.26 Third Parties. The services to be performed by the Contractor are intended solely for the benefit of the Town. No person or entity not a signatory to this Agreement shall be entitled to rely on the Contractor's performance of its Services hereunder, and no right to assert a claim

against the Contractor by assignment of indemnity rights or otherwise shall accrue to a third party as a result of this Contract or the performance of the Contractor's Services hereunder.

4.27 Survival. All representations and indemnifications by Contractor shall survive the completion, expiration or termination of this Contract.

5.0 RESERVED

6.0 SEVERABILITY

6.1 Severability. If any term or provision of this Contract shall be found to be illegal or unenforceable, then notwithstanding such illegality or unenforceability, this Contract shall remain in full force and effect and such term or provision shall be deemed to be deleted.

IN WITNESS WHEREOF, the parties hereto have executed and caused to be signed by their duly authorized representatives, this Contract to be effective on or as of the day and year first above written.

TOWN OF FLORENCE

Tara Walter, Mayor

ATTEST:

APPROVED AS TO FORM:

Lisa Garcia, Town Clerk

Clifford L. Mattice, Florence Town Attorney

By: _____
Contractor

By: _____

Name: _____

Its: _____


Exhibit "A"
Scope of Work/Services

Attachment A

Fee Proposal/Hourly Rates for Services provided

I am pleased to submit an hourly rate fee proposal for various services to be provided, as listed below:

- A. Provide Building Official and Building Code Official services, to assist the Town of Florence with establishing a one-stop shop permitting process for convenient and friendly customer service. Interface, consult and assist the Fire Department, Public Works Department, and Community Development Department Directors and /or Managers, toward enacting proper protocol and procedures to insure consistency toward project plan reviews, inspections, etc., and assist, as needed, toward the Adoption of the 2015 International Codes and Town Amendments. Provide ongoing in-house code training sessions, and assist staff with individual career training programs to achieve code certifications, at an hourly rate of Eighty Dollars, \$80.00/hr., per hour for travel time and Services provided for the Town of Florence.
- B. Nu-Trend will supply a Certified Building official to act as the interim Building/Code official during the length of the contract.
- C. The services will be provided for minimally 3 days a week and is anticipated that the days will be Tuesday, Wednesday and Thursday. Services can be extended to include more days per week if needed without a contract amendment.
- D. Provide Plan Review services for project submittals, as requested per Town of Florence, at an hourly rate of Sixty Five Dollars, \$65.00/hr., per hour. All plan review fee proposals, based on project scope, use and occupancy classification, shall be submitted to, reviewed and approval by the Town Manager.
- E. Third Party Inspections, as requested per Town of Florence, shall be provided at an hourly rate of One Hundred Twenty Five Dollars, \$125.00/hr., per hour based on project scope, and shall be submitted for review and approval by the Town Manager. All required fee proposals for third party inspections by others, not included. Fee proposals by others shall be obtained and submitted on an as needed basis.

	TOWN OF FLORENCE COUNCIL ACTION FORM	<u>AGENDA ITEM</u> 7b.
MEETING DATE: June 19, 2017 DEPARTMENT: Public Works Department STAFF PRESENTER: Christopher A. Salas, Public Works Director/Town Engineer SUBJECT: Waterline Easement between Simoncre Beacon V, LLC (aka Family Dollar Store #4358) and the Town of Florence Medical Office Building.		<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
STRATEGIC PLAN REFERENCE: <input type="checkbox"/> Community Vitality <input checked="" type="checkbox"/> Economic Prosperity <input type="checkbox"/> Leadership and Governance <input type="checkbox"/> Partnership and Relationships <input checked="" type="checkbox"/> Transportation and Infrastructure <input type="checkbox"/> Statutory <input type="checkbox"/> None		

RECOMMENDED MOTION/ACTION:

Approval of a Waterline Easement between Simoncre Beacon V, LLC, (aka Dollar General) and the Town of Florence Medical Office Building to be used for Town sponsored water system improvements.

BACKGROUND/DISCUSSION:

In order to improve regional fire flows, including the fire flows to the Medical Office Building, the Town needs to upsize and loop our existing infrastructure. In order to do so, the Town desires easements for three separate water main improvement projects:

1. Easement #1. Simoncre Beacon V, LLC., is to provide a 16' wide easement for utility purposes across a portion of owned Lot 2, FAMILY DOLLAR STORE #4358, according to the plat of record in the Office of the County Recorder of Pinal County, Arizona, recorded as Fee 2012-016561, on which the Town intends to construct a hydrant.

2. Easement #2. Simoncre Beacon V, LLC., is to provide a 16' wide easement for utility purposes across owned Lot 2, FAMILY DOLLAR STORE #4358, according to the plat of record in the Office of the County Recorder of Pinal County, Arizona, recorded as Fee 2012-016561, on which the Town intends to construct a hydrant.

3. Easement #3. Simoncre Beacon V, LLC., is to provide a 16' wide easement for utility purposes across owned Lot 2, FAMILY DOLLAR STORE #4358, according to the plat of record in the Office of the County Recorder of Pinal County, Arizona, recorded as Fee 2012-016561, on which the Town intends to construct a water main.

Projects:

The Developer has previously designed and constructed a water main within the Developer's property limits. The easement is needed for the Town to be able to maintain and repair the Public water line. The project will improve regional fire flows by looping the Town's available distribution system.

A VOTE OF NO WOULD MEAN:

A vote of 'No' would mean that the Town would be in violation with the existing development agreement that was approved by the Town Council.

A VOTE OF YES WOULD MEAN:

A vote of 'Yes' would mean that the Town would be in compliance with the existing development agreement that was approved by the Town Council. The approval of the agreement would allow the Town's Water Division to maintain and repair the public water line legally within an easement.

FINANCIAL IMPACT:

The fiscal impact is \$3.00 dollars plus the price to record the documents with Pinal County.

ATTACHMENTS:

- Easement #1
- Easement #2
- Easement #3

Return recorded document to:

SimonCRE Beacon V, LLC
c/o SimonCRE
6900 E. 2nd Street
Scottsdale, Arizona 85251
Attention: Joshua Simon

WATER LINE EASEMENT

This **WATER LINE EASEMENT** is made effective April ____, 2017, by SIMONCRE BEACON V, LLC, an Arizona limited liability company, with an address of 6900 E 2nd Street, Scottsdale, Arizona 85251 ("Grantor") in favor of the Town of Florence ("Grantee").

WITNESSETH

WHEREAS, Grantor is the owner of that certain tract or parcel of land situated in the Florence, Arizona, more fully described on Exhibit "A" attached hereto and made a part hereof (the "Simon Parcel"); and

WHEREAS, Grantee has requested from Grantor, and Grantor is desirous of granting to Grantee, an water line easement over and across that portion of the Simon Parcel more fully described on Exhibit "B" and depicted on Exhibit "B-1" (the "Easement Area") attached hereto and made a part hereof.

NOW THEREFORE, in consideration of one dollar (\$1.00) and other good and valuable consideration, Grantor does hereby grant to Grantee a sixteen (16') foot wide easement in, under, and across the Easement Area, for the purpose of installing, laying, operating, maintaining, inspecting, removing, repairing, replacing, relaying and adding to and from time to time water pipe or pipes, together with all necessary fittings, valves, hydrants, meters, appurtenances and attached facilities, including service pipes and laterals and connection for the transmission and distribution of water, subject to the following terms and conditions to which the parties hereto do hereby agree:

1. Use of Easement Area. The easement is granted together with the right to the Grantee, its successors and assigns, to (i) enter in and upon the Easement Area with men and machinery, vehicles and material at any and all times for the purpose of maintaining, repairing, renewing or adding to the aforesaid water pipe lines and attached facilities, and (ii) remove trees, bushes, undergrowth and other obstructions interfering with the activities authorized herein.

2. Rights of Grantor. The right of the Grantor to freely use and enjoy its interest in the real estate is reserved to Grantor, its successors and assigns insofar as the exercise thereof does not endanger or interfere with the construction, operation, and maintenance of Grantee's

water pipe lines and attached facilities, except that no building shall be erected within said easement.

3. Maintenance. Grantor or its tenant(s) or licensee shall be responsible, at its sole cost and expense, for the ongoing inspection, testing, maintenance, and repair for the fire hydrant located in the Easement Area. The fire service mains, valves, and hydrants shall be periodically inspected, tested, and maintained by Grantor in accordance with Section 507.5.3 of the current edition of the International Fire Code.

4. Damage to Easement Area, or Other Improvements. Grantee shall exercise reasonable care to avoid any damage to the Easement Area or the Simon Parcel.

5. Public Grant. Nothing contained herein shall be used or construed as a grant of any rights to the public.

6. Duration. The agreements contained herein and the rights granted hereby shall run with the title to the Simon Parcel and the Easement Area and shall bind and inure to the benefit of the parties hereto and their respective heirs, successors, and assigns.

7. Effective Date. This instrument shall become effective conditioned upon and subject to the recording hereof.

8. Headings. The headings of the paragraphs contained herein are intended for reference purposes only and shall not be used to interpret the agreements contained herein or the rights granted hereby.

[Signature pages follow]

IN WITNESS WHEREOF, Grantor hereto has executed this instrument the _____ day of April, 2017.

Exempt Pursuant to A.R.S. §11-1134(A)(2), 11-1134(A)(3)

SIMON:

SIMONCRE BEACON V, LLC, an
Arizona limited liability company

By: _____
Joshua Simon, Manager

ACKNOWLEDGMENT

STATE OF ARIZONA)
) ss:
COUNTY OF MARICOPA)

Acknowledged before me this _____ day of April, 2017, by Joshua Simon, to me personally known who, being by me dully sworn, did say that he is the Managing Member of SimonCRE Beacon V, LLC, an Arizona limited liability company, the company named in and which executed the within instruments, and that said instrument was signed on behalf of said company and Joshua Simon acknowledges before me said instrument to be the free act and deed of said company

Notary Public
My Commission Expires: _____

EXHIBIT "A"

Simon Parcel

Lot 2, FAMILY DOLLAR STORE #4358, according to the plat of record in the Office of the County Recorder of Pinal County, Arizona, recorded as Fee 2012-016561.

EXHIBIT B

DESCRIPTION OF 16' WATER EASEMENT FOR HYDRANT

A Portion of Lot 2, FAMILY DOLLAR STORE #4358, recorded as Fee 2012-016561, records of Pinal County, Arizona located in the Southeast quarter of Section 2, Township 5 South, Range 9 East of The Gila and Salt River Base and Meridian, Pinal County, Arizona being more particularly described as follows:

COMMENCING at a cotton picker spindle marking the East quarter corner of said Section 2 from which a 2-1/2 inch GLO brass cap marking the Southeast corner of said Section 2 bears South 00 degrees 21 minutes 00 seconds West 2648.74 feet, said described line being the basis of bearings for this description;

THENCE South 00 degrees 21 minutes 00 seconds West 1320.08 feet to a 1/2 inch capped rebar marking the Easterly prolongation of the North line of said Lot 2;

THENCE 89 degrees 43 minutes 18 seconds West 1095.19 feet along said North line;

THENCE South 00 degrees 00 minutes 00 seconds West 213.83 feet;

THENCE North 89 degrees 59 minutes 49 seconds East 7.96 feet;

THENCE South 00 degrees 00 minutes 00 seconds West 12.00 feet;

THENCE South 89 degrees 59 minutes 49 seconds West 7.96 feet;

THENCE South 00 degrees 00 minutes 00 seconds East 8.68 feet to the POINT OF BEGINNING;

THENCE North 89 degrees 59 minutes 49 seconds East 145.23 feet;

THENCE North 00 degrees 00 minutes 11 seconds West 8.06 feet;

THENCE North 89 degrees 59 minutes 49 seconds East 16.00 feet;

THENCE South 00 degrees 00 minutes 11 seconds East 24.06 feet;

THENCE South 89 degrees 59 minutes 49 seconds West 161.23 feet;

THENCE North 00 degrees 00 minutes 00 seconds East 16.00 feet to the POINT OF BEGINNING;



David S. Klein

EXPIRES 3/31/20

SUPERIOR
SURVEYING SERVICES, INC.

21415 N. 23rd Avenue
Phoenix, AZ 85027
623-869-0223 (office)
623-869-0726 (fax)
www.superiorsurveying.com
info@superiorsurveying.com

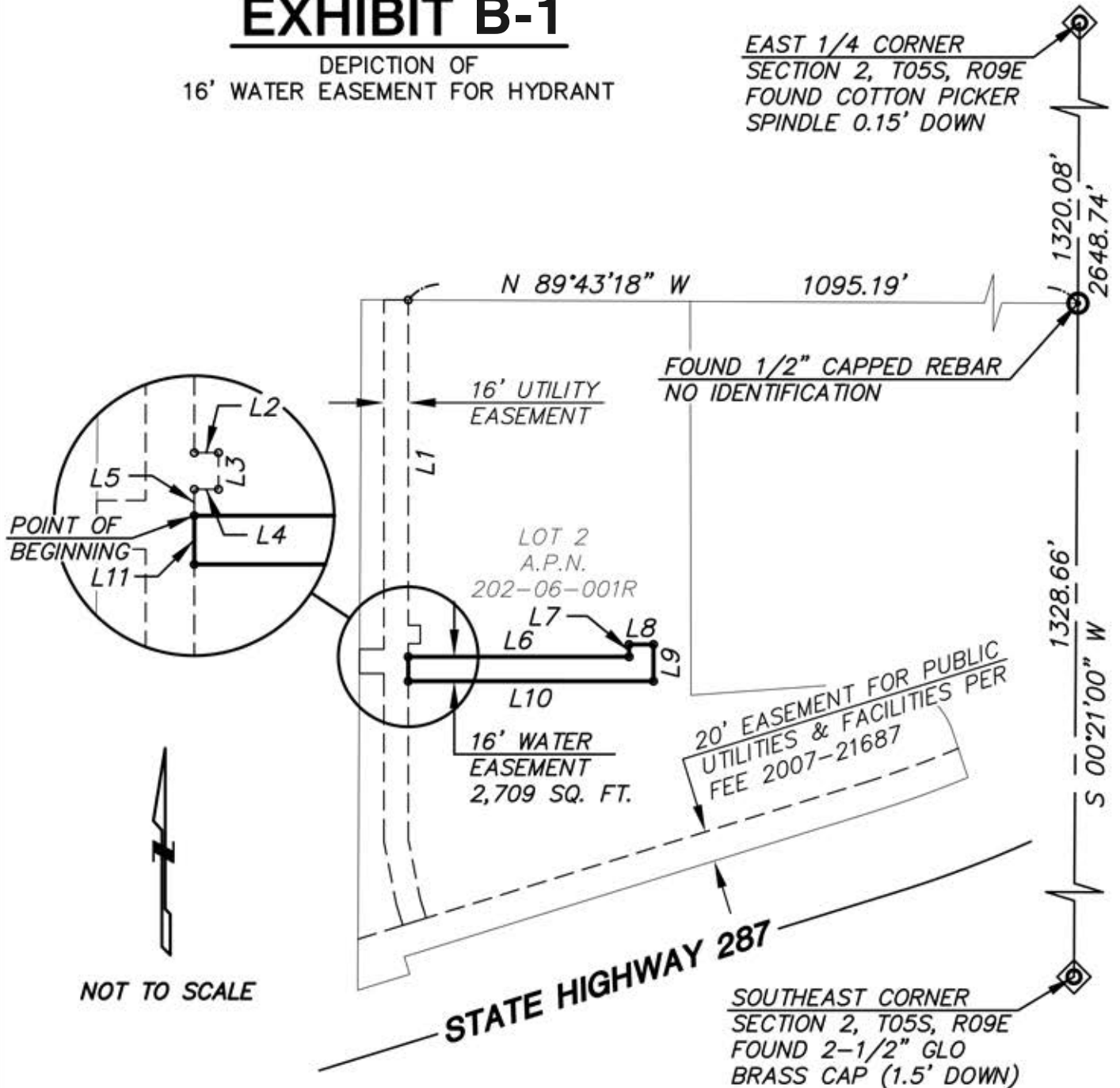
DATE: 3/22/17

JOB NO.: 170351A

EXHIBIT B-1

DEPICTION OF
16' WATER EASEMENT FOR HYDRANT

EAST 1/4 CORNER
SECTION 2, T05S, R09E
FOUND COTTON PICKER
SPINDLE 0.15' DOWN



NOT TO SCALE



David S. Klein

EXPIRES 3/31/20

PAGE 1 OF 2

SUPERIOR
SURVEYING SERVICES, INC.

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Phoenix, AZ 85027
623-869-0223 (office)
623-869-0726 (fax)
www.superiorsurveying.com
info@superiorsurveying.com

DATE: 3/22/17

JOB NO.: 170351B

EXHIBIT B-1

DEPICTION OF
16' WATER EASEMENT FOR HYDRANT

LINE TABLE		
LINE	BEARINGS	LENGTH
L1	S 00°00'00" W	213.83'
L2	N 89°59'49" E	7.96'
L3	S 00°00'00" W	12.00'
L4	S 89°59'49" W	7.96'
L5	S 00°00'00" E	8.68'
L6	N 89°59'49" E	145.23'
L7	N 00°00'11" W	8.06'
L8	N 89°59'49" E	16.00'
L9	S 00°00'11" E	24.06'
L10	S 89°59'49" W	161.23'
L11	N 00°00'00" E	16.00'



David S. Klein

EXPIRES 3/31/20

PAGE 2 OF 2

 <p>SUPERIOR SURVEYING SERVICES, INC.</p>	21415 N. 23rd Avenue Phoenix, AZ 85027 623-869-0223 (office) 623-869-0726 (fax) www.superiorsurveying.com info@superiorsurveying.com
	DATE: 3/22/17

Return recorded document to:

SimonCRE Beacon V, LLC
c/o SimonCRE
6900 E. 2nd Street
Scottsdale, Arizona 85251
Attention: Joshua Simon

WATER LINE EASEMENT

This **WATER LINE EASEMENT** is made effective April ____, 2017, by SIMONCRE BEACON V, LLC, an Arizona limited liability company, with an address of 6900 E 2nd Street, Scottsdale, Arizona 85251 ("Grantor") in favor of the Town of Florence ("Grantee").

WITNESSETH

WHEREAS, Grantor is the owner of that certain tract or parcel of land situated in the Florence, Arizona, more fully described on Exhibit "A" attached hereto and made a part hereof (the "Simon Parcel"); and

WHEREAS, Grantee has requested from Grantor, and Grantor is desirous of granting to Grantee, an water line easement over and across that portion of the Simon Parcel more fully described on Exhibit "B" and depicted on Exhibit "B" (the "Easement Area") attached hereto and made a part hereof.

NOW THEREFORE, in consideration of one dollar (\$1.00) and other good and valuable consideration, Grantor does hereby grant to Grantee a sixteen (16') foot wide easement in, under, and across the Easement Area, for the purpose of installing, laying, operating, maintaining, inspecting, removing, repairing, replacing, relaying and adding to and from time to time water pipe or pipes, together with all necessary fittings, valves, hydrants, meters, appurtenances and attached facilities, including service pipes and laterals and connection for the transmission and distribution of water, subject to the following terms and conditions to which the parties hereto do hereby agree:

1. Use of Easement Area. The easement is granted together with the right to the Grantee, its successors and assigns, to (i) enter in and upon the Easement Area with men and machinery, vehicles and material at any and all times for the purpose of maintaining, repairing, renewing or adding to the aforesaid water pipe lines and attached facilities, and (ii) remove trees, bushes, undergrowth and other obstructions interfering with the activities authorized herein.

2. Rights of Grantor. The right of the Grantor to freely use and enjoy its interest in the real estate is reserved to Grantor, its successors and assigns insofar as the exercise thereof does not endanger or interfere with the construction, operation, and maintenance of Grantee's

water pipe lines and attached facilities, except that no building shall be erected within said easement.

3. Maintenance. Grantor or its tenant(s) or licensee shall be responsible, at its sole cost and expense, for the ongoing inspection, testing, maintenance, and repair for the fire hydrant located in the Easement Area. The fire service mains, valves, and hydrants shall be periodically inspected, tested, and maintained by Grantor in accordance with Section 507.5.3 of the current edition of the International Fire Code.

4. Damage to Easement Area, or Other Improvements. Grantee shall exercise reasonable care to avoid any damage to the Easement Area or the Simon Parcel.

5. Public Grant. Nothing contained herein shall be used or construed as a grant of any rights to the public.

6. Duration. The agreements contained herein and the rights granted hereby shall run with the title to the Simon Parcel and the Easement Area and shall bind and inure to the benefit of the parties hereto and their respective heirs, successors, and assigns.

7. Effective Date. This instrument shall become effective conditioned upon and subject to the recording hereof.

8. Headings. The headings of the paragraphs contained herein are intended for reference purposes only and shall not be used to interpret the agreements contained herein or the rights granted hereby.

[Signature pages follow]

IN WITNESS WHEREOF, Grantor hereto has executed this instrument the _____ day of April, 2017.

Exempt Pursuant to A.R.S. §11-1134(A)(2), 11-1134(A)(3)

SIMON:

SIMONCRE BEACON V, LLC, an
Arizona limited liability company

By: _____
Joshua Simon, Manager

ACKNOWLEDGMENT

STATE OF ARIZONA)
) ss:
COUNTY OF MARICOPA)

Acknowledged before me this _____ day of April, 2017, by Joshua Simon, to me personally known who, being by me dully sworn, did say that he is the Managing Member of SimonCRE Beacon V, LLC, an Arizona limited liability company, the company named in and which executed the within instruments, and that said instrument was signed on behalf of said company and Joshua Simon acknowledges before me said instrument to be the free act and deed of said company

Notary Public
My Commission Expires: _____

EXHIBIT "A"

Simon Parcel

Lot 2, FAMILY DOLLAR STORE #4358, according to the plat of record in the Office of the County Recorder of Pinal County, Arizona, recorded as Fee 2012-016561.

EXHIBIT B

DESCRIPTION OF 16' WATER EASEMENT FOR HYDRANT

A Portion of Lot 2, FAMILY DOLLAR STORE #4358, recorded as Fee 2012-016561, records of Pinal County, Arizona located in the Southeast quarter of Section 2, Township 5 South, Range 9 East of The Gila and Salt River Base and Meridian, Pinal County, Arizona being more particularly described as follows:

COMMENCING at a cotton picker spindle marking the East quarter corner of said Section 2 from which a 2-1/2 inch GLO brass cap marking the Southeast corner of said Section 2 bears South 00 degrees 21 minutes 00 seconds West 2648.74 feet, said described line being the basis of bearings for this description;

THENCE South 00 degrees 21 minutes 00 seconds West 1320.08 feet to a 1/2 inch capped rebar marking the Easterly prolongation of the North line of said Lot 2;

THENCE 89 degrees 43 minutes 18 seconds West 1095.19 feet along said North line;

THENCE South 00 degrees 00 minutes 00 seconds West 73.64 feet to the POINT OF BEGINNING;

THENCE South 90 degrees 00 minutes 00 seconds East 77.00 feet;

THENCE North 00 degrees 00 minutes 00 seconds East 6.32 feet;

THENCE South 90 degrees 00 minutes 00 seconds East 16.00 feet;

THENCE South 00 degrees 00 minutes 00 seconds West 22.32 feet;

THENCE North 90 degrees 00 minutes 00 seconds West 93.00 feet;

THENCE North 00 degrees 00 minutes 00 seconds East 16.00 feet to the POINT OF BEGINNING.



David S. Klein

EXPIRES 3/31/20

SUPERIOR
SURVEYING SERVICES, INC.

21415 N. 23rd Avenue
Phoenix, AZ 85027
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623-869-0726 (fax)
www.superiorsurveying.com
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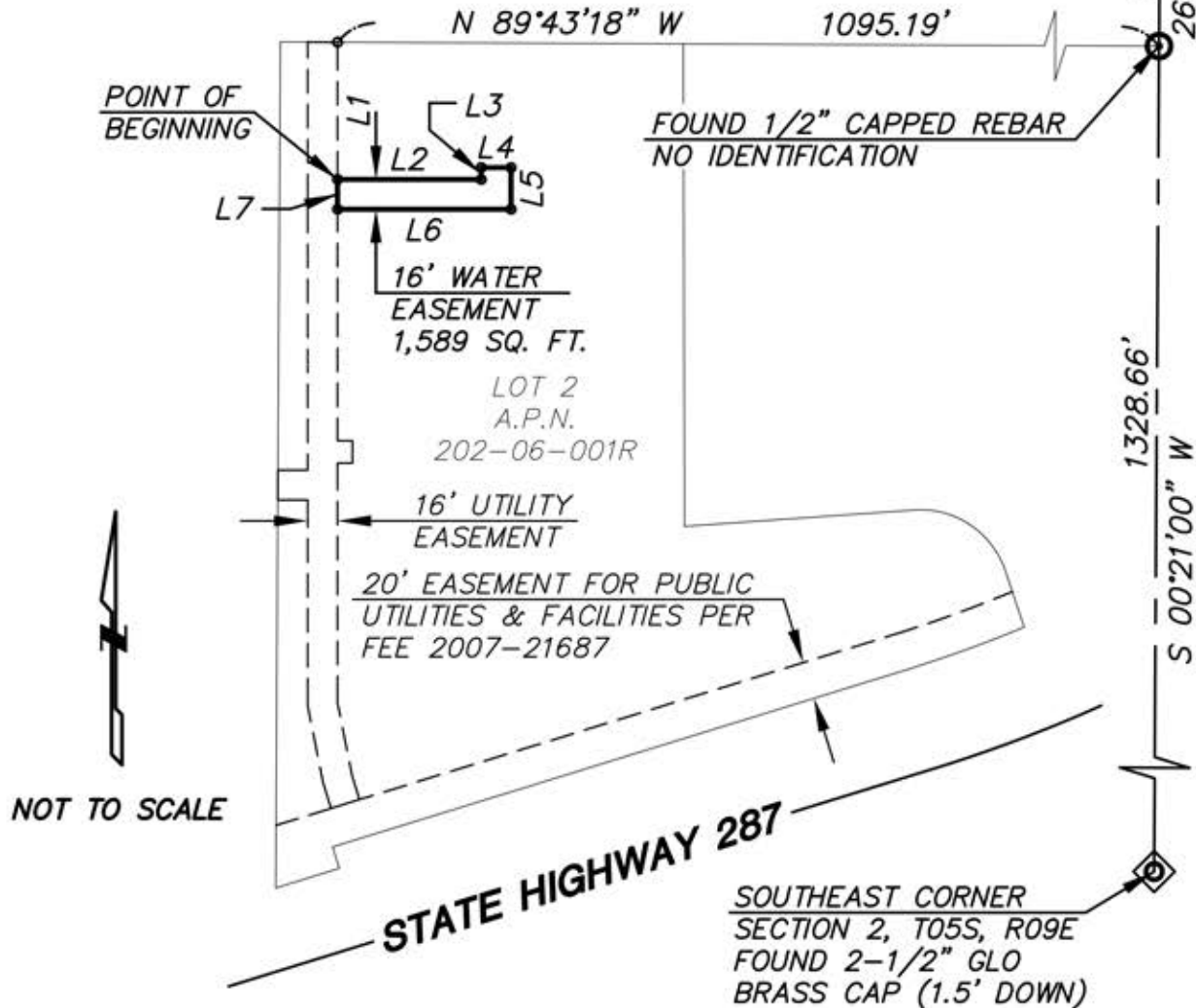
DATE: 3/22/17

JOB NO.: 170351A

EXHIBIT B-1

DEPICTION OF
16' WATER EASEMENT FOR HYDRANT

EAST 1/4 CORNER
SECTION 2, T05S, R09E
FOUND COTTON PICKER
SPINDLE 0.15' DOWN



David S. Klein

EXPIRES 3/31/20

PAGE 1 OF 2

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www.superiorsurveying.com
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DATE: 3/22/17

JOB NO.: 170351A

EXHIBIT B-1

DEPICTION OF
16' WATER EASEMENT FOR HYDRANT

LINE TABLE		
LINE	BEARINGS	LENGTH
L1	S 00°00'00" W	73.64'
L2	S 90°00'00" E	77.00'
L3	N 00°00'00" E	6.32'
L4	S 90°00'00" E	16.00'
L5	S 00°00'00" W	22.32'
L6	N 90°00'00" W	93.00'
L7	N 00°00'00" E	16.00'



David S. Klein

EXPIRES 3/31/20

PAGE 2 OF 2

 <p>SUPERIOR SURVEYING SERVICES, INC.</p>	21415 N. 23rd Avenue Phoenix, AZ 85027 623-869-0223 (office) 623-869-0726 (fax) www.superiorsurveying.com info@superiorsurveying.com
	DATE: 3/22/17

Return recorded document to:

SimonCRE Beacon V, LLC
c/o SimonCRE
6900 E. 2nd Street
Scottsdale, Arizona 85251
Attention: Joshua Simon

WATER LINE EASEMENT

This **WATER LINE EASEMENT** is made effective April ____, 2017, by SIMONCRE BEACON V, LLC, an Arizona limited liability company, with an address of 6900 E 2nd Street, Scottsdale, Arizona 85251 ("Grantor") in favor of the Town of Florence ("Grantee").

WITNESSETH

WHEREAS, Grantor is the owner of that certain tract or parcel of land situated in the Florence, Arizona, more fully described on Exhibit "A" attached hereto and made a part hereof (the "Simon Parcel"); and

WHEREAS, Grantee has requested from Grantor, and Grantor is desirous of granting to Grantee, an water line easement over and across that portion of the Simon Parcel more fully described on Exhibit "B" and depicted on Exhibit "B" (the "Easement Area") attached hereto and made a part hereof.

NOW THEREFORE, in consideration of one dollar (\$1.00) and other good and valuable consideration, Grantor does hereby grant to Grantee a sixteen (16') foot wide easement in, under, and across the Easement Area, for the purpose of installing, laying, operating, maintaining, inspecting, removing, repairing, replacing, relaying and adding to and from time to time water pipe or pipes, together with all necessary fittings, valves, hydrants, meters, appurtenances and attached facilities, including service pipes and laterals and connection for the transmission and distribution of water, subject to the following terms and conditions to which the parties hereto do hereby agree:

1. Use of Easement Area. The easement is granted together with the right to the Grantee, its successors and assigns, to (i) enter in and upon the Easement Area with men and machinery, vehicles and material at any and all times for the purpose of maintaining, repairing, renewing or adding to the aforesaid water pipe lines and attached facilities, and (ii) remove trees, bushes, undergrowth and other obstructions interfering with the activities authorized herein.

2. Rights of Grantor. The right of the Grantor to freely use and enjoy its interest in the real estate is reserved to Grantor, its successors and assigns insofar as the exercise thereof does not endanger or interfere with the construction, operation, and maintenance of Grantee's

water pipe lines and attached facilities, except that no building shall be erected within said easement.

3. Damage to Easement Area, or Other Improvements. Grantee shall exercise reasonable care to avoid any damage to the Easement Area or the Simon Parcel.

4. Public Grant. Nothing contained herein shall be used or construed as a grant of any rights to the public.

5. Duration. The agreements contained herein and the rights granted hereby shall run with the title to the Simon Parcel and the Easement Area and shall bind and inure to the benefit of the parties hereto and their respective heirs, successors, and assigns.

6. Effective Date. This instrument shall become effective conditioned upon and subject to the recording hereof.

7. Headings. The headings of the paragraphs contained herein are intended for reference purposes only and shall not be used to interpret the agreements contained herein or the rights granted hereby.

[Signature pages follow]

IN WITNESS WHEREOF, Grantor hereto has executed this instrument the _____ day of April, 2017.

Exempt Pursuant to A.R.S. §11-1134(A)(2), 11-1134(A)(3)

SIMON:

SIMONCRE BEACON V, LLC, an
Arizona limited liability company

By: _____
Joshua Simon, Manager

ACKNOWLEDGMENT

STATE OF ARIZONA)
) ss:
COUNTY OF MARICOPA)

Acknowledged before me this _____ day of April, 2017, by Joshua Simon, to me personally known who, being by me dully sworn, did say that he is the Managing Member of SimonCRE Beacon V, LLC, an Arizona limited liability company, the company named in and which executed the within instruments, and that said instrument was signed on behalf of said company and Joshua Simon acknowledges before me said instrument to be the free act and deed of said company

Notary Public
My Commission Expires: _____

EXHIBIT "A"

Simon Parcel

Lot 2, FAMILY DOLLAR STORE #4358, according to the plat of record in the Office of the County Recorder of Pinal County, Arizona, recorded as Fee 2012-016561.

EXHIBIT B

DESCRIPTION OF 16' UTILITY EASEMENT

A Portion of Lot 2, FAMILY DOLLAR STORE #4358, recorded as Fee 2012-016561, records of Pinal County, Arizona located in the Southeast quarter of Section 2, Township 5 South, Range 9 East of The Gila and Salt River Base and Meridian, Pinal County, Arizona being more particularly described as follows:

COMMENCING at a cotton picker spindle marking the East quarter corner of said Section 2 from which a 2-1/2 inch GLO brass cap marking the Southeast corner of said Section 2 bears South 00 degrees 21 minutes 00 seconds West 2648.74 feet, said described line being the basis of bearings for this description;
THENCE South 00 degrees 21 minutes 00 seconds West 1320.08 feet to a 1/2 inch capped rebar marking the Easterly prolongation of the North line of said Lot 2;
THENCE 89 degrees 43 minutes 18 seconds West 1095.19 feet along said North line to the POINT OF BEGINNING;
THENCE South 00 degrees 00 minutes 00 seconds West 213.83 feet;
THENCE North 89 degrees 59 minutes 49 seconds East 7.96 feet;
THENCE South 00 degrees 00 minutes 00 seconds West 12.00 feet;
THENCE South 89 degrees 59 minutes 49 seconds West 7.96 feet;
THENCE South 00 degrees 00 minutes 00 seconds East 128.60 feet;
THENCE South 11 degrees 15 minutes 00 seconds East 39.63 feet;
THENCE South 17 degrees 09 minutes 41 seconds East 13.56 feet to the North line of that easement for public utilities described in Fee No. 2007-21687, records of Pinal County, Arizona;
THENCE South 72 degrees 50 minutes 19 seconds West 16.00 feet along said North line;
THENCE North 17 degrees 09 minutes 41 seconds West 14.39 feet;
THENCE North 11 degrees 15 minutes 00 seconds West 42.03 feet;
THENCE North 00 degrees 00 minutes 00 seconds East 110.49 feet;
THENCE North 90 degrees 00 minutes 00 seconds West 16.10 feet;
THENCE North 00 degrees 18 minutes 53 seconds East 16.00 feet;
THENCE South 90 degrees 00 minutes 00 seconds East 16.01 feet;
THENCE North 00 degrees 00 minutes 00 seconds East 229.58 feet to the North line of said Lot 2;
THENCE South 89 degrees 45 minutes 23 seconds East 16.00 feet along said North line to the POINT OF BEGINNING.



EXPIRES 3/31/20


SUPERIOR
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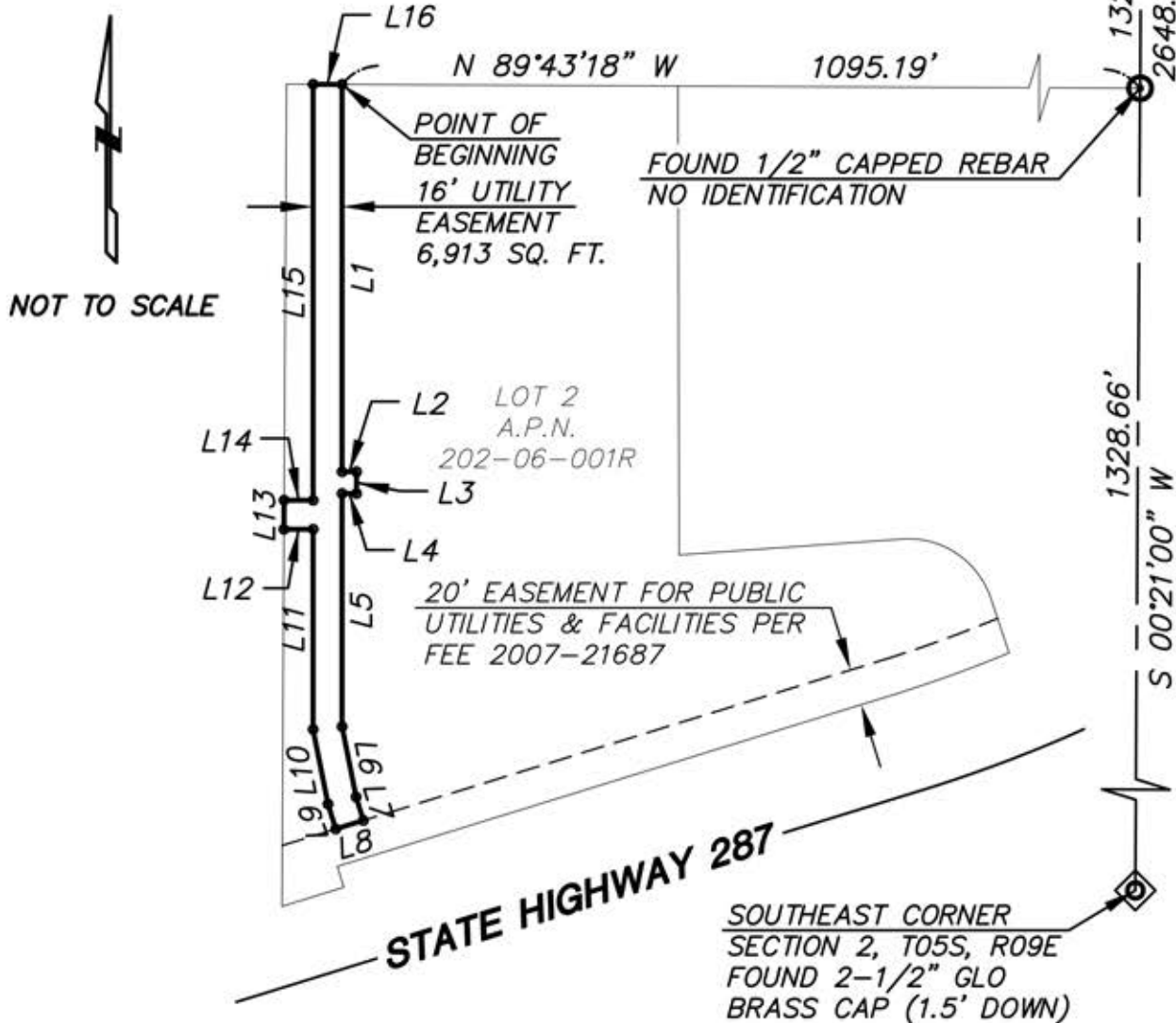
DATE: 3/22/17

JOB NO.: 170351A

EXHIBIT B-1

DEPICTION OF
16' UTILITY EASEMENT

EAST 1/4 CORNER
SECTION 2, T05S, R09E
FOUND COTTON PICKER
SPINDLE 0.15' DOWN



David S. Klein

EXPIRES 3/31/20

PAGE 1 OF 2

<p>SUPERIOR SURVEYING SERVICES, INC.</p>	21415 N. 23rd Avenue Phoenix, AZ 85027 623-869-0223 (office) 623-869-0726 (fax) www.superiorsurveying.com info@superiorsurveying.com
	DATE: 3/22/17

EXHIBIT B-1

DEPICTION OF
16' UTILITY EASEMENT

LINE TABLE		
LINE	BEARINGS	LENGTH
L1	S 00°00'00" W	213.83'
L2	N 89°59'49" E	7.96'
L3	S 00°00'00" W	12.00'
L4	S 89°59'49" W	7.96'
L5	S 00°00'00" E	128.60'
L6	S 11°15'00" E	39.63'
L7	S 17°09'41" E	13.56'
L8	S 72°50'19" W	16.00'
L9	N 17°09'41" W	14.39'
L10	N 11°15'00" W	42.03'
L11	N 00°00'00" E	110.49'
L12	N 90°00'00" W	16.10'
L13	N 00°18'53" E	16.00'
L14	S 90°00'00" E	16.01'
L15	N 00°00'00" E	229.58'
L16	S 89°45'23" E	16.00'




David S. Klein

EXPIRES 3/31/20

PAGE 2 OF 2

 <p>SUPERIOR SURVEYING SERVICES, INC.</p>	21415 N. 23rd Avenue Phoenix, AZ 85027 623-869-0223 (office) 623-869-0726 (fax) www.superiorsurveying.com info@superiorsurveying.com
	DATE: 3/22/17

	TOWN OF FLORENCE COUNCIL ACTION FORM	<u>AGENDA ITEM</u> 7c.
MEETING DATE: June 19, 2017 DEPARTMENT: Administration STAFF PRESENTER: Jennifer Evans, Management Analyst SUBJECT: Lease Addendum for Weagant Law Offices at the Brunenkant Building		<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"/> 1 st Reading <input type="checkbox"/> 2 nd Reading <input type="checkbox"/> Other
STRATEGIC PLAN REFERENCE: <input type="checkbox"/> Community Vitality <input checked="" type="checkbox"/> Economic Prosperity <input type="checkbox"/> Leadership and Governance <input type="checkbox"/> Partnership and Relationships <input type="checkbox"/> Transportation and Infrastructure <input type="checkbox"/> Statutory <input type="checkbox"/> None		

RECOMMENDED MOTION/ACTION:

Approve the Lease Addendum between the Town of Florence and Weagant Law Offices at the Brunenkant Building.

BACKGROUND/DISCUSSION:

Cody Weagant has leased the Brunenkant Building since November 1, 2016, for use as a law office. Mr. Weagant has asked the Town to reconsider the amount of space he is leasing in the building. He currently leases the first and second floors, 1,792 square feet (sf), but requests to lease only the first floor which is 891 sf. Mr. Weagant is the only person working in the building so he does not need all of the space. The decrease in leased space will reduce the amount of Government Property Lease Excise Tax that Mr. Weagant will owe at the end of the year. The tax is determined by the number of square feet that is leased and the use of the building. Mr. Weagant will continue to pay \$500.00 per month in rent.

A VOTE OF NO WOULD MEAN:

A No vote would mean the current lease will remain the same.

A VOTE OF YES WOULD MEAN:

A Yes vote would mean the current leased premises would be reduced from 1,782 sf to 891 sf.

FINANCIAL IMPACT:

None

ATTACHMENTS:

Brunenkant Building Lease Addendum

Addendum to Lease Agreement Dated November 1, 2016

This Addendum is made and entered into as of June 19, 2017 to Lease Agreement dated November 1, 2016, by and between the Town of Florence, Arizona "Landlord" and Weagant Law Offices, PLLC "Tenant".

This Addendum is intended to and shall modify Paragraph 1. Leased Premises of said Lease Agreement, by changing the square footage of the Leased Premises.

Any term or provision of the Lease Agreement which applies to Paragraph 1. Leased Premises shall also apply to this Addendum. This Addendum shall be attached to and incorporated into the Lease Agreement as though fully set forth therein.

Paragraph 1. Leased Premises

For and in consideration of the rent to be paid and of the covenants and agreements of the Tenant as hereinafter set forth, Landlord does hereby lease to Tenant 891 square feet on the first floor, excluding the second floor and basement, of the premises located at 291 North Bailey Street, Florence, Arizona, also known as the Brunenkant Building, and hereinafter referred to as the "Premises", or, the "Leased Premises".

[BALANCE OF THIS PAGE LEFT BLANK INTENTIONALLY; SIGNATURES AND
ACKNOWLEDGEMENTS APPEAR ON FOLLOWING PAGE]

IN WITNESS WHEREOF, Landlord and Tenant have executed this Addendum to Lease Agreement as of the day and year first written above.

LANDLORD:

TOWN OF FLORENCE, an Arizona municipal corporation

Tara Walter, Mayor

Date

ATTEST:

APPROVED AS TO FORM:

Lisa Garcia, Town Clerk

Clifford L. Mattice, Town Attorney

LESSEE:

Weagant Law Offices, PLLC

By: _____

Its: _____

Date: _____

MINUTES OF THE TOWN OF FLORENCE COUNCIL MEETING HELD ON MONDAY, MAY 1, 2017, AT 6:00 P.M., IN THE FLORENCE TOWN COUNCIL CHAMBERS, LOCATED AT 775 N. MAIN STREET, FLORENCE, ARIZONA.

CALL TO ORDER

Mayor Walter called the meeting to order at 6:00 pm.

ROLL CALL:

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

MOMENT OF SILENCE

Mayor Walter called for a moment of silence.

PLEDGE OF ALLEGIANCE

Mayor Walter 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. Harold Douglas Carlson, Florence Resident, stated that he is concerned about the \$300,000 that the Town is budgeting in next fiscal year for legal expenses to fight the Florence Copper Project. He stated that Florence Copper has never initiated a lawsuit against the Town and has only defended itself against the Town's challenges. He stated many residents are perplexed about the Town's actions known as the imminent domain lawsuit. Florence lost the first part of the imminent domain lawsuit and the Town is now trying to prove that Florence Copper doesn't have the grandfathered zoning rights to operate, even though there has been mining activities on the site for decades.

Mr. Carlson stated that some people do not understand the issue. They say that Florence Copper is trying to illegally mine in an area that is zoned for housing, but the truth is that the Town Council is denying them the grandfathered rights to continue the same activity that has been there since the 1960s. He stated that just because the Town annexed the property does not give it the right to force different zoning on the owners.

Mr. Carlson stated that Florence is going to lose the lawsuit and for the Town to not be surprised if Florence Copper goes after the Town for legal fees, which is their right. If the Town wins the imminent domain lawsuit the Town will be required to purchase the Florence Copper property with the two major regulatory permits which could be valued at over \$1 billion dollars. He inquired if the Town of Florence is prepared to compensate Florence Copper for that amount of

money. He stated that Florence Copper will appeal the decision if Florence wins, and the Town will still have to continue to spend money. The Town Council is putting itself in a lose-lose situation. He stated that the Council 's legacy may be the financial ruin of Florence along with the loss of jobs and the elimination of many popular programs. As a Florence resident, he supports Florence Copper's endeavors to bring an economic and productive presence to the Town.

Mr. Charles Watson, Florence Resident, stated that he does not understand why the Town is not in support of the mine. He stated that nothing will be visible above ground and they will not pollute the water. He stated that the Town is not concerned about the gravel pits on Attaway Road which pollute the air and water. The issues all boil down to politics and money. He stated that the good of the people needs to be looked at and not just some of the people. He inquired what will be left for the people once Pulte is done selling homes. Florence Copper can help offset some of the costs for projects that the Town wants to do. He asked the Town to sit down with Florence Copper and negotiate an agreement.

Councilmember Hawkins responded to criticism and stated that the mine was not in Florence the first time that he was elected onto the Council. The mine had nothing to do with him being elected. He stated that the mine has approached each Councilmember and staff and the Town has had meetings with the mining company.

Mr. Watson spoke and it was inaudible.

Councilmember Hawkins stated that if someone wants the mine to go forward, he suggested that they run for Council. He has not had any financial gain from the mine or for voting against the mine.

Mr. Wilbur Freeman, Florence Resident, stated that he served as a former Mayor and Councilmember of Florence for 16 years. He stated that the Town has spent \$1.2 million in legal fees opposing Florence Copper and has budgeted \$300,000 in the upcoming fiscal year to continue the fight. He stated that if the Town spends the budgeted amount, the Town will spend \$1.5 million in legal fees opposing Florence Copper. He stated that this is wasteful spending.

Mr. Freeman stated that all of the legal action has been initiated by the Town of Florence. Florence lost the condemnation lawsuit, sulfuric acid lawsuit and part of the imminent domain lawsuit. He stated that Florence is going to lose the second part of the imminent domain lawsuit as well. Florence has nothing to show for the money that has been spent fighting Florence Copper. He suggested that Florence reallocate the \$300,000 back to the General Fund for some good benefit or put the money into the contingency fund.

Ms. Barbara Manning, Florence Resident, stated that Florence Copper has become an issue. There have been the candidates that have been victorious in the Town's elections are people who have promised to protect the Town's aquifer. The people who voted for the Council understand that the Council has had to spend money for legal fees. She stated that Florence has had to go to court because Florence Copper does not do the right thing. She stated that it took a court order to force Florence Copper to disclose some of the data on the BHP mine. If the Town had not moved forward with the hearing, the Town would have never known that the

mine was unable to maintain hydraulic control of the sulfuric acid. She stated that the other lawsuit forced Florence Copper to put more monitoring into the system.

Ms. Manning stated that it was suggested that Florence work with Florence Copper, but the Council needs to be very careful and work with companies that have credibility. She stated that time and time again, Florence Copper makes inaccurate statements and referenced an article that was submitted to Cronkite News by the Florence Copper Manager of Communications and Public Affairs. She asked the Council to continue to follow that mandate of the people that elected them.

PRESENTATION

Proclamation declaring May 2017 as National Water Safety Month in the Town of Florence, Arizona.

Mr. Bryan Hughes, Parks and Recreation Director, stated that the aquatic center will open on May 6, 2017 with their water safety day to kick off the season. They will be open every weekend in May and once school is out for the summer, they will be open Tuesday through Sunday from 12:00 pm to – 5:00 pm. They also have an array of swimming lessons available. All the events are listed in their summer brochure.

Mr. Hughes introduced Nathan Lamas and Nathan Molina, two of the Town's Head Lifeguards. Mr. Lamas is taking the lead on the swim lessons.

Mr. Hughes stated that the Town has always followed the American Red Cross guidelines. The Town was fortunate this year to have six of their staff members go through the Water Safety Instructor course and are now WSI certified.

Mayor Walter read the proclamation for the record and declared May 2017 as National Water Safety Month in the Town of Florence, Arizona.

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.

Appointment of John McLaughlin to the Industrial Development Authority with a term to expire December 31, 2019.

Adoption the Town of Florence Title VI Implementation Plan.

Approval of accepting the register of demands ending March 31, 2017, in the amount of \$1,683,244.82.

On motion of Councilmember Guilin, seconded by Councilmember Wall, and carried to approve the Consent Agenda, as written.

NEW BUSINESS

Resolution No. 1624-17:

Mayor Walter read Resolution No. 1624-17 by title only.

A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, ADOPTING REVISIONS TO THE TOWN OF FLORENCE PERSONNEL POLICY.

Mr. Scott Barber, Human Resources Director, stated that the adoption of the resolution will amend the sick leave provision in the Town's Personnel Policy. He stated that the voters, in the November 2016 General Election, approved the Fair Wages and Healthy Families Act, known as Proposition 206. He stated that the publicity was geared to the increase of the minimum wage to \$10.00 per hour starting in January 1, 2017; however, another portion of the proposition was to provide sick leave benefits to their employees.

Mr. Barber stated that the Town currently provides sick leave to our full-time employees; however, the Town does not provide sick leave to part time, temporary, or seasonal employees. He stated that effective July 1, employers must provide one hour of sick leave for every 30 hours of work. Those exempted include federal government, state government and family members or babysitters.

Mr. Barber stated that compliance with the specific requirements of the law requires modifications to our current Personnel Policy, along with the creation of a new administrative policy for temporary, part-time and seasonal employees who are not covered by the Personnel Policy. There are three major policy changes needed for compliance:

1. Expanded reasons for taking earned sick leave.
2. Expanded definition of family member and hours allowed to be used for family member needs.
3. Change in when the Town can require documentation to support an absence.

Mr. Barber stated that for the first time the Town will now provide sick leave for temporary, part-time and seasonal employees. The Town is drafting an Administrative Policy, which is issued under the authority granted to the Town Manager and does not require Council action. The new policy being created will ensure compliance for temporary, part-time and seasonal employees.

Mr. Barber stated that the amendments to the Personnel Policy for full-time employees and the new administrative policy for temporary, part-time and seasonal employees will have a fiscal impact only to the extent that an employee absent from work has to be replaced by another employee. That means the Police and Fire Departments will be the only departments that are likely to experience an actual dollar impact based on the new law, and primarily the Fire Department due to staffing with part-time employees.

Mayor Walter read Section 803 – Sick Leave, Section 4, which states:

Section 803 - Sick Leave

4. For care of a family member (as defined in ARS 23-371(H) with a mental or physical illness, injury or health condition; or who needs medical diagnosis, care or treatment of a

mental or physical illness, injury or health condition; or preventive medical care; or for the circumstances enumerated in ARS 23-373(A)(3 and 4), subject to a limitation of 40-hours per occurrence.

Mayor Walter requested clarification with regards to hours per occurrence because the Fire Department runs 48 hour shifts and inquired how this will impact the employees who work 48 hour shifts.

Mr. Barber stated that the Personnel Policy has always referenced three days, as far back as 2002. The Town has allowed for the use of three sick days, per occurrence, to be used for the care of a family member. The new State Law requires that they allow up to a minimum of 40 hours to be utilized for that purpose. The change is necessary to come into compliance with the law. The Town can choose to specify days instead of hours, should Council elect to do so. They can also add something for those employees who do not work an eight-hour shift. It is staff's recommendation to specify 40 hours.

Mayor Walter proposed that the time frame be changed to 48 hours instead of 40 hours.

Discussion occurred on firefighters' schedule and hours allowed.

Ms. Lisa Garcia, Deputy Town Manager/Town Clerk, clarified that employees will be allowed to utilize 40 hours of sick leave and 8 hours of vacation leave to compensate them for their time off.

Councilmember Wall inquired about the backfilling of Police and Fire positions when someone is off work.

Councilmember Guilin stated that she does not agree with an employee to have to utilize vacation hours for this type of event.

Mr. David Strayer, Fire Chief, stated that the reserves are scheduled one month in advance. He stated that there are minimal staffing levels that are required and the backfilling of employees when they are off.

Mayor Walter stated that the policy needs to be applied equally to all employees and she does not agree with an employee having to utilize their vacation time.

Discussion occurred on how the policy can be amended.

The consensus is to change the wording to be 48 hours instead of 40 hours.

On motion of Councilmember Guilin, seconded by Councilmember Hawkins, and carried to adopt Resolution No. 1624-17 with modifications to Item No. 4, subject to a limitation of 48 hours per occurrence.

Resolution No. 1625-17:

Mayor Walter read Resolution No. 1625-17 by title only.

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A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, AUTHORIZING THE TOWN CLERK TO MAKE RECOMMENDATIONS TO THE ARIZONA DEPARTMENT OF LIQUOR LICENSING AND CONTROL REGARDING SPECIAL EVENT LIQUOR LICENSE APPLICATIONS.

Ms. Garcia stated this policy will establish a procedure to be followed clarifying the processing of a Special Event Liquor License application to adhere to the changes by the Arizona Department of Liquor and their intent to shorten the process of waiting time for the organizations putting on an event. The process will be more expeditious and efficient to have special event liquor license applications submitted to the Town Manager and Town Clerk to review.

Ms. Garcia stated that it has been an accepted practice for cities, towns and counties to have a designee sign the approval for special events, fair/festival licenses and extension of premise. The resolution will authorize the Town Clerk to sign recommended approval to the Arizona Department of Liquor License and Control. In making this decision, the application will be reviewed by the Police Chief, Parks Director, as well as the Town Clerk. If it is an application that is approved by all, the application will be signed by the Town Clerk and forwarded to the Arizona Department of Liquor to process. If the event is a new organization, a new location or an event using outside tents, canopies or other temporary equipment, it will be necessary to forward it to the Development Services Coordinator and to Fire as well.

Ms. Garcia stated that if the Town Clerk does not recommend approval, the applicant may request that the special event liquor license application be placed on the next available Town Council meeting agenda for consideration and action by the Town Council.

Councilmember Anderson inquired who the Development Services Coordinator is.

Ms. Garcia explained that the Development Services Coordinator is a team comprised of members for various departments who will review the application to ensure compliance with each of their respective department's policies and procedures.

Mr. Anderson stated that the policy does not specify the time frame in which the Town has to approve/disapprove their application.

Ms. Garcia stated that the Town has 15 days in which to review the application. She explained what the process is for processing the application.

On motion of Councilmember Hawkins, seconded by Councilmember Wall, and carried to adopt Resolution No. 1625-17.

Resolution No. 1626-17:

Mayor Walter read Resolution No. 1626-17 by title only.

A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, ESTABLISHING REGULAR MEETING LOCATIONS, DATES AND TIMES FOR TOWN OF FLORENCE TOWN COUNCIL AND TOWN BOARDS AND COMMISSIONS.

Ms. Garcia stated that the Town posts regular meeting dates and times of Town Council, Board and Commission meetings on the bulletin board outside of Town Hall so that the public knows when the regularly scheduled meeting will be held. The revised schedule will move the meeting location of the following boards and commissions to the Library and Community Center, located at 778 N. Main Street, Florence, Arizona:

- Arts and Culture Commission Meetings,
- Historic District Advisory Commission Meetings,
- Library Advisory Board Meetings
- Parks and Recreation Advisory Board Meetings

Council Regular and Special Meetings, Board of Appeals, and Planning and Zoning Commission Meetings will remain at Town Hall, 775 N. Main Street, Florence, Arizona. Work Sessions and trainings that do not require filming may be moved to the Library and Community Center, located at 778. N. Main Street, Florence, Arizona. Location of meetings will be posted on the Town website and at the official location of agenda postings.

Ms. Garcia stated that the changes include the following:

- Parks and Recreation Advisory Board is requesting to go to quarterly meetings.
- The Arts Commission is requesting the meeting times be changed to 3:00 pm from 6:00 pm.
- The Boards of Appeals has been added and will meet as needed.
- Council will not have meetings on the first Monday in July nor the third Monday in December. Special meetings will during those days if necessary.

On motion of Councilmember Anderson, seconded by Councilmember Guilin, and carried to adopt Resolution No. 1626-17.

Discussion/Approval/Disapproval to enter into an Intergovernmental Agreement with the City of Eloy for magistrate services through June 30, 2019, in an amount not to exceed \$44,000.

Ms. Garcia stated that the Town is in discussions with the City of Eloy to continue the partnership for Magistrate services. They are requesting a \$2,000 increase to assist with the increase that the Judge received from the City of Eloy. This contract will begin July 1, 2017 and will be for two fiscal years. The Town has experienced a savings since they have shared a Judge with the City of Eloy.

Ms. Garcia stated that the Town will continue to receive the following services: 16 hours per week to cover bench and jury trials as well as handling prisoners on a daily basis. The Magistrate will also be available by phone to handle any questions or make any decisions or rulings. The Town is pleased with the services that have been provided and wish to continue to have a shared Judge.

On motion of Councilmember Hawkins, seconded by Councilmember Guilin, and carried to enter into an Intergovernmental Agreement with the City of Eloy for magistrate services through June 30, 2018, in an amount not to exceed \$44,000.

Councilmember Wall stated that the motion was for services for June 30, 2018; however, the agreement states the service will be through June 30, 2019.

Ms. Garcia stated that the services should be through June 30, 2019 and asked for Council to correct the motion.

On motion of Councilmember Guilin, seconded by Councilmember Anderson, and carried to correct the previous motion to be: to enter into an Intergovernmental Agreement with the City of Eloy for magistrate services through June 30 2019, in an amount not to exceed \$44,000.

Review of updated Request for Council Action form.

Ms. Garcia stated that during the Strategic Planning discussions it was recommended that the Request for Council Action Forms (RCA) be modified to include information such as Strategic Plan Reference and the impacts of a yes or no vote. The RCA has been amended to include the suggested changes.

Ms. Garcia explained that the person completing the RCA would select the appropriate Strategic Plan Reference as how the agenda item relates to the Strategic Plan. She stated that there is also an option to choose statutory requirement or none if the agenda item is not related to the Strategic Plan. The revised RCA will also include the budgetary line item in which the expense will be allocated from as well as the impacts of a yes or no vote.

Mayor Walter stated that all the information requested has been incorporated onto the form.

Ms. Garcia stated the form will be used when the Strategic Plan is adopted.

LEGISLATIVE REPORT

Mr. Jess Knudson, Assistant Town Manager, stated the session is in its 111th day and is very close to its completion. The only decision being made that affect cities and towns is with regards to budgets. The problem that cities and towns have is the State funding the universities with monies that are earmarked for cities and towns. The Town has no issue with the State spending money on universities so long as it does not impact the Town's funding.

Mr. Knudson stated that 283 bills have been passed this Legislative session, of which 211 have been signed into law, and four were vetoed by the Governor. The remaining bills are still being reviewed by the Governor.

MANAGER'S REPORT

Ms. Garcia announced the following events:

Library:

- May 10, 2017 Early Release Day (Movie - A Dog's Purpose)
- May 13, 2017 May Film Program (La La Land)
- May 29, 2017 Summer Reading Program Pre-Registration Begins
- May 31, 2017 Early Release Day (Summer-themed craft)

Parks and Recreation

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- May 5, 2017 Mother-Daughter Tea Party
- May 13, 2017 Movies in the Park - Moana

Fire Department

- Has installed 276 smoke detectors and have approximately 300 available. They will begin a community-wide campaign to inform its citizens in the near future.

Ms. Garcia stated that Florence was selected to host the Smithsonian’s Water/Ways Traveling Exhibition. It will be on view November 17, 2018 through December 30, 2018. Ms. Jennifer Evans, Management Analyst, will be starting a campaign on this event.

Ms. Garcia stated that Florence was showcased at the 4th Annual Pinal County Business and Education Summit on Friday, April 28, 2017. The summit is a partnership between Pinal County Schools, Pinal Partnerships, local government and businesses to look at economic development opportunities.

Ms. Garcia stated that the Town has started the National Water and Sewer line campaign.

DEPARTMENT REPORTS

Community Development

Courts

Finance

Fire

Library

Parks and Recreation

Police

Public Works

Councilmember Guilin inquired if the six dispatcher positions are still open or if they have been filled. She inquired how dispatching is being addressed.

Mr. Dan Hughes, Police Chief, stated that the positions are still open. He stated that the Town has approximately 10 dispatchers allocated. He stated that they have lifted the peak calls for service and times to ensure coverage. There are two dispatchers during peak times and one dispatcher during off peak hours.

Mr. Hughes stated that it is difficult to fill the positions as the competition is stiff amongst other law enforcement agencies.

Councilmember Guilin asked that Chief Hughes relay to the dispatchers her deep appreciation for all that they do especially during this time.

Mayor Walter asked Chief Hughes to outline the Dispatcher position requirements for anyone who may be seeking employment in this field.

Chief Hughes stated that the applicant must be able to type 20 – 25 words per minute and can multi-task. He stated that once hired, training is offered for them to become certified.

Councilmember Anderson inquired what BPG stands for. It was listed in the Community Development Report as fulfilled three public records requests for BPG.

Mr. Mark Eckhoff, Community Development Director, stated that BPG is for a public records request that was completed by the GIS Coordinator with regards to a gas line to address parking in a right-of-way.

The Department Reports were received and filed.

CALL TO THE PUBLIC

There were no calls to the public.

CALL TO THE COUNCIL – CURRENT EVENTS ONLY

Councilmember Anderson asked for EMS calls versus Fire Calls to be added to the agenda for discussion. No member of Council seconded it.

Mayor Walter thanked Councilmember Guilin and Councilmember Wall for participating on the Budget Committee.

ADJOURNMENT

On motion of Vice-Mayor Woolridge, seconded by Councilmember Guilin, and carried to adjourn the meeting at 7:04 p.m.

Tara Walter, 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 May 1, 2017, 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, MAY 15, 2017, AT 6:00 P.M., IN THE FLORENCE TOWN COUNCIL CHAMBERS, LOCATED AT 775 N. MAIN STREET, FLORENCE, ARIZONA.

CALL TO ORDER

Mayor Walter called the meeting to order at 6:00 pm.

ROLL CALL:

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

MOMENT OF SILENCE

Mayor Walter called for a moment of silence.

PLEDGE OF ALLEGIANCE

The Florence High School students in attendance 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.

There were no public comments.

PUBLIC HEARING AND PRESENTATIONS

Public Hearing on an application received from Matthew Arnold Ritter, Florence Ironhorse Rodeo Consortium, LLC, for Kokopelli Moon Saloon, located at 225 N. Main Street, Florence, Arizona, for an interim permit for a person transfer of a Series 06 Bar Liquor License from Patricia Rose Pfeiffer, and for Council recommendation for approval or disapproval of said license.

Ms. Lisa Garcia, Deputy Town Manager/Town Clerk, stated that the Town received a request from Matthew Ritter to do a person transfer of a Series 06 Bar Liquor License from Patricia Rose Pfeiffer. She stated that the Town Clerk's Office posted it for 20 days. The Town did not receive any comments for or against this. Staff is making a recommendation for Council to forward a motion for approval. Mr. Ritter is present in the audience should Council have any questions.

Mayor Walter opened the public hearing. There were no public comments. Mayor Walter closed the public hearing.

On motion of Councilmember Anderson, seconded by Councilmember Larsen, and carried to forward a favorable recommendation for an interim permit for a person transfer of a Series 06 Bar Liquor License from Patricia Rose Pfeiffer.

Proclamation declaring Florence's pride in those who have enlisted in the military and to urge all citizens to continue to support our military service personnel and the families of those who are serving in our armed forces.

Mayor Walter proclaimed Florence's pride in those who have enlisted in the armed forces and urged all citizens to continue to support our military service personnel and their families.

Mayor Walter recognized each of the Florence High School Seniors who enlisted in the armed forces and presented each with a personalized proclamation in honor of their service to our country:

- Daniel Dyess – Air Force
- Joseph Fant – Air Force
- Payton Turner – Air Force
- Wyatt Griffin – Army
- Vincent Ledesma – Army
- Quentin Slaughter – Army
- Terrence Troupe – Army
- Dawson Reeves – Marines
- Anthony Curiel – Marines
- Michaela Mas – Air Force Reserve
- Michael Viola – Navy
- Michael D'Andrea – National Guard
- Garrett Mariscal – Army
- Dylan Cole – Air Force
- Judith Sainz – Air Force
- Jax Verwoert – Marines
- Christopher Ambrosio – Air Force

Official swearing in of Police Officer Brett Marsden, Police Officer James Nixon and Police Officer Jonathan Perez.

Ms. Garcia swore in Officer Brett Marsden, Officer James Nixon, and Officer Jonathan Perez.

Mr. Daniel Hughes, Police Chief, stated that Officer Perez is originally from California, attended Florence High School and graduated in 2010. He served in the United States Marine Corp. and upon return, wanted to be a police officer. He completed his recruit status and graduated from Southern Arizona Law Enforcement Training Center - Basic Training on May 4, 2017, and is currently in his 15 week Field Training Program.

Chief Hughes stated that Officer Marsden is from California, put himself through Chandler-Gilbert Community College and has worked as a recruit for Superior. He will start his Field Training Program this upcoming week.

Chief Hughes stated that Officer Nixon is a native of Arizona, attended Prescott High School and has a Bachelor's Degree in communications from Arizona State University. He graduated from Southern Arizona Law Enforcement Training Center - Basic Training on May 3, 2017. He is starting his 15-week Field Training Program this week. He is the son of John Nixon, Florence's Recreation Coordinator.

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.

Approval to enter into a Professional Services Agreement with PFM Asset Management, LLC, to provide financial advisement services for investments.

Approval of the purchase of 37 desktop computers, and 30 APC battery backup units from Insight Public Sector Sled, in an amount not to exceed \$27,324.42.

Approval of a Letter of Support for the Planning Assistance for Rural Arizona Grant Application.

Approval of the April 3 and April 17, 2017 Town Council meeting minutes.

Receive and file the following board and commission minutes:

March 9, 2017 Arts and Culture Commission meeting minutes.

On motion of Councilmember Wall, seconded by Councilmember Anderson, and carried to approve the Consent Agenda, as written.

NEW BUSINESS

Discussion/Approval/Disapproval to enter into a contract with Felix Construction Company, for work at the North Florence Wastewater Treatment Plant, in an amount not to exceed \$290,000, expiring on April 11, 2018.

Mr. Chris Salas, Public Works Director, clarified that the Job Order Contract will be for both the North and South Wastewater Treatment Plants. He explained that the Town, in coordination with EUSI, has determined the most economical and effective solution to various deficiencies at the plants is to utilize the services of the Job Order Contractor (JOC).

Mr. Salas stated that a search was performed with references checked and Felix Construction Company has been selected to perform the work. Felix Construction Company has an existing JOC with the City of Peoria. The Peoria contract has specific cooperative purchasing language that allows the Town to purchase from the existing Peoria contract. The type of work provided for in the contract includes "design and construction of new facilities or rehabilitation of existing water related facilities". The cost proposal provided by Felix Construction Company is for an amount of \$290,000.00. The planned services are for the following:

- Phase I Electrical Upgrade to 480/3 phase for new equipment

- Installation of replacement chlorination building (Owner Provided)
- Aeration piping and diffuser installation
- Blower replacement
- Basin piping reconfiguration and concrete Repair
- Concrete rehab on drying bed area slabs and curbing
- Safety railing, walkway, and access rehab
- Rehab bypass pump station
- Installation of piping and rehab of recharge basins
- Clarifier tank rehab
- Belt Filter Press (BFP) removal and installation of New BFP
- Installation of loop or check valve on effluent line to keep Mag meter full
- Reroute filter backwash line to BFP filtrate line
- Re-pipe clean water source to filter backwash pump
- Replace two decant butterfly valves and valve stems
- Installation of piping and rehab of recharge basins- INF, EFF Slide Gates
- Reroute filter backwash line to BFP filtrate line
- Old influent headworks screen rehab and odor control
- Mixed liquor transfer pump and piping
- Install irrigation pump, meter, and line to deliver effluent to frontage landscaping

Mr. Brent Billingsley, Town Manager, explained what a JOC is and that it is one of the tools allowed by the State of Arizona for alternate project delivery.

Councilmember Wall inquired if Exhibit 1, outlined in the contract, is the list of projects on the coversheet.

Mr. Billingsley stated that they are the same.

On motion of Councilmember Hawkins, seconded by Councilmember Larsen, and carried to enter into a contract with Felix Construction Company, for work at the North Florence Wastewater Treatment Plant and the South Wastewater Treatment Plant, in an amount not to exceed \$290,000, expiring on April 11, 2018.

Discussion/Approval/Disapproval to enter into a contract with Regional Pavement Maintenance of Arizona, Inc., for the Hunt Highway Improvement Project, in an amount not to exceed \$263,629.84.

Mr. Salas stated that the repair is for Hunt Highway, north of Franklin Road, along the curb asphaltic concrete, which is in poor condition and is showing signs of block cracking, alligator cracking and releveling. The improvements consist of a full depth reconstruction of the existing asphaltic concrete and aggregate base course within the project limits. Based on the Geotechnical Report that was performed for this project, the new structural section will be increased to four and a half inches of asphaltic concrete and six inches of aggregate base course.

Mr. Salsas stated that two-way traffic will be maintained during the construction of the project. He stated that three different JOC contracts were received and each was allowed to use their own bid format on the documents. The highest bid was \$430,000 and the low bid was \$239,000.

Mr. Salas stated that a bypass road, which will be approximately 1,500 linear feet, will be constructed out of aggregate base course to allow two-way traffic to continue and provide safe access for fire trucks during the construction project. The project is scheduled for June 15, 2017 through June 23, 2017.

Councilmember Anderson stated that the CIP for this project was listed at \$1,000,000. He inquired if it was for a four-lane road.

Mr. Salas stated that he did not prepare the budget last year and does not have the limits of the full project. He stated that what is being presented is the limits of this portion of the project.

Mr. Billingsley stated that there was a request during the CIP portion of the budget process last year from a member of the audience requesting that Hunt Highway be four lanes from the hospital to Arizona Farms Road. Significant discussion took place between staff and the individual; however, the money included in the CIP was specifically to fix the curb and identify what needed to occur there. He stated that some of staff's concerns were not only asphalt but the need to widen and super elevate that section as well as drainage improvements in the area.

Councilmember Anderson inquired if this will address the water issue.

Mr. Salas stated that there will be additional grading which will address the water issue. He stated that it will remain a two-lane road.

On motion of Councilmember Guilin, seconded by Vice-Mayor Woolridge, and carried to enter into a contract with Regional Pavement Maintenance of Arizona, Inc. for the Hunt Highway Improvement Project, for the amount of \$239,663.49, plus 10% contingency of \$23,966.35 making the not to exceed amount \$263,629.84 under Job Order Contract 2014 -007 for the City of Buckeye. This project is identified as CIP Project Hunt Highway Improvement Project.

Discussion/Approval/Disapproval to enter into Professional Services Contract with Willdan Financial Services, for the completion of a Utility Rate Study, in an amount not to exceed \$59,500.

Mr. Jess Knudson, Assistant Town Manager, stated that the last Utility Rate Study was completed in 2012 and is now outdated. It is time for the Town to have a new Utility Rate Study done to guide the Town for the next five years. The rate study will identify the operations that the Town has and will evaluate the Town's water and sewer infrastructure, operational and capital costs as well as the needs of the Town to develop rates and fees for water and wastewater services.

Mr. Knudson stated that Willdan Financial Services will be responsible for researching and to analyze existing and future conditions, fees, plans and studies to develop a rate structure for water and wastewater fees to provide funding for operations, maintenance, debt service, and

capital projects. This will not impact the residents who do not receive Town services nor the Johnson Utilities rates.

Mr. Knudson stated that the Town distributed a Request for Proposals (RFP) to solicit the best qualified consultant to complete this study. Four proposals were received and two were interviewed by the Town's Utility Rate Committee (URC), comprised of Town staff. The costs of conducting the study, based on the proposals received by the Town, ranged from \$55,365 to \$99,950. Willdan Financial Services bid was for \$59,500.

Mr. Knudson introduced Ms. Jolynn Rains, Principal Consultant, Willdan Financial Services.

Ms. Jolynn Rains, Principal Consultant, Willdan Financial Services and Economists.com, stated that she has worked with the Town in 2009 and 2012 on the water and wastewater rate study. She also worked with the Town in 2013 on the sanitation rate study.

Ms. Rains stated that there are many components that make for a successful utility rate study, such as:

- Date received
- Revenues are sufficient to cover the cost of providing the service to the citizens
- Communication
 - Will meet with Council
 - Will meet with staff
 - Will meet with Utility Rate Committee
 - Will be involved in the public process

Councilmember Guilin stated that she is very pleased that Economists.com is working with Willdan Financial Services because they have done an excellent job in the past. They are very thorough and analytical.

On motion of Councilmember Anderson, seconded by Councilmember Larsen, and carried to enter into a Professional Services Contract with Willdan Financial Services, for the completion of a Utility Rate Study, in an amount not to exceed \$59,500.

Discussion/Approval/Disapproval of authorizing the Town Manager to enter into a contract with United Healthcare of Arizona for medical, dental, life and vision insurance; Teladoc for 24/7 physician access benefits; Jorgensen Brooks Group for Employee Assistance Program, AFLAC for supplemental insurance products and Infinisource to administer our Section 125 Flexible Benefit Account Plan for the FY 2017-2018 Employee Benefit Program.

Mr. Scott Barber, Human Resources Director, briefly discussed the past employee benefits and the 9% reduction in fees that the Town experienced last year by switching from Blue Cross/Blue Shield to United Healthcare of Arizona. Previously the Town had a high deductible saving action (HSA) for approximately six years and switched to Blue Cross/Blue Shield because they offered very good rates. He stated that there were claims that ate up the rate reduction and caused an increase.

Mr. Barber explained the situation that occurred with regards to the Blue Cross/Blue Shield quote and ultimately the cost for employee only coverage would decrease, so the Town would see a decrease in cost; however, the dependent coverage would increase between eight and nine percent for the employees for dependent coverage.

Mr. Barber stated that the Employee Insurance Benefit Package renews on July 1st. Garry L. Johnson & Associates, the Town's employee benefit plan consultant, solicited and received renewal quotes from the incumbent carrier, United Healthcare of Arizona (UHC), and asked for quotes from other providers. Our claims experience with UHC since contracting with them last July 1st has been rather high, so a rate increase was anticipated. Our agent/broker did a great job working with both UHC and our prior carrier, Blue Cross/Blue Shield (BC/BS) of Arizona, and we believe we have the best possible quotes from each. UHC reduced its initial renewal quote to match the overall impact of the BC/BS quote. UHC has told us of ongoing negotiations to contract with the Florence Hospital as an in-network provider under the plan. For our dental, life and vision renewal proposals, a modest rate increase was proposed by our current carriers. By bundling these coverages with UHC medical, we were able to gain a worthwhile discount to the medical premium, with no change in benefits from our current provider. Staff continues to be very appreciative of the work done on behalf of the Town by Eric Johnson and his staff.

Medical Insurance – Renewal with UHC keeps us in a fully-insured, PPO-type plan for the 2017/18 policy year, with an overall 6.3% premium increase from current rates. The plan has a \$1,000 maximum out-of-pocket limit for the employee, and a maximum of \$3,000 for a family. The Town fully pays the employee premium and shares the dependent coverage premium with those employees who need and want dependent coverage on a 78%/22% split.

Teladoc – We're completing our fourth year with this coverage which provides our employees 24/7 medical consultations via telephone or internet. Teladoc is a free-standing benefit which supplements our medical insurance. Employees are able to connect with a licensed physician for information, advice, and treatment including prescription medication when appropriate. At a rate of \$4 per month per insured family (up to 5 family members, paid fully by the Town), we think this coverage continues to be a good value for the Town and our employees.

Dental Insurance – The recommendation is to move our fully-insured dental plan to UHC, with a 12.8% decrease from current rates. The Town shares in the same percentage as medical insurance for those employees with dependent coverage.

Group Life Insurance – Staff recommends moving our group life insurance to UHC for all eligible employees and dependents for FY17-18. Group Life coverage is two times an employee's annual salary up to a maximum of \$150,000. The monthly premium renewal quote is \$0.167 per \$1,000 of employee coverage (a 4-cent per thousand dollars of coverage increase from current rates), and \$0.79 for dependent coverage (no increase). UHC is providing a 2-year rate lock. Group Life is paid 100% by the Town. Voluntary coverage is also available.

Vision Insurance – Staff recommends packaging our vision insurance with the medical, life and dental with UHC, with no changes to the basic plan design, a 37.6% reduction in premium, and a 3-year rate lock. The FY17-18 policy year premiums are \$7.53 per month for employee coverage, \$17.66 per month for family coverage. Vision Insurance is paid 100% by the employee.

Employee Assistance Program – Staff is recommending changing carriers this year to the Jorgensen Brooks Group on the strength of a slight reduction in monthly premium and the provision of on-site critical incident stress debriefing services. Provider choices will remain strong. The Town currently pays 100% of the cost for this service.

AFLAC offers a variety of supplemental insurance products to employees through payroll deduction, paid entirely by the employees taking the coverage.

Section 125 Plan Administration has been provided by Infinisource. Through this program, employees can pay qualified medical expenses on a pre-tax basis. We've been very satisfied with the service provided and the company will hold the line on rates for the upcoming year (\$4.95 per employee per month) so we are therefore recommending renewal. The Town covers the cost of this program.

Councilmember Anderson inquired if staff reviews the claims monthly.

Mr. Barber stated that they do not review the claims on a monthly basis, but rather a mid-range claims review every six months.

On motion of Councilmember Wall, seconded by Councilmember Larsen, and carried to authorize the Town Manager to enter into a contract with United Healthcare of Arizona for medical, dental, life and vision insurance; Teladoc for 24/7 physician access benefits; Jorgensen Brooks Group for Employee Assistance Program, AFLAC for supplemental insurance products and Infinisource to administer our Section 125 Flexible Benefit Account Plan for the FY 2017-2018 Employee Benefit Program.

Ratification of the expenditure with Cactus Asphalt, for polymer modified asphalt paving, increasing the original contract by \$10,294.62, to raise the approval amount from \$481,334.56 to \$491,629.18.

Mr. Salas stated that he traveled each road within the Town's municipal boundary when he first began his employment with the Town and found that some of the roads were in much need of repair, specifically a stretch of Butte Avenue. Staff continually monitored the road condition and after the last rain storm it became evident that if no additional repairs were done, they would be blading the road to a gravel road. It was deteriorating so fast that staff was doing 74 pothole repairs per day. A cost estimate was done on the road it was determined that the condition of the existing chip seal was in such poor condition that the project required the application rate of the chip seal binder to be increased from 0.58 gallons per square yard to 0.63 gallons per square yard. The ratification is only for the overage of the contract amount.

On motion of Councilmember Guillin, seconded by Councilmember Hawkins, and carried to ratify the expenditure with Cactus Asphalt, for polymer modified asphalt paving, increasing the original contract by \$10,294.62, to raise the approval amount from \$481,334.56 to \$491,629.18.

Discussion/Approval/Disapproval of adopting the 2017-2022 Strategic Plan.

Mr. Mark Eckhoff, Community Development Director, stated that the completion of the Strategic Plan has been a long time coming and will help everyone. He provided a brief synopsis of what

has transpired in the past and that they are in their final step, which is adoption. Ms. Karalea Cox, Common Sense, helped facilitate the process and was instrumental in getting everyone engaged. They also worked with the Citizens Advisory Group, held several meetings and forged lasting relationships.

Mr. Eckhoff stated that a retreat was held and the Vision Statement was revisited in which it was refined to read: *Florence provides a safe, diverse, family-friendly community in which to live, work, and play. Florence strives for economic and environmental sustainability, while protecting and promoting its unique history and culture.*

Mr. Eckhoff stated that at the retreat five priority areas were identified:

- Key Strategic Plan Priority Areas Identified by the Town Council
 - Community vitality
 - Economic prosperity
 - Leadership and governance
 - Partnerships and relationships
 - Transportation and infrastructure

Mr. Eckhoff stated that Council also identified communication and marketing as key components within each priority area. This is a large part of the implementation portion of the plan. He stated that the Implementation Plan comes after the Strategic Plan and does the following:

- Identifies the five priority areas
 - Objectives (Each Priority Area has multiple objectives.)
 - Tasks are identified for each of the objectives (short, mid and long-term tasks)

Mr. Eckhoff stated the next steps after adoption include:

- Make any final edits per approval.
- Prepare hard copies of the plan for distribution.
- Place the Strategic Plan on the Town webpage.
- Ongoing implementation and monitoring.
- Keep updated along with the Strategic Plan.

Mr. Eckhoff stated that the Request for Council Action Forms will note where the Strategic Plan is being addressed and what priority it is. With regards to the budget and capital improvement budget, it needs to identify how the money is associated with the goals the Town is trying to achieve. The Plan is a living document and will need to be updated on a continual basis.

Ms. Karalea Cox, Common Sense, stated that the plan took longer than expected to complete; however, there was much participation by all of the stakeholders, which she felt resulted in a very solid plan where everyone has buy in.

Ms. Cox recognized Mr. Mike Shoppell, Citizens Advisory Group and all those who participated in the process.

Mayor Walter stated that the process has brought everyone together for common goals and has opened the lines of communication.

Councilmember Anderson stated that the Citizens Advisory Group needs to be listed in the plan.

Councilmember Guilin thanked Mr. Eckhoff for the project management. She understands how difficult it is to manage such a large project, and he did an outstanding job. She appreciates his efforts and that of the advisory group as well as all those who participated in the process.

On motion of Vice-Mayor Woolridge, seconded by Councilmember Larsen, and carried to adopt the 2017-2022 Strategic Plan.

CALL TO THE PUBLIC

Ms. Emily Webster, Florence Resident, stated that she is on the Florence Gardens Mobile Home Association Board of Directors. She stated that one of the agenda items listed for tonight's meeting is for work in Florence Gardens Phases IV and V. She inquired if this is for Units D and E, and part of Unit F. She stated that the Town accepted the streets in Florence Gardens approximately 30 years ago and the only maintenance done in the area of Units D, E, and F has been patching of holes in the pavement. She stated that the sub-service is not in good condition. She explained her concerns about the drainage and inquired what the process will be for the repairs. She inquired if an engineering study will be done and if so, how will they address the drainage issues.

Discussion on Florence Gardens Phase IV and V Infrastructure.

Mr. Salas stated that a geotechnical investigation was completed prior to the design of the project to determine the order of magnitude cost in areas that are only functioning as residential streets. He stated that the project will entail two-inches of asphalt over six-inches aggregate base course. He stated that in areas of higher volumes of traffic, such as Florence Boulevard, the asphalt will be increased to four and a half inches of asphalt. He noted that this will not be a chip seal project that currently exists, but will be improved to a full asphalt section.

Ms. Salas stated that the second project under design was a full drainage analysis as well as a 60% plan submittal. He is currently reviewing the 60% plan submittal and met previously with the engineers to go over all of the drainage concerns and to ensure the inverted crown would suffice.

Mr. Salas stated that curb and gutter will be applied where needed. He stated that the areas are limited as to where the curb and gutter will be needed. He stated that they will have a Plan Public Outreach Meeting scheduled in the near future for this project.

Mr. Salas stated that the original design of the project is an inverted crown chip seal road that did not have any type of concrete valley gutter that would be needed for longevity. The Town, through an analysis, determined that the paved section with concrete valley gutters will contain the drainage. He stated that the plans will be available at the public outreach meeting.

Mr. Salas stated that public outreach will be done for all projects at the 60% or 90% plans depending on the complexity of the project and the level needed for public involvement. He stated that public outreach is important because it informs the residents of what the improvements will be and when they will occur.

Mayor Walter inquired if there is a target time frame of when the project will take place.

Mr. Salas stated that it will be in the first half of Fiscal Year 2017/2018 (between July – December 2018).

Vice-Mayor Woolridge inquired if the public meeting can be held at Florence Gardens as well as Town Hall.

Mayor Walter asked that the meeting be held in Florence Gardens.

Councilmember Larsen thanked Mr. Salas for keeping the residents informed.

Councilmember Guilin stated that the Budget Committee inquired about the cost.

Mr. Salas stated that the cost is \$241,200 for Phase V and it would cost approximately \$488,000 to include curb and gutter, which would not serve a purpose for the drainage conveyance.

LEGISLATIVE REPORT

There were no updates.

TOWN MANAGER'S REPORT

Mr. Billingsley recognized Ms. Rose Bebris, Library Director. She has been with the Town of Florence for 12 years and will be moving to New Hampshire. He thanked her for her dedicated service.

Mr. Billingsley stated that the Town had several meetings in the past regarding floodplains in the Anthem at Merrill Ranch subdivision. There was a determination made last summer regarding potential residential lots in Anthem that could be in the floodplain. The lots were removed from the floodplain; however, it was not recognized by FEMA that the lots were out of the floodplain. The Town, along with Pulte, has been working with FEMA on a submittal of a letter of map review revision to make the corrections to match the mapping with the actual engineering and improvements in the field. The original submittal was done in June 2016. The public comment period started on December 27, 2016 and was advertised in the Florence Reminder on January 5 and 12, 2017. The opening of the comment period, with respect to the LOMR submittal. The map became effective on May 12, 2017. Through the Town and Pulte's review, through the consulting engineer's review, and lastly, through FEMA's review, any errors discovered last summer have been corrected with respect to the LOMR for Anthem at Merrill Ranch. The official letter has not been received; however, he did check online and the map has been changed.

Mr. Billingsley stated that the GEO Group Foundation awarded the Town \$1,000 for the Fourth of July event. The Town appreciates their sponsorship.

Mr. Billingsley stated that the Town received another sponsorship from Avangrid Community Sponsorship Application for \$1,500. The Town thanked Avangrid Renewables for their sponsorship of the Fire Department's programs.

CALL TO THE PUBLIC

Mr. Larry Kollert, Florence Resident, stated that when Phases I, II and III in Florence Gardens were completed approximately seven years ago, curb and gutter was installed in all three phases. He finds it hard to believe that the curbs and gutters were installed for water control. He stated that the residents that live in Phase IV and V are concerned about water issues as well as the aesthetics. He stated that Phases IV and V need to look similar. He stated that the project to do the remaining phases have been stalled for a long time and understands that it is due to finances; however, the appearance will be unappealing if curb and gutter is not installed.

Mr. Kollert stated the total cost to install curb and gutter is not much in comparison to what the Town is paying to fight Florence Copper.

Mr. Kollert stated that he wants the streets to look the same so when they sell their home, the valuation will be just as good as those who live in a phase that has curb and gutter. He asked that Council consider adding curb and gutter to Phase IV and V.

CALL TO THE COUNCIL – CURRENT EVENTS ONLY

Councilmember Larsen thanked Ms. Bebris for her time and dedication to the Town as well as always being so welcoming at the library. She wished her the best in her future.

Councilmember Wall stated that Ms. Bebris will be missed and thanked her for her service.

Councilmember Anderson stated that he was misinformed as to how many entities pay the higher fee to Pinal County Water Augmentation Authority. He previously reported that two entities pay the higher fee and there are actually four who pay: Maricopa, Eloy, Casa Grande and Florence pay \$20,000 and the others pay \$10,000. He thanked all those who attended the Council meeting.

Councilmember Guilin stated that she is saddened that Ms. Bebris and Mr. Mark Eckhoff, Community Development Director, are resigning from the Town. She stated that they will be missed.

Councilmember Hawkins stated that the Town is losing some great employees. He stated that there was a letter in the paper written by a resident who stated that the Town is going to have layoffs, raise property taxes and sales tax as well as cutting back on services. He stated this is all false.

Vice-Mayor Woolridge stated that she read the letter as well and nothing in the letter is true. She stated that it has been a pleasure working with Ms. Bebris as a liaison. She stated that Ms. Bebris and Mr. Eckhoff are assets to the Town and will be missed.

Mayor Walter stated that it is National Police Week and to remember the police officers. She stated that Ms. Bebris and Mr. Eckhoff will be missed. She wishes the best for those who have enlisted in the service and to be safe and come home.

ADJOURN TO EXECUTIVE SESSION

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An Executive Session will be held during the Council Meeting for the purpose of discussion or consultations with designated representatives of the public body and/or legal counsel pursuant to A.R.S. Section 38-431.03(A)(1) to consider its position and instruct its representatives and/or attorneys regarding:

The Town will be discussing the appointment involving the Town Attorney.

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

ADJOURN FROM EXECUTIVE SESSION

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

ADJOURNMENT

On motion of Councilmember Wall, seconded by Councilmember Guilin, and carried to adjourn the meeting at 8:07 pm.

Tara Walter, 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 May 15, 2017, 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 ARTS AND CULTURE COMMISSION
REGULAR MEETING HELD ON THURSDAY, APRIL 13, 2017 AT 3:00 P.M. IN
RUGGLES ROOM 1, LOCATED AT 778 N. MAIN STREET, FLORENCE, AZ.**

1. CALL TO ORDER

Chair Cochran called the meeting to order at 3:01 p.m.

2. ROLL CALL:

Present: Cochran, Hagemann, Noack, Rankin

Absent: Curran

3. PLEDGE OF ALLEGIANCE

4. NEW BUSINESS

a. Introduction of New Commissioner Duane Noack.

Liaison Bryan Hughes introduced Commissioner Noack. Commissioner Noack greeted the Commission.

b. Discussion/Approval/Disapproval of Minutes from the March 9, 2017 Regular Meeting.

On motion by Commissioner Hagemann, seconded by Vice-Chair Rankin, and carried to approve the minutes of the March 9, 2017 Regular Meeting.

c. Review of Sidewalk Chalk Art Event at Road to Country Thunder on April 1, 2017.

Liaison Hughes asked Commissioner Hagemann and Vice-Chair Rankin for their input on the Chalk Walk Event that was held at Town's annual Road to Country Thunder Event. Commissioner Hagemann and Vice-Chair Rankin both had positive feedback for Chalk Walk. Vice-Chair Rankin stated the Chalk Walk event had participants of many different ages. Commissioner Hagemann suggested blocking off the sidewalk if the event will be hosted again next year.

d. Discussion/Approval/Disapproval of the Suter House Enrichment Academy and Related Expenditures.

Vice-Chair Rankin stated that the Open Studio event had low participation, but she expected that since it was the first one being held. Commissioner Noack expressed how nice the Suter House is. Liaison Hughes stated that the next event being hosted at the Suter House is the Drum Session.

e. Discussion of available Arizona Commission on the Arts Grants.

Liaison Hughes asked the Commission to visit the Arizona Commission on the Arts' website to review upcoming grants that the Florence Arts and Culture Commission may apply for. Liaison Hughes asked the Commission to be creative when brainstorming for ideas, but to make sure everything fits in with all the grant guidelines. Chair Cochran expressed she would like for the Commission to submit a grant application by September 7, 2017. Liaison Hughes recommended everyone look for additional grants that the Commission may apply for.

Commissioner Noack asked if the Commission is still interested in having a steel mural to display on Main Street. Chair Cochran stated that, yes; the steel mural is still an option for Downtown Florence. Commissioner Noack stated that maybe the Commission can request the use of a plasma or laser cutter from a Steel Welding Company; the Town of Florence would provide material and volunteer time to build the mural. Commissioner Noack also stated that if the Welding Company agrees, they can put their name on the mural as a sponsor. Liaison Hughes stated that any major projects will not be considered until the Fall.

f. Invitation to the Commission to attend the 2017 Boards and Commissions Appreciation Dinner to be held on April 25, 2017.

Liaison Hughes reminded the Commission to call and R.S.V.P. with Virgie for the Boards and Commissions Appreciation Dinner.

g. Invitation to the Commission to attend a performance of Los Pequeños de Florence Folklorico Dance Group at the Dorothy Senior Center Cinco de Mayo Celebration on May 5, 2017.

Liaison Hughes invited the Commission to attend the Dorothy Nolan Senior Center's Cinco de Mayo event. Liaison Hughes stated that the event will highlight Los Pequeños de Florence Folklorico Dance Group, which used to be sponsored by the local Catholic Church.

5. CALL TO THE PUBLIC/BOARD RESPONSE

Call to the Public for Comment is limited to issues within the jurisdiction of the Town of Florence Arts and Culture Commission. Individual commission members may respond to criticism made by those commenting, may ask the staff liaison to review a matter raised, or may ask that a matter be placed on future agenda.

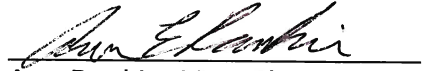
John Anderson commented that the agenda for the next Council meeting included the Town of Florence being recognized as a Purple Heart City. Mr. Anderson commented that many Municipalities throughout Arizona have a Memorial Park, and Florence should have one as well.

6. CALL TO THE COMMISSION- CURRENT EVENTS ONLY

7. ADJOURNMENT

On motion by Vice-Chair Rankin, seconded by Commissioner Noack, and carried to adjourn the meeting at 3:36 P.M.

Approved:



Ann Rankin, Vice-Chairman

Posted 12th day of May, 2017, by Maria Hernandez, Deputy Town Clerk, at 775 North Main Street and 1000 South Willow Street, Florence, Arizona 85132 and at www.florenceaz.gov.

**TOWN OF FLORENCE
PLANNING AND ZONING COMMISSION
REGULAR MEETING MINUTES**

REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE TOWN OF FLORENCE HELD THURSDAY, FEBRUARY 16, 2017 AT 6:00 PM, IN THE CHAMBERS OF TOWN HALL, LOCATED AT 775 N. MAIN STREET, FLORENCE, ARIZONA.

CALL TO ORDER

Chairman Pranzo called the meeting to order at 6:00 pm.

ROLL CALL

Present: Chairman Pranzo, Vice-Chairman Putrick, Commissioner Bell, Commissioner Smidt.

Not present: Commissioner Frost

PLEDGE OF ALLEGIANCE

Chairman Pranzo led the Pledge of Allegiance

DISCUSSION/APPROVAL/DISAPPROVAL of meeting minutes of the regular meetings conducted on September 15, 2016 and October 20, 2016.

On motion of Vice-Chairman Putrick, seconded by Commissioner Bell, and carried to approve the minutes of the regular meeting conducted on December 15, 2016.

NEW BUSINESS

PRESENTATION/APPROVAL/DISAPPROVAL of a Design Review (DR) application for the Windmill Winery Expansion Phase One project located at the southeast corner of Butte Avenue and Plant Road.

Mark Eckhoff, Community Development Director, gave a brief introduction for this Design Review application and introduced Jeff Denzak with Swaback Partners, PLLC on behalf of Florence Artisan Acres, LLC for a Design Review application on approximately ten acres located at the southeast corner of Butte Avenue. Mr. Eckhoff also noted that the Event Center will only be one story and not two stories as stated in the staff report.

Mr. Denzak gave presentation for this project and stated the Territory Square Zoning District and development project was a result of many years of Town orchestrated and community oriented planning initiatives that had the goal of creating a more plausible framework for future

development in and around the downtown Florence 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.

Florence Artisan Acres, LLC, a group of investors and the property owner of the Windmill Winery in Florence, Arizona, have previously had applications approved for the subject site including a Major General Plan Amendment and Rezone to accommodate the expansion of the winery. This group was interested in expanding the energy and success of the Windmill project to this subject site with planned complementary facilities.

ANALYSIS:

The visual character of the proposed development would directly align with the general character defined for in the West End LUG, e.g., “a mixed-use environment that includes a diversity of density from farm fields to retail and commercial development. This location near a potential freeway corridor provides an opportunity to integrate agrarian themes with more urban form”.

The specific uses 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 use (limited/ short term only related to events) was also 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.

DEVELOPMENT PHASING PLAN

The planned project was envisioned to occur in a series of phases.

Phase One A and Phase One B will likely be developed nearest the northwest corner of the site within an approximate area of ten 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 was tentatively planned for a cotton gin event center, with the winery inn and a small RV area. 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 desert landscape.

Phase One B would look to expand the event center with a possible restaurant and brewery, expand the number of guest casitas, and consider the incorporation of a small inn as well as a small retail component that might be oriented towards unique artisan crafts. All components would be designed within the character and vernacular of the Windmill Winery. The event center was 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 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, the Development Phasing Plan Diagram.

ELEVATIONS

Cotton Gin Event Center

The architecture of this building was designed considering the general character/use of the west land use group. Typical architectural concepts in this land use group include mixed-use environments that include diverse densities between farm fields, to retail, and commercial development.

Large single story building.

Midwestern Industrial/field architecture with staggered walls and protrusions.

Outside Ornamental features include Artisan Rustic Industrial Outdoor Sconce Lamps.

Other materials includes stone walls, vertical metal siding, horizontal wood siding, and corrugated metal roof.

Windmill Winery Inn

Outside Ornamental features include Artisan Rustic Industrial Outdoor Sconce Lamps.

Other materials includes stone walls, vertical metal siding, horizontal wood siding, and corrugated metal roof.

Bridal Cottage

Outside Ornamental features include Artisan Rustic Industrial Outdoor Sconce Lamps.

Other materials includes stone walls, vertical metal siding, horizontal wood siding, and corrugated metal roof.

PARKING/CIRCULATION

Vehicular ingress/egress into the site will be provided off of Butte Avenue and Plant Road with a total of four access points. As the ten acres of the development and Territory Square continues to build out, there will be increases in additional access and circulation within and around the site.

The parking requirements for all of the uses are 85 spaces. The site plan calls for 85 permanent spaces, which 5 are ADA accessible. The winery inn triggers 25 spaces (3 ADA) provided,

Planning and Zoning Commission

Meeting Minutes

February 16, 2017

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cotton gin triggers 60 spaces (2 ADA). The applicant proposes two additional truck trailer parking spaces on top of the 85 total spaces, totaling 87 spaces.

The parking requirements for the area meet Town Code and the Territory Square Zoning requirements for design and flexibility. In addition to the parking, emergency access will be accommodated and exceed circulation and access to building entrances.

Pedestrians will be able to access the facilities off Butte Avenue. In addition to the exterior circulation through street networks, on site the pedestrian circulation will be enhanced to allow for people to move in and out of the site safely. Sidewalks will be extended within the site along each building facility with crosswalks and ADA ramps.

LANDSCAPING

The first phase of the ten acre site will enhance the west Land Use Group at the intersection of Plant Road and Butte Avenue, with additional and well-manicured landscaping in and around the site. At the entrance of the winery expansion will be a plaza gathering space greeting users from the north. The plaza will have additional outdoor seating and large tree canopies and vegetation. The landscaping pallet of grass, trees and shrubs will add variety and colors to the earth tone colors of the buildings to enhance the District.

The rest of phase one will have additional landscaping to enhance the site and parking lot. Raised landscape strips will be placed at the end of parking rows and in-between ends. The landscape strips will help break up large expanses of the parking lot and provide some shade for users and help reduce urban heat island.

SIGNAGE

Signage shown on the elevations of the Design Review was conceptual and subject to later modifications. Final signage for the Windmill Winery expansion will be reviewed at a later date and is not a part of this Design Review.

PUBLIC PARTICIPATION:

Under Arizona Revised Statutes, Title 9, Section-462.04. and per the Town of Florence Development Code, a public hearing is not required for a Design Review application however staff notes that the Parks and Recreation and Library departments held public review and comments during the design stages.

STAFF RECOMMENDATION:

Staff found the request was in compliance with applicable Town Codes and was in keeping with the character established for Territory Square District. Therefore, staff hereby recommends approval of the Design Review application for **PZ-16-71**, subject to the following conditions:

1. Design Review approval shall expire in one year from this approval (January 19, 2016) if a building permit is not issued for the subject construction within said period.
2. Project shall comply with all applicable Town Codes, including all applicable building, fire and engineering codes.
3. Any exterior lighting on the property and on the buildings shall be in compliance with applicable light control restrictions.
4. Final landscape and site plans are subject to the review and approval of Community Development staff and such approvals might result in minor modifications of the proposed site plan.
5. Monument signage shall comply with all applicable Town Codes, including all applicable building, fire and engineering codes.
6. Any roof-mounted HVAC equipment shall be screened from street view by the building's architectural parapet.
7. Compliance with this Design Review approval shall be required prior to issuance of Final Certificate of Occupancy.
8. Any additional conditions deemed necessary by the Planning and Zoning Commission.

On motion of Chairman Pranzo, seconded by Vice-Chairman Putrick, and carried to approve the Windmill Winery Expansion Phase One Design Review application.

Commissioner Bell stated he was concerned with the amount of provided parking. Jeff Denzak responded by doing an analysis of the Town Code and found that the provided parking meets and exceed the Town Code requirements. Community Development Director Mark Eckhoff reiterated the applicant will be able to accommodate additional overflow parking as needed and the site they are working with is being developed in phases, with additional space for future parking as needed based from the outcome of the events.

Commissioner Robert Smidt had a question regarding what the occupancy would be for the building. The applicant responded those figures have not yet been calculated.

Vice Chairman Putrick had a question regarding event attendance and parking for Harold Christ, who represented Florence Artisan Acres, LLC. Mr. Christ responded from their past experiences and wedding attendance from their current facility, many wedding attendees use alternative transportation services which results in having enough parking. Mr. Christ reiterated the development space in site planning area will also allow for parking expansion if needed and their planning for parking was based off prior experience.

Chairman Pranzo had a concern for pedestrian access from the proposed facility and pedestrians crossing Butte to the North facility. Mr. Pranzo's concern was Pedestrians would be prone to following the access driveway from the Winery expansion rather than using the proposed pedestrian route to the existing site to the north. Mr. Denzak displayed the slide showing the pedestrian crossing across Butte at its current location based off circulation access, function and safety. Mr. Denzak added this location would be most appropriate to meet the entryway area at the north location across Butte Road. Pranzo stated he just wanted to provide suggestions and hoped staff considered all the pedestrian circulation routes.

DISCUSSION/PRESENTATION of existing Planning and Zoning Commission duties and responsibilities as stated in the Town Code. Additional discussion of previous work session efforts in implementing a text amendment for updating the Planning and Zoning Commissioners duties and responsibilities in the Town Code.

Will Randolph, Town Planner gave an introduction on previous events and Planning and Zoning Commission work sessions that led to reintroducing this potential text amendment to the Town of Florence Zoning Ordinance. Mr. Randolph gave explanation and gave presentation to the commissioners of what was included in their presentation packets and how it was related to the previous work session completed in 2016. Mr. Eckhoff also gave a synopsis of why the Planning and Zoning Commissioner's Roles and Responsibilities text amendment was being introduced again at this time and why it would be beneficial with the addition of two new Planning and Zoning Commission members. Mr. Eckhoff mentioned discussions during this meeting and moving forward would be used to formulate a future Planning and Zoning Roles and Responsibilities text amendment, where proper notifications would be given to the public using the appropriate text amendment procedures for Planning and Zoning and Council approval.

Chairman Pranzo informed Mr. Randolph to provide his commissioner roles and responsibility notes after. Pranzo mentioned the Town of Florence Planning Commission does not have a clear and defined scope for their roles and responsibilities. Pranzo mentioned what was provided to him in his commissioner packet and suggested verbiage to add or where to add items he thought were missing. Pranzo also discussed his ideas of what the commissioners should do in his provided notes for staff, what they should approve or disapprove, and what criteria to use to send recommendations to Council. Pranzo also had recommendations to remove suggested agency items in the commissioner's packets and to add other line items to improve the list or roles of responsibilities previous draft from a 2016 work session. Pranzo's last suggestion was to clarify the Planning and Zoning Chairman's and Commissioner's roles in selecting new commissioners, and what the Commissioners need to prepare for to be adequate in their position.

Mr. Eckhoff thanked Mr. Pranzo for his input and provided suggestions for enhancing the roles and responsibilities of commissioners and enhancing procedural steps into adding new commissioners. Pranzo mentioned to keep the improvements simple, and Mr. Eckhoff acknowledged expanding on what was existing but also keeping the additions concise.

Vice-Chairman Putrick had a recommendation if Chair and Vice-Chair commissioners could interview and recommend future commissioners to council. Mr. Eckhoff responded stating the current Town policies and Town ordinances involved with in choosing future commissioners. Chairman Pranzo ended the discussion with wanting to establish clarity to future commissioners of what the position exactly entailed so they would be aware of the responsibility involved in being a commissioner.

CALL TO THE PUBLIC/COMMISSION RESPONSE

Call to the Public for public comment on issues within the jurisdiction of the Planning and Zoning Commission. Individual Commission members may respond to criticisms made, may ask staff to review a matter raised or may ask that a matter be put on a future agenda. However, members of the Commission 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.

No public comments.

CALL TO THE COMMISSION- CURRENT EVENTS ONLY

Gary Pranzo welcomed Commissioner Smidt to the Planning and Zoning Commission.

Council Liason Bill Hawkins welcomed and thanked Commissioner Smidt for joining the Planning and Zoning Commission. Commissioner Smidt responded to Mr. Hawkins, and gave a brief background of his experience, and thanked the Town of Florence for welcoming him to the commission.

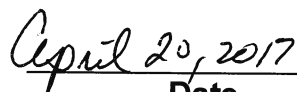
Commissioner Carl Bell mentioned current events that were taking place at the Windmill Winery on Butte Road.

ADJOURNMENT

On motion of Commissioner Bell, seconded by Vice-Chairman Putrick, and carried to adjourn the meeting at 6:39 pm.

x 

Gary Pranzo



Date

**TOWN OF FLORENCE
PLANNING AND ZONING COMMISSION
REGULAR MEETING MINUTES**

REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE TOWN OF FLORENCE HELD THURSDAY, APRIL 20, 2017 AT 6:00 PM, IN THE CHAMBERS OF TOWN HALL, LOCATED AT 775 N. MAIN STREET, FLORENCE, ARIZONA.

CALL TO ORDER

Chairman Pranzo called the meeting to order at 6:00 pm.

ROLL CALL:

Chairman Gary Pranzo	Present
Vice-Chairman Larry Putrick	Present
Commissioner Carl Bell	Present
Commissioner Robert Smidt	Present
Commissioner Lonnie Frost	Present

PLEDGE OF ALLEGIANCE

DISCUSSION/APPROVAL/DISAPPROVAL of the minutes of the regular meeting conducted on February 16, 2017.

A motion was made by Commissioner Bell and seconded by Vice-Chairman Putrick to approve the minutes of February 16, 2017; minutes were approved by unanimous consent.

NEW BUSINESS

A. Anthem at Merrill Ranch Unit 3 (PZ-17-15)

PRESENTATION/APPROVAL/DISAPPROVAL A Preliminary Plat application for Anthem at Merrill Ranch, Unit 3 submitted by Pulte Group, Inc. The subject subdivision is located near the southeast corner of Merrill Ranch Parkway and Independence Way.

Michelle Orton, Senior Planner gave a brief report to the proposed Preliminary Plat application for Anthem at Merrill Ranch, Unit 3 Subdivision. This subdivision is one of many in the approved Anthem at Merrill Ranch (AMR) Planned Unit Development (PUD). Staff stated that the size was nearly 25 acres and would consist of 90 single-family residential lots with a density of 3.68 dwelling units per acre. Staff noted that

AMR is a PUD and its overall single-family residential density is 3.5 dwelling units per acre

Michelle Orton, stated that staff is recommending that the Planning and Zoning Commission **APPROVE** this Preliminary Plat subject to the following conditions of approval.

1. Development of subdivision shall comply with all applicable Town codes, including all applicable planning, building, and fire and engineering requirements.
2. Developer/Property owner is responsible for all applicable street dedications and improvements at the time the subdivision is developed, except as otherwise approved by the Town of Florence.
3. The Fire and Public Works departments retain the right to address additional development details for this subdivision, such as, but not limited to, easements, dedications, storm water and drainage improvements, ADA compliance, and fire hydrant placements during the reviews of the civil plans and Final Plats for the subject unit.
4. Any additional conditions deemed necessary by the Planning and Zoning Commission.

A Motion was made by Commissioner Bell, to approve the Preliminary Plat subject to the conditions of approval and it was seconded by Commissioner Smidt. The Preliminary Plat, Anthem at Merrill Ranch, Unit 3 was approved by unanimous consent.

B. Anthem at Merrill Ranch Unit 5 (PZ-17-17)

PRESENTATION/APPROVAL/DISAPPROVAL A Preliminary Plat application for Anthem at Merrill Ranch, Unit 5 submitted by Pulte Group, Inc. The subject subdivision is located near the northwest corner of Independence Way and Felix Road.

Michelle Orton, Senior Planner gave a brief report to the proposed Preliminary Plat Anthem at Merrill Ranch, Unit 5 Subdivision. This subdivision is one of many in the approved AMR PUD. Staff stated that the size was nearly 19 acres and would consist of 75 single-family residential lots with a density of 3.96 dwelling units per acre. Staff noted that AMR is a PUD and its overall single-family residential density is 3.5 dwelling units per acre.

Michelle Orton, stated that staff is recommending that the Planning and Zoning Commission **APPROVE** this Preliminary Plat subject to the following conditions of approval.

1. Development of subdivision shall comply with all applicable Town codes, including all applicable planning, building, and fire and engineering requirements.
2. Developer/Property owner is responsible for all applicable street dedications and improvements at the time the subdivision is developed, except as otherwise approved by the Town of Florence.
3. The Fire and Public Works departments retain the right to address additional development details for this subdivision, such as, but not limited to, easements, dedications, storm water and drainage improvements, ADA compliance, and fire hydrant placements during the reviews of the civil plans and Final Plats for the subject unit.
4. Any additional conditions deemed necessary by the Planning and Zoning Commission.

(Inaudible)

Jared Baxter, 7580 N. Dobson Road, Suite 200, Scottsdale, AZ 85256 answered a question from the commissioners regarding lighting. He noted that all of the lighting and spacing were on the civil plans and those were approved through the Public Works Department.

A Motion was made by Chairman Pranzo, to approve the Preliminary Plat subject to the conditions of approval and it was seconded by Commissioner Smidt. The Preliminary Plat, Anthem at Merrill Ranch, Unit 5 was approved by unanimous consent.

C. Anthem at Merrill Ranch Unit 7 (PZ-17-18)

PRESENTATION/APPROVAL/DISAPPROVAL A Preliminary Plat application for Anthem at Merrill Ranch, Unit 7 submitted by Pulte Group, Inc. The subject subdivision is located near the southwest corner of Merrill Ranch Parkway and Felix Road.

Michelle Orton, Senior Planner gave a brief report to the proposed Preliminary Plat Anthem at Merrill Ranch, Unit 7 Subdivision. Ms. Orton noted that this is similar to the other two subdivisions already presented. It was stated that the size was nearly 26 acres and would consist of 87 single-family residential lots with a density of 3.3 dwelling

units per acre. Staff noted that AMR is a PUD and its overall single-family residential density is 3.5 dwelling units per acre

Michelle Orton, noted that staff is recommending that the Planning and Zoning Commission **APPROVE** this Preliminary Plat subject to the following conditions of approval.

1. Development of subdivision shall comply with all applicable Town codes, including all applicable planning, building, and fire and engineering requirements.
2. Developer/Property owner is responsible for all applicable street dedications and improvements at the time the subdivision is developed, except as otherwise approved by the Town of Florence.
3. The Fire and Public Works departments retain the right to address additional development details for this subdivision, such as, but not limited to, easements, dedications, storm water and drainage improvements, ADA compliance, and fire hydrant placements during the reviews of the civil plans and Final Plats for the subject unit.
4. Any additional conditions deemed necessary by the Planning and Zoning Commission.

A Motion was made by Commissioner Bell, to approve the Preliminary Plat subject to the conditions of approval and it was seconded by Vice-Chairman Putrick. The Preliminary Plat, Anthem at Merrill Ranch, Unit 7 was approved by unanimous consent.

D. Anthem at Merrill Ranch Preliminary Plat extensions (PZ-17-31)

PRESENTATION/APPROVAL/DISAPPROVAL A Preliminary Plat Extension for Anthem at Merrill Ranch Units 31, 33, 35A, 35B and 37 submitted by Southwest Value Partners. The subject units are located west of Hunt Highway and south of the proposed extension of Merrill Ranch Parkway.

Michelle Orton, Senior Planner gave a brief report regarding the proposed Preliminary Plat Extensions for Anthem at Merrill Ranch, Units 31, 33, 35A, 35B and 37. The applicant has requested a six (6) month extension. Per the applicant the housing market conditions appear to be rebounding, but at a slower rate than was anticipated last year when these development units were submitted for preliminary plat approval.

Michelle Orton, noted that staff is recommending that the Planning and Zoning Commission **APPROVE** this Preliminary Plat Extension for Anthem at Merrill Ranch, Units 31, 33, 35A, 35B and 37 subject to the following conditions of approval.

Planning and Zoning Commission Meeting

Agenda

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1. Development of subdivision shall comply with all applicable Town codes, including all applicable planning, building, fire and engineering requirements.
2. Developer/Property owner is responsible for all applicable street dedications and improvements at the time the subdivision is developed, except as otherwise approved by the Town of Florence.
3. Final plans for right-of-way and easement dedications and/or abandonments, that may be provided via the Final Plat or other means, are subject to the review and approval of the Town Engineer.
4. Developer/Property owner may reduce the number of lots or widen lots within the subject preliminary plat area during the effective approval period without requiring additional Town approvals, provided there is no net increase in the subdivision density, no reduction in open space and the changes do not require changes in any street designs.
5. Any additional conditions deemed necessary by the Planning and Zoning Commission.

It was asked by one of the Commissioners about the original approval of the Preliminary Plats. He wanted to know how long has it been since it was approved by the Commission.

Jared Baxter with Design Group indicated that they came before the P & Z Commissioners a year ago in April of 2016.

The Commissioners discussed the need for the extension to prevent the subdivision from falling apart.

Mr. Baxter noted that they did need it now per the Town code. It was approved for a year and they were able to request an additional six (6) month extension.

Chairman Pranzo wanted to know about the status of the properties and how long before they start breaking ground.

Mr. Baxter indicated that it was going very good and that both developers are actively pursuing builders. They have some very good leads, not yet under contract.

One of the Commissioners wanted to know if Mr. Baxter was Southwest Partners.

Mr. Baxter noted that he was not but that he worked with them and that he was the engineer for both Southwest Value Partners and Jokake Development Services.

Planning and Zoning Commission Meeting

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A Commissioner wanted to know if Mr. Baxter met with Johnson regarding the wall that was requested next to the sewer.

Mr. Baxter indicated that he had not talked to Mr. Johnson regarding the wall. It will be up to the builder to get with Mr. Johnson and that will be disclosed in the papers. They will need to discuss where and how high the wall will be built but it's still in play and will be addressed.

A Commissioner indicated that they haven't seen anything and wanted to know if they would be able to approve or disapprove the wall.

Mr. Baxter noted that this will be similar to other design review cases and they will be able to review the plans when Planning brings them to the Commission.

Chairman Pronzo wanted to know if six (6) months was a reasonable extension.

Mr. Baxter explained that the Town code only allows for a six (6) month extension. He noted that the Town was trying to change that but at this point they are handcuffed to what the Town code requires. He noted that he would prefer a longer extension but he understood that the Town doesn't want dead subdivisions out there.

There was discussion between the Commissioners and Mr. Baxter on the time frame of Preliminary Plats and the possibility of changing the approval deadlines.

Commissioner Smidt noted the subdivisions that have been presented vary in density.

Mr. Baxter stated that since the commissioner was new he would like to explain the Development Agreement they have with the Town. The developer and the Town agreed to a 3.5 dwelling units per acre for the entire development. This includes washes, golf courses, open spaces and park spaces. All of the open spaces are not abutting subdivisions but they are dedicated. The subdivisions around the open spaces are around a 1.2 and then the other subdivisions without open space touching go up to four point. Looking at the entire development they will not reach density until they approach 9,000 lots and at the moment they're not even approaching the 3.5. That's what's going on the west side of Hunt Highway, there isn't any open space so there are higher densities.

A Motion was made by Vice-Chairman Putrick, to approve the Preliminary Plat Extensions subject to the conditions of approval and it was seconded by Commissioner Smidt. The Preliminary Plat Extension for Anthem at Merrill Ranch, Units 31, 33, 35A, 35B and 37 was approved by unanimous consent.

E. Anthem at Merrill Ranch Pre-Plat extensions (PZ-17-32)

PRESENTATION/APPROVAL/DISAPPROVAL for Preliminary Plat extensions for Anthem at Merrill Ranch Units 41, 43, 45, 47, 49 and 51 submitted by Jokake Development Services. The subject units are located west of Hunt Highway and north of the proposed Merrill Ranch Parkway.

Michelle Orton, Senior Planner gave a brief report regarding the proposed Preliminary Plat Extensions for Anthem at Merrill Ranch, Units 41, 43, 45, 47, 49 and 51. The applicant has requested a six (6) month extension. Per the applicant the housing market conditions appear to be rebounding, but at a slower rate than was anticipated last year when these development units were submitted for preliminary plat approval. The housing market conditions appear to be rebounding but at a slower rate than was anticipated last year.

1. Development of subdivision shall comply with all applicable Town codes, including all applicable planning, building, fire and engineering requirements.
2. Developer/Property owner is responsible for all applicable street dedications and improvements at the time the subdivision is developed, except as otherwise approved by the Town of Florence.
3. Final plans for right-of-way and easement dedications and/or abandonments, that may be provided via the Final Plat or other means, are subject to the review and approval of the Town Engineer.
4. Developer/Property owner may reduce the number of lots or widen lots within the subject preliminary plat area during the effective approval period without requiring additional Town approvals, provided there is no net increase in the subdivision density, no reduction in open space and the changes do not require changes in any street designs.
5. Any additional conditions deemed necessary by the Planning and Zoning Commission.

A Motion was made by Vice-Chairman Putrick, to approve the Preliminary Plat Extensions subject to the conditions of approval and it was seconded by Commissioner Bell. The Preliminary Plat Extension for Anthem at Merrill Ranch, Units 41, 43, 45, 47, 49 and 51 was approved by unanimous consent.

2. CALL TO THE PUBLIC/COMMISSION RESPONSE:

Call to the Public for public comment on issues within the jurisdiction of the Planning and Zoning Commission. Individual Commission members may respond to criticisms

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made, may ask staff to review a matter raised or may ask that a matter be put on a future agenda. However, members of the Commission 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.

There were no comments from the public.

3. CALL TO THE COMMISSION- CURRENT EVENTS ONLY.

Chairman Pranzo introduced and welcomed the newest member of the Planning and Zoning Commission, Commissioner Frost.

4. ADJOURNMENT


A motion was made by Commissioner Smidt to adjourn the meeting; it was seconded by Vice-Chairman Putrick. The meeting was adjourned by unanimous consent at 6:29 pm.



Chairman Gary Pranzo



Date

	TOWN OF FLORENCE COUNCIL ACTION FORM	<u>AGENDA ITEM</u> 8a.
MEETING DATE: June 19, 2017 DEPARTMENT: Finance STAFF PRESENTER: Joe Jarvis, Finance Director SUBJECT: Resolution No. 1627-17: Adoption of the Tentative Budget	<input checked="" type="checkbox"/> Action <input type="checkbox"/> Information Only <input type="checkbox"/> Public Hearing <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input type="checkbox"/> Regulatory <input type="checkbox"/> 1 st Reading <input type="checkbox"/> 2 nd Reading <input type="checkbox"/> Other	
STRATEGIC PLAN REFERENCE: <input type="checkbox"/> Community Vitality <input type="checkbox"/> Economic Prosperity <input type="checkbox"/> Leadership and Governance <input type="checkbox"/> Partnership and Relationships <input type="checkbox"/> Transportation and Infrastructure <input checked="" type="checkbox"/> Statutory <input type="checkbox"/> None		

RECOMMENDED MOTION/ACTION:

Adopt Resolution No. 1627-17: A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, ADOPTING THE TENTATIVE ESTIMATES OF THE AMOUNT REQUIRED FOR THE PUBLIC EXPENSE FOR THE TOWN OF FLORENCE FOR FISCAL YEAR 2017-2018; ADOPTING A TENTATIVE ANNUAL BUDGET; SETTING FORTH THE RECEIPTS, EXPENDITURES AND THE AMOUNT PROPOSED TO BE EXPENDED FOR VARIOUS PURPOSES; GIVING NOTICE OF THE TIME FOR PUBLIC HEARING FOR TAXPAYERS ON THE ADOPTION OF THE FINAL BUDGET; ADOPTING THE BUDGET IN ACCORDANCE WITH THE STATE-IMPOSED EXPENDITURE LIMITATION AND VOTER-APPROVED EXCESS AMOUNT; DECLARING AN EMERGENCY.

BACKGROUND/DISCUSSION:

State statutes require that the annual budget be prepared on forms developed by the Office of the Auditor General, Schedules A to G, and that a tentative budget be adopted by resolution.

As the budget was developed, Town Council, the Budget Committee and staff met in order to develop the budget. Staff is now presenting the recommend Tentative Budget to the full Council.

The total budget for all funds is \$36,833,638.

A public hearing will be held on July 17, 2017 at 6:00 pm, at the Florence Town Hall, located at 775 N. Main Street, Florence, Arizona 85132. The purpose of the public hearing is to receive public comments on the budget. After the public hearing, a special meeting

will be held for adoption of the final budget, which can be no more than the tentative budget approved tonight.

This budget, minus allowed exclusions, is within the state-imposed expenditure limitation plus the voter-approved amount.

In the resolution, an emergency is declared in order to allow the resolution to go into immediate effect upon passage by the Town Council. Historically, the Tentative Budget adoption resolution has contained this language.

A VOTE OF NO WOULD MEAN:

The Tentative Budget for FY 2017-2018 would not be approved. Staff would seek direction from the Town Council to schedule a budget work session. Per State Statute 42-17101, a Tentative Budget must be adopted by the third Monday in July.

A VOTE OF YES WOULD MEAN:

The FY 2017-2018 Tentative Budget would be adopted and staff would prepare the necessary documentation in order to present a final budget to the Town Council on July 17, 2017.

FINANCIAL IMPACT:

The total tentative budget for all funds is \$36,833,638.

ATTACHMENTS:

Resolution No. 1627-17
Auditor General Budget Schedules A to G

RESOLUTION NO. 1627-17

A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, ADOPTING THE TENTATIVE ESTIMATES OF THE AMOUNT REQUIRED FOR THE PUBLIC EXPENSE FOR THE TOWN OF FLORENCE FOR FISCAL YEAR 2017-2018; ADOPTING A TENTATIVE ANNUAL BUDGET; SETTING FORTH THE RECEIPTS, EXPENDITURES AND THE AMOUNT PROPOSED TO BE EXPENDED FOR VARIOUS PURPOSES; GIVING NOTICE OF THE TIME FOR PUBLIC HEARING FOR TAXPAYERS ON THE ADOPTION OF THE FINAL BUDGET; ADOPTING THE BUDGET IN ACCORDANCE WITH THE STATE-IMPOSED EXPENDITURE LIMITATION AND VOTER-APPROVED EXCESS AMOUNT; DECLARING AN EMERGENCY.

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

Section 1. Authorization for Adoption

THAT the statement and schedules contained in Exhibit A-G are hereby adopted for the purpose as hereinafter set forth as the Tentative Annual Budget for the Town of Florence for the Fiscal Year 2017-2018.

Section 2. Authorization for Publication of Estimates and Notice

THAT the Town Clerk be and hereby is authorized and directed to publish in the manner prescribed by law, the estimates of expenditures, as set forth in Exhibit A-G together with a notice that the Council will meet for the purpose of the Final Hearing of Taxpayers' comments and for adoption of the 2017-2018 ANNUAL BUDGET for the Town of Florence on the 17th day of July, 2017, at the hour of 6:00 P.M. in the Council Chambers in the Town Hall of Florence.

Section 3. Authorization for Contingency Expenditures

UPON recommendation by the Town Manager and approval of the Mayor and Council, appropriations and expenditures may be made for contingencies.

Section 4. Authorization for Use of Funds

MONEY from any fund may be used for any of these specified appropriations, except money specifically restricted by the State or by Town Ordinance or Resolution.

Section 5. Statement and Schedules of the Annual Budget

The statements and schedules of the Annual Budget are attached hereto as Exhibit A-G and by reference made a part hereof.

Section 6. Emergency Clause

WHEREAS, as it is necessary for the preservation of the peace, health, and safety of the Town of Florence, Arizona, an emergency is declared to exist and this Resolution shall be effective immediately upon its passage and adoption.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Florence, Arizona, this 19th day of June 2017.

Tara Walter, Mayor

ATTEST:

APPROVED AS TO FORM:

Lisa Garcia, Town Clerk

Clifford L. Mattice, Town Attorney

INSTRUCTIONS

BEFORE USING THE ENCLOSED SCHEDULES, PLEASE COMPLETE THE FOLLOWING:

Completing the steps below will populate the heading for each of the attached schedules.

1. Enter the City/Town Name:
2. Select the Budget Year

Town of Florence
2018

Protection/Unprotection of File:

Each spreadsheet within the file has been protected to prevent accidental deletion of formulas. When the sheet is protected you can move from one cell to the next using the Tab key. A password was not assigned, so the sheets may be unprotected to make minor formatting changes such as row height, column width, and font size. To unprotect an individual spreadsheet, select Protect/Unprotect Sheet from the menu.

You may need to add lines to Schedules C through G to accommodate all funds or departments involved. Remember to check all formulas in the subtotals and totals to ensure that the additional lines are included, and make changes accordingly. Once changes have been made, the sheet should be re-protected by reversing the above process. Re-protecting the sheets will help ensure that formulas are not accidentally altered or deleted.

Printing Tips:

Schedule A can be printed on one page in landscape format with the "fit to 1 page wide by 1 page tall" option (Page Setup) selected. Schedules B through F can be printed in portrait format. Schedule G can be printed in landscape format. Schedules with multiple pages are formatted to print with the column headings on each page.

OFFICIAL BUDGET FORMS

Town of Florence

Fiscal Year 2018

Town of Florence
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Fiscal Year 2018

Resolution for the Adoption of the Budget

Schedule A—Summary Schedule of Estimated Revenues and Expenditures/Expenses

Schedule B—Tax Levy and Tax Rate Information

Schedule C—Revenues Other Than Property Taxes

Schedule D—Other Financing Sources/<Uses> and Interfund Transfers

Schedule E—Expenditures/Expenses by Fund

Schedule F—Expenditures/Expenses by Department (as applicable)

Schedule G—Full-Time Employees and Personnel Compensation

Town of Florence
Summary Schedule of Estimated Revenues and Expenditures/Expenses
Fiscal Year 2018

Fiscal Year	S c h	FUNDS								
		General Fund	Special Revenue Fund	Debt Service Fund	Capital Projects Fund	Permanent Fund	Enterprise Funds Available	Internal Service Funds	Total All Funds	
2017	Adopted/Adjusted Budgeted Expenditures/Expenses*	E	14,714,586	10,871,510	452,771	1,241,000	14,500	9,055,087	0	36,349,454
2017	Actual Expenditures/Expenses**	E	14,018,353	3,795,573	452,771	433,975	12,634	6,568,751	0	25,282,057
2018	Fund Balance/Net Position at July 1***									0
2018	Primary Property Tax Levy	B	1,017,439							1,017,439
2018	Secondary Property Tax Levy	B								0
2018	Estimated Revenues Other than Property Taxes	C	12,146,035	6,099,302	50,286	1,397,010	10,690	7,633,777	0	27,337,100
2018	Other Financing Sources	D	0	0	0	0	0	0	0	0
2018	Other Financing (Uses)	D	0	0	0	0	0	0	0	0
2018	Interfund Transfers In	D	1,384,009	0	69,748	609,150	0	0	0	2,062,907
2018	Interfund Transfers (Out)	D	0	330,997	0	115,078	609,150	1,007,682	0	2,062,907
2018	Reduction for Amounts Not Available:									
	LESS: Amounts for Future Debt Retirement:									0
										0
										0
										0
2018	Total Financial Resources Available		14,547,483	5,768,305	120,034	1,891,082	(598,460)	6,626,095	0	28,354,539
2018	Budgeted Expenditures/Expenses	E	14,547,484	10,207,447	163,261	437,278	14,500	11,463,668	0	36,833,638

EXPENDITURE LIMITATION COMPARISON

1. Budgeted expenditures/expenses
2. Add/subtract: estimated net reconciling items
3. Budgeted expenditures/expenses adjusted for reconciling items
4. Less: estimated exclusions
5. Amount subject to the expenditure limitation
6. EEC expenditure limitation

	2017	2018
1. Budgeted expenditures/expenses	\$ 36,349,454	\$ 36,833,638
2. Add/subtract: estimated net reconciling items		
3. Budgeted expenditures/expenses adjusted for reconciling items	36,349,454	36,833,638
4. Less: estimated exclusions	10,780,145	11,700,332
5. Amount subject to the expenditure limitation	\$ 25,569,309	\$ 25,133,306
6. EEC expenditure limitation	\$ 32,341,325	\$ 32,341,325

The city/town does not levy property taxes and does not have special assessment districts for which property taxes are levied. Therefore, Schedule B has been omitted.

* Includes Expenditure/Expense Adjustments Approved in the current year from Schedule E.

** Includes actual amounts as of the date the proposed budget was prepared, adjusted for estimated activity for the remainder of the fiscal year.

*** Amounts on this line represent Fund Balance/Net Position amounts except for amounts not in spendable form (e.g., prepaids and inventories) or legally or contractually required to be maintained intact (e.g., principal of a permanent fund).

**Town of Florence
Revenues Other Than Property Taxes
Fiscal Year 2018**

SOURCE OF REVENUES	ESTIMATED REVENUES 2017	ACTUAL REVENUES* 2017	ESTIMATED REVENUES 2018
GENERAL FUND			
Local taxes			
City Sales Tax	\$ 2,650,000	\$ 2,859,672	\$ 2,700,000
City Sales Food Tax			275,000
Licenses and permits			
Occupational Licenses	53,000	60,133	53,000
Building Permits	475,000	456,774	475,000
Other	1,500	836	1,500
Intergovernmental			
State-Shared Sales Tax	2,683,450	2,784,283	2,417,705
State-Shared Income Tax	3,382,005	3,806,084	3,192,630
Vehicle License Tax	1,450,800	1,537,294	1,440,710
Salt River Lieu Tax	100	31	50
Charges for services			
Franchise Fees	584,100	516,890	589,000
Civil Engineering Fees	101,900	114,500	134,100
Planning and Zoning Fees	186,500	173,136	174,060
Cemetery Fees	12,500	14,347	13,600
Police Fees	26,800	24,657	25,950
Parks & Recreation Fees	137,810	119,483	128,400
Fire Safety Fees	52,850	46,892	45,300
Library Fees	5,100	6,224	6,000
Senior Center Fees	19,330	23,257	20,650
Other	225,700	219,989	139,330
Fines and forfeits			
Fines and Forfeitures	145,750	179,816	166,100
Interest on investments			
Interest Earnings	100,000	65,000	100,000
In-lieu property taxes			
Contributions			
Miscellaneous			
Other	43,100	82,002	39,450
Economic Development	1,000	4,568	1,500
Gov't Access Channel	7,900	4,000	7,000
Total General Fund	\$ 12,346,195	\$ 13,099,868	\$ 12,146,035

* Includes actual revenues recognized on the modified accrual or accrual basis as of the date the proposed budget was prepared, plus estimated revenues for the remainder of the fiscal year.

**Town of Florence
Revenues Other Than Property Taxes
Fiscal Year 2018**

SOURCE OF REVENUES	ESTIMATED REVENUES 2017	ACTUAL REVENUES* 2017	ESTIMATED REVENUES 2018
SPECIAL REVENUE FUNDS			
Highway Users Revenue	\$ 2,258,146	\$ 2,283,942	\$ 2,000,451
Transportation Excise Tax	1,006,431	1,065,786	1,006,431
Interest Earnings	50,000	50,986	85,460
Other	4,717,400	87,377	37,664
TOTAL HIGHWAY USER REVENUE FUND	\$ 8,031,977	\$ 3,488,091	\$ 3,130,006
City Sales Food Tax Interest Earnings	\$ 1,000	\$ 2,780	\$ 1,700
City Sales Food Tax (food for consumption)	275,000	280,168	
TOTAL FOOD TAX FUND	\$ 276,000	\$ 282,948	\$ 1,700
Grant Revenue	\$ 3,829,188	\$ 337,701	\$ 2,500,000
TOTAL GRANT FUND	\$ 3,829,188	\$ 337,701	\$ 2,500,000
Interest Earnings	\$ 4,400	\$ 3,955	\$ 7,349
TOTAL STREETLIGHT IMPR DIST FUNDS	\$ 4,400	\$ 3,955	\$ 7,349
Sanitation Impact Fee Fund	\$ 200	\$ 337	\$ 408
Transportation Impact Fee Fund	121,000	153,605	122,119
Police Services Impact Fee Fund	108,500	100,503	103,775
Fire Services Impact Fee Fund	95,100	102,099	106,727
Parks Services Impact Fee Fund	6,500	6,828	5,911
Library Services Impact Fee Fund	31,500	30,747	33,744
Water Utility Impact Fee Fund	15,320	9,940	9,000
Sewer Utility Impact Fee Fund	16,000	15,003	16,254
North Water Utility Impact Fee Fund	100	48	121
North Sewer Utility Impact Fee Fund	100	85	100
TOTAL IMPACT FEE FUNDS	\$ 394,320	\$ 419,195	\$ 398,159
Judicial Collections Enhancement Fund	\$ 3,200	\$ 3,467	\$ 2,757
Fill-the-Gap Fund	2,925	1,313	1,031
Southwest Gas Capital Expenditure Fund	46,000	47,114	50,000
Impound Fee Fund	10,200	10,390	8,300
TOTAL OTHER SPECIAL REVENUE FUNDS	\$ 62,325	\$ 62,284	\$ 62,088
Total Special Revenue Funds	\$ 12,598,210	\$ 4,594,174	\$ 6,099,302

* Includes actual revenues recognized on the modified accrual or accrual basis as of the date the proposed budget was prepared, plus estimated revenues for the remainder of the fiscal year.

**Town of Florence
Revenues Other Than Property Taxes
Fiscal Year 2018**

<u>SOURCE OF REVENUES</u>	<u>ESTIMATED REVENUES 2017</u>	<u>ACTUAL REVENUES* 2017</u>	<u>ESTIMATED REVENUES 2018</u>
DEBT SERVICE FUNDS			
Utility Improvement District #1 Fund	\$ 70,350	\$ 62,663	\$ 50,286
TOTAL UTILITY IMPROVEMENT DIST #1 FUND	\$ 70,350	\$ 62,663	\$ 50,286
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
Total Debt Service Funds	\$ 70,350	\$ 62,663	\$ 50,286
CAPITAL PROJECTS FUNDS			
City Sales Tax (private construction)	\$ 1,200,000	\$ 1,067,008	\$ 1,200,000
Interest Earnings	25,000	23,946	26,441
Other		1,318	
TOTAL CAPITAL PROJECTS FUND	\$ 1,225,000	\$ 1,092,272	\$ 1,226,441
City Sales Tax (government construction)	\$ 130,000	\$ 183,299	\$ 130,000
Interest Earnings	30,000	19,647	30,253
Miscellaneous Revenue			5,204
TOTAL CONSTRUCTION TAX FUND	\$ 160,000	\$ 202,946	\$ 165,457
Interest Earnings	\$ 2,500	\$ 2,998	\$ 5,112
TOTAL ECONOMIC DEVELOPMENT FUND	\$ 2,500	\$ 2,998	\$ 5,112
	\$	\$	\$
	\$	\$	\$
Total Capital Projects Funds	\$ 1,387,500	\$ 1,298,216	\$ 1,397,010

* Includes actual revenues recognized on the modified accrual or accrual basis as of the date the proposed budget was prepared, plus estimated revenues for the remainder of the fiscal year.

**Town of Florence
Revenues Other Than Property Taxes
Fiscal Year 2018**

SOURCE OF REVENUES	ESTIMATED REVENUES 2017	ACTUAL REVENUES* 2017	ESTIMATED REVENUES 2018
PERMANENT FUNDS			
Firefighters' Pension Fund (fiduciary fund)	\$ 8,000	\$ 8,400	\$ 8,400
Interest Earnings	25,000	2,300	2,290
TOTAL FIREFIGHTERS' PENSION FUND	\$ 33,000	\$ 10,700	\$ 10,690
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
Total Permanent Funds	\$ 33,000	\$ 10,700	\$ 10,690
ENTERPRISE FUNDS			
Water Utility Fees	\$ 2,681,550	\$ 2,740,457	\$ 2,743,062
Interest Earnings	35,000	42,263	69,704
Other	1,000	27,678	1,899
TOTAL WATER UTILITY FUND	\$ 2,717,550	\$ 2,810,398	\$ 2,814,665
Sewer Utility Fees	\$ 3,931,856	\$ 3,859,008	\$ 3,952,512
Interest Earnings	50,000	59,877	91,394
Other		207,619	928
TOTAL SEWER UTILITY FUND	\$ 3,981,856	\$ 4,126,504	\$ 4,044,834
Sanitation Services Fees	\$ 892,500	\$ 803,899	\$ 756,037
Interest Earnings	4,000	8,274	16,841
Other	25,750	27,515	1,400
TOTAL SANITATION UTILITY FUND	\$ 922,250	\$ 839,688	\$ 774,278
	\$	\$	\$
	\$	\$	\$
Total Enterprise Funds	\$ 7,621,656	\$ 7,776,590	\$ 7,633,777

* Includes actual revenues recognized on the modified accrual or accrual basis as of the date the proposed budget was prepared, plus estimated revenues for the remainder of the fiscal year.

**Town of Florence
Revenues Other Than Property Taxes
Fiscal Year 2018**

<u>SOURCE OF REVENUES</u>	<u>ESTIMATED REVENUES 2017</u>	<u>ACTUAL REVENUES* 2017</u>	<u>ESTIMATED REVENUES 2018</u>
INTERNAL SERVICE FUNDS			
_____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____
Total Internal Service Funds	\$ _____	\$ _____	\$ _____
TOTAL ALL FUNDS	\$ <u>34,056,911</u>	\$ <u>26,842,211</u>	\$ <u>27,337,100</u>

* Includes actual revenues recognized on the modified accrual or accrual basis as of the date the proposed budget was prepared, plus estimated revenues for the remainder of the fiscal year.

**Town of Florence
Tax Levy and Tax Rate Information
Fiscal Year 2018**

	2017	2018
1. Maximum allowable primary property tax levy. A.R.S. §42-17051(A)	\$ <u>944,986</u>	\$ <u>1,017,439</u>
2. Amount received from primary property taxation in the current year in excess of the sum of that year's maximum allowable primary property tax levy. A.R.S. §42-17102(A)(18)	\$ _____	
3. Property tax levy amounts		
A. Primary property taxes	\$ <u>898,846</u>	\$ <u>1,017,439</u>
B. Secondary property taxes		
C. Total property tax levy amounts	\$ <u>898,846</u>	\$ <u>1,017,439</u>
4. Property taxes collected*		
A. Primary property taxes		
(1) Current year's levy	\$ <u>898,846</u>	
(2) Prior years' levies		
(3) Total primary property taxes	\$ <u>898,846</u>	
B. Secondary property taxes		
(1) Current year's levy	\$ _____	
(2) Prior years' levies	\$ _____	
(3) Total secondary property taxes	\$ _____	
C. Total property taxes collected	\$ <u>898,846</u>	
5. Property tax rates		
A. City/Town tax rate		
(1) Primary property tax rate	<u>1.1182</u>	<u>1.1345</u>
(2) Secondary property tax rate	_____	_____
(3) Total city/town tax rate	<u>1.1182</u>	<u>1.1345</u>
B. Special assessment district tax rates		
Secondary property tax rates - As of the date the proposed budget was prepared, the city/town was operating <u>2</u> special assessment districts for which secondary property taxes are levied. For information pertaining to these special assessment districts and their tax rates, please contact the city/town.		

* Includes actual property taxes collected as of the date the proposed budget was prepared, plus estimated property tax collections for the remainder of the fiscal year.

Town of Florence
Other Financing Sources/<Uses> and Interfund Transfers
Fiscal Year 2018

FUND	OTHER FINANCING 2018		INTERFUND TRANSFERS 2018	
	SOURCES	<USES>	IN	<OUT>
GENERAL FUND				
Highway User Revenue Fund	\$	\$	\$ 261,997	\$
Water Utility Fund			461,770	
Sewer Utility Fund			493,566	
Sanitation Utility Fund			52,346	
Streetlight Improvement District Funds			9,900	
Other Special Revenue Funds			59,100	
Capital for the General Fund			45,330	
Total General Fund	\$	\$	\$ 1,384,009	\$
SPECIAL REVENUE FUNDS				
Highway User Revenue Fund	\$	\$	\$	\$ 261,997
Streetlight Improvement District Funds				9,900
Other Special Revenue Funds				59,100
Total Special Revenue Funds	\$	\$	\$	\$ 330,997
DEBT SERVICE FUNDS				
Debt Service Fund	\$	\$	\$ 69,748	\$
Total Debt Service Funds	\$	\$	\$ 69,748	\$
CAPITAL PROJECTS FUNDS				
Capital for the General Fund	\$	\$	\$ 609,150	\$ 115,078
Total Capital Projects Funds	\$	\$	\$ 609,150	\$ 115,078
PERMANENT FUNDS				
Food Tax	\$	\$	\$	\$ 609,150
Total Permanent Funds	\$	\$	\$	\$ 609,150
ENTERPRISE FUNDS				
Water Utility Fund	\$	\$	\$	\$ 461,770
Sewer Utility Fund				493,566
Sanitation Utility Fund				52,346
Total Enterprise Funds	\$	\$	\$	\$ 1,007,682
INTERNAL SERVICE FUNDS				
	\$	\$	\$	\$
Total Internal Service Funds	\$	\$	\$	\$
TOTAL ALL FUNDS	\$	\$	\$ 2,062,907	\$ 2,062,907

**Town of Florence
Expenditures/Expenses by Fund
Fiscal Year 2018**

FUND/DEPARTMENT	ADOPTED BUDGETED EXPENDITURES/ EXPENSES 2017	EXPENDITURE/ ADJUSTMENTS APPROVED 2017	ACTUAL EXPENDITURES/ EXPENSES* 2017	BUDGETED EXPENDITURES/ EXPENSES 2018
GENERAL FUND				
Town Council	\$ 128,821	\$	\$ 118,053	\$ 96,203
Administration/Gen Govt	1,795,283		1,890,678	1,777,059
Court	178,000		183,732	198,606
Legal	621,596		454,638	473,844
Finance	791,329		761,496	676,281
Human Resources	252,836		231,235	246,472
Community Development	654,982		613,875	595,580
Police	3,837,512		3,520,837	3,974,134
Fire	2,915,693		2,951,824	3,042,730
Information Technology	521,011		408,755	391,974
Parks and Recreation	1,674,243		1,690,461	1,736,046
Senior Center	247,168		237,042	265,455
Library	384,278		350,444	272,568
Engineering	80,225		82,369	140,130
Facilities	477,648		391,393	517,007
Cemetery	8,400		7,206	8,900
Economic Development	145,561		124,315	134,495
Total General Fund	\$ 14,714,586	\$	\$ 14,018,353	\$ 14,547,484
SPECIAL REVENUE FUNDS				
Highway User Revenue	\$ 6,923,274	\$	\$ 3,201,981	\$ 7,575,949
Grants	3,749,188		445,681	2,500,000
Streetlight Improvement Districts	74,800		94,078	74,800
Judicial Collections Enhancement	3,750		5,443	5,000
Fill-the-Gap	698		698	698
Southwest Gas Capital Exp	116,800		47,114	50,000
Impound	3,000		578	1,000
Total Special Revenue Funds	\$ 10,871,510	\$	\$ 3,795,573	\$ 10,207,447
DEBT SERVICE FUNDS				
Debt Service	\$ 359,850	\$	\$ 359,850	\$ 69,748
Utility Improvement District #1	92,921		92,921	93,513
Total Debt Service Funds	\$ 452,771	\$	\$ 452,771	\$ 163,261
CAPITAL PROJECTS FUNDS				
Capital Projects	\$ 1,225,000	\$	\$ 417,975	\$ 417,278
Econ Dev Capital Projects	16,000		16,000	20,000
Total Capital Projects Funds	\$ 1,241,000	\$	\$ 433,975	\$ 437,278
PERMANENT FUNDS				
Firefighters' Pension (Fiduciary)	\$ 14,500	\$	\$ 12,634	\$ 14,500
Total Permanent Funds	\$ 14,500	\$	\$ 12,634	\$ 14,500
ENTERPRISE FUNDS				
Water Utility	\$ 4,294,882	\$	\$ 2,723,796	\$ 5,123,036
Sewer Utility	3,859,718		2,879,184	5,422,999
Sanitation	900,487		965,771	917,633
Total Enterprise Funds	\$ 9,055,087	\$	\$ 6,568,751	\$ 11,463,668
INTERNAL SERVICE FUNDS				
Total Internal Service Funds	\$	\$	\$	\$
TOTAL ALL FUNDS	\$ 36,349,454	\$	\$ 25,282,057	\$ 36,833,638

* Includes actual expenditures/expenses recognized on the modified accrual or accrual basis as of the date the proposed budget was prepared, plus estimated expenditures/expenses for the remainder of the fiscal year.


**Town of Florence
Expenditures/Expenses by Department
Fiscal Year 2018**

DEPARTMENT/FUND	ADOPTED BUDGETED EXPENDITURES/ EXPENSES 2017	EXPENDITURE/ EXPENSE ADJUSTMENTS APPROVED 2017	ACTUAL EXPENDITURES/ EXPENSES* 2017	BUDGETED EXPENDITURES/ EXPENSES 2018
IMPACT FEE FUNDS				
Transporation	\$	\$	\$	\$ 533,750
Community Development	6,000			
Police Services	6,000			8,750
Fire Services	6,000			8,750
Parks Services	6,000			8,750
Library Services	6,000			8,750
Water Utility	6,000			8,750
Sewer Utility	6,000			8,750
North Water Utility	6,000			8,750
North Sewer Utility	6,000			8,750
Department Total	\$ 54,000	\$	\$	\$ 603,750
Department Total	\$	\$	\$	\$

* Includes actual expenditures/expenses recognized on the modified accrual or accrual basis as of the date the proposed budget was prepared, plus estimated expenditures/expenses for the remainder of the fiscal year.

**Town of Florence
Full-Time Employees and Personnel Compensation
Fiscal Year 2018**

FUND	Full-Time Equivalent (FTE) 2018	Employee Salaries and Hourly Costs 2018	Retirement Costs 2018	Healthcare Costs 2018	Other Benefit Costs 2018	Total Estimated Personnel Compensation 2018
GENERAL FUND	161	\$ 7,442,535	\$ 963,570	\$ 1,782,695	\$ 185,485	\$ 10,374,285
SPECIAL REVENUE FUNDS						
Highway User Revenue	13	\$ 709,304	\$ 75,773	\$ 206,432	\$ 36,667	\$ 1,028,176
Total Special Revenue Funds	13	\$ 709,304	\$ 75,773	\$ 206,432	\$ 36,667	\$ 1,028,176
ENTERPRISE FUNDS						
Water Utility	9	\$ 412,333	\$ 44,049	\$ 91,712	\$ 11,872	\$ 559,966
Sewer Utility	11	371,517	39,688	138,167	9,320	558,692
Sanitation	2	79,695	8,514	20,030	3,531	111,770
Total Enterprise Funds	22	\$ 863,545	\$ 92,251	\$ 249,909	\$ 24,723	\$ 1,230,428
TOTAL ALL FUNDS	196	\$ 9,015,384	\$ 1,131,594	\$ 2,239,036	\$ 246,875	\$ 12,632,889

	TOWN OF FLORENCE COUNCIL ACTION FORM	<u>AGENDA ITEM</u> 8b.
MEETING DATE: June 19, 2017 DEPARTMENT: Human Resources STAFF PRESENTER: Scott Barber, HR Director SUBJECT: Resolution No. 1628-17: FY 2017-2018 Employee Compensation and Classification Plans		<input checked="" type="checkbox"/> Action <input type="checkbox"/> Information Only <input type="checkbox"/> Public Hearing <input checked="" 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
STRATEGIC PLAN REFERENCE: <input type="checkbox"/> Community Vitality <input type="checkbox"/> Economic Property <input checked="" type="checkbox"/> Leadership and Governance <input type="checkbox"/> Partnership and Relationships <input type="checkbox"/> Transportation and Infrastructure <input type="checkbox"/> Statutory <input type="checkbox"/> None		

RECOMMENDED MOTION/ACTION:

Motion to adopt Resolution No. 1628-17: A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, ADOPTING THE TOWN OF FLORENCE FY 2017-2018 EMPLOYEE COMPENSATION AND CLASSIFICATION PLANS.

BACKGROUND/DISCUSSION:

Every year as part of the fiscal budget consideration and approval process, Council is requested to approve the employee classification and compensation plans for the upcoming year. This reflects any new position classifications that are included in the budget proposal and the pay ranges assigned to them, deleting any classifications no longer needed/in use, and also any position classification title changes. The proposed plans contain a number of changes that were presented to Council in the budget work session on June 6, 2017, along with the 5% general pay adjustment for full-time Town employees.

FY2017-2018 COMPENSATION/CLASSIFICATION STRUCTURE:

The recommended Employee Classification Plan (Pay Range Order) identifies in descending pay range order, positions by job title and the pay range Minimum, Midpoint and Maximum. It also includes information on:

- Fair Labor Standards Act (FLSA) coverage status
 - E = Exempt/Salaried Position
 - NE = Non-Exempt/Hourly Position, eligible for overtime
- Classified/Unclassified Position status
 - C = Classified – appeal rights under Town Policy

- UC = Unclassified – position is “at-will”
- Adding new classification titles
- Deleting classification titles not needed or not in use
- A General Adjustment for full-time Town employees to be effective for the pay period which includes July 1, 2017.

A VOTE OF NO WOULD MEAN:

Proposed Employee Classification and Compensation Plans for FY17/18 would not be adopted and implemented.

A VOTE OF YES WOULD MEAN:

Proposed Employee Classification and Compensation Plans for FY17/18 would be adopted and implemented for the pay period which includes July 1 2017.

FINANCIAL IMPACT:

The fiscal impact of this recommendation is reflected in the departmental budget proposals for the upcoming fiscal year.

ATTACHMENTS:

Resolution No. 1628-17
Town of Florence FY2017-2018 Classification Plan
Town of Florence FY2017-2018 Pay Schedule

RESOLUTION NO. 1628-17

A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, ADOPTING THE TOWN OF FLORENCE RECOMMENDED FY2017-2018 EMPLOYEE COMPENSATION AND CLASSIFICATION PLANS.

WHEREAS, it has been brought to the attention of the Mayor and Council that it is recommended that the Town of Florence provide full-time employees a 5% General Adjustment for FY 2017-2018, to be effective July 1, 2017; and

WHEREAS, it has been brought to the attention of the Mayor and Council that it is necessary and desirable that the Town of Florence approve the FY2017-18 Salary Plan as recommended; and

WHEREAS, it has been brought to the attention of the Mayor and Council that it is necessary and desirable that the Town of Florence approve the FY2017-18 Classification Plan with the following changes from the FY2016/17 Plan:

Additions

Building Official
Community Services Director
Development Services Director
Library Manager
Planning Manager
Recreation Superintendent
Communications & Intergovernmental Relations Manager

Deletions

Assistant Town Attorney
Community Development Director
Economic Development Coordinator
Fitness Trainer
Grants/Assessment Manager
Graphic Design/Digital Media Specialist
Library Director
Network Analyst
Office Aide
Office Supervisor
Parks & Recreation Director
Public Works Director
Public Works Operations Tech
Senior Center Assistant
Senior Center Coordinator

NOW, THEREFORE BE IT RESOLVED that the Town of Florence hereby adopts the recommended Employee Compensation and Classification Plans for Fiscal Year 2017-2018.

PASSED AND ADOPTED by the Town Council this 19th day of June, 2017.

Tara Walter, Mayor

ATTEST:

APPROVED AS TO FORM:

Lisa Garcia, Town Clerk

Cliff Mattice, Town Attorney

Town of Florence
FY 2017-18 Classification Plan
(Pay Range Order)

Position Classification	Pay Range	Minimum	Midpoint	Maximum	FLSA	Classified/ Unclassified
Town Manager	Contract					
Town Attorney	Contract					
Town Magistrate	Contract					
Deputy Town Manager	69	\$84,964	\$110,343	\$135,722	E	UC
Police Chief	68	\$82,892	\$107,652	\$132,412	E	UC
Development Services Director	67	\$80,870	\$105,027	\$129,183	E	UC
Town Engineer					E	UC
Fire Chief	66	\$78,898	\$102,465	\$126,032	E	UC
Finance Director	65	\$76,974	\$99,966	\$122,958	E	UC
Community Services Director	64	\$75,097	\$97,528	\$119,959	E	UC
Utilities Director					E	UC
Human Resource Director	60	\$68,033	\$88,355	\$108,676	E	UC
Assistant Town Manager	59	\$66,375	\$86,201	\$106,027	E	UC
Deputy Public Works Director					E	UC
Information Technology Manager					E	UC
Cmns & Intergovernmental Relations Manager					E	UC
Police Lieutenant	58	\$64,755	\$84,098	\$103,441	E	C
Senior Civil Engineer	57	\$63,176	\$82,047	\$100,918	E	UC
Planning Manager					E	UC
Town Clerk	56	\$61,635	\$80,046	\$98,457	E	UC
Fire Battalion Chief	54	\$59,808	\$76,189	\$92,570	E	C
Senior Planner	51	\$55,538	\$70,749	\$85,960	E	C
Accounting Manager	50	\$54,183	\$69,023	\$83,863	E	C
Building Official					E	C
GIS Coordinator					E	C
Police Sergeant					NE	C
Public Works Superintendent					E	C
Assistant to the Town Manager	49	\$52,862	\$67,340	\$81,818	E	C
Library Manager	48	\$51,572	\$65,697	\$79,822	E	C
Police Support Services Manager					E	C
Public Works Project Manager					E	C

Position Classification	Pay Range	Minimum	Midpoint	Maximum	FLSA	Classified/ Unclassified
Grants Coordinator	47	\$50,315	\$64,095	\$77,875	E	UC
Management Analyst					E	UC
Wastewater Superintendent					E	C
Water Superintendent					E	C
Associate Engineer	46	\$49,088	\$62,532	\$75,976	NE	C
Fire Captain					NE	C
Parks Maintenance Supt.	45	\$47,890	\$61,006	\$74,122	NE	C
Recreation Superintendent					E	C
Planner	44	\$46,722	\$59,518	\$72,314	NE	C
Court Administrator	43	\$45,583	\$58,067	\$70,551	E	UC
Police Officer	42	\$44,471	\$56,651	\$68,831	NE	C
Public Safety Communications Supervisor					NE	C
Senior Building Inspector					NE	C
Facilities Manager	40	\$42,328	\$53,921	\$65,515	NE	C
Fire Engineer					NE	C
Police Recruit					NE	C
Accountant	39	\$41,296	\$52,606	\$63,916	NE	C
Finance Project Analyst					NE	C
Crime Analyst	38	\$40,289	\$51,323	\$62,357	NE	C
Fleet Services Supervisor					NE	C
Information Technology Tech.					NE	C
Maintenance Foreman					NE	C
Deputy Town Clerk	37	\$39,305	\$50,070	\$60,835	NE	C
Human Resource Coordinator					NE	C
Building Inspector	36	\$38,346	\$48,849	\$59,352	NE	C
Field Foreman					NE	C
Firefighter					NE	C
Parks Maintenance Foreman					NE	C
Engineering Technician	34	\$37,893	\$46,496	\$55,098	NE	C
Public Safety Dispatcher – Lead					NE	C
Recreation Coordinator					NE	C
Senior Treatment Plant Operator					NE	C
Payroll Specialist	33	\$36,970	\$45,362	\$53,754	NE	C
Code Compliance Officer	32	\$36,068	\$44,255	\$52,442	NE	C
Maintenance Worker III					NE	C
Mechanic					NE	C
Sanitation Worker III					NE	C
Librarian	31	\$35,188	\$43,176	\$51,164	NE	C

Position Classification	Pay Range	Minimum	Midpoint	Maximum	FLSA	Classified/ Unclassified
Engineering Technician Assistant	30	\$34,330	\$42,123	\$49,916	NE	C
Police Evidence Technician					NE	C
Public Safety Dispatcher					NE	C*
Utility Billing Supervisor					NE	C
Administrative Assistant	29	\$33,492	\$41,095	\$48,698	NE	C
Senior Court Clerk					NE	C
Water Plant Operator					NE	C
Accounting Technician	28	\$32,676	\$40,093	\$47,510	NE	C
Assessment Specialist					NE	C
Facilities Maintenance Specialist					NE	C
Utility Services Representative					NE	C
Wastewater Treatment Plant Opr.					NE	C
Permit Specialist	27	\$31,880	\$39,116	\$46,352	NE	C
Utility Systems Operator					NE	C
Maintenance Worker II	26	\$31,101	\$38,161	\$45,221	NE	C
Sanitation Worker II					NE	C
Recreation Programmer	25	\$30,343	\$37,231	\$44,119	NE	C
Utility Services Operator	24	\$29,603	\$36,323	\$43,043	NE	C
Court Clerk	23	\$30,121	\$35,436	\$40,751	NE	C
Maintenance Worker I	22	\$29,386	\$34,572	\$39,758	NE	C*
Police Records Clerk					NE	C
Sanitation Worker I					NE	C
Customer Service Representative	21	\$28,670	\$33,729	\$38,788	NE	C
Library Assistant					NE	C
Office Assistant					NE	C*
Mechanic Assistant	19	\$27,288	\$32,104	\$36,920	NE	C
Custodian	16	\$25,340	\$29,812	\$34,284	NE	C
Library Aide	15	\$24,434	\$28,746	\$33,058	NE	C*

*All part-time positions in these classifications are unclassified

Guidelines for Temporary Positions (hourly):

Position Classification	Minimum	Maximum
Fitness Trainer	\$12.7990	\$17.7587
Pool Manager	\$12.1899	\$16.4923
Heat Lifeguard Recreation Leader III	\$10.2543*	\$13.8730
Lifeguard II Recreation Leader II	\$10.0000*	\$11.9629
Lifeguard I Recreation Leader I Student Trainee	\$10.0000*	\$10.8375

*will be \$10.50 on 1/1/18 per state law

Part-Time Fire Department Positions (hourly):

Position Classification	Minimum	Maximum
Part-Time Firefighter	\$13.25	\$20.51
Part-Time Fire Engineer	\$14.63	\$22.64

Town of Florence
FY 2017-2018 Salary Range Table

Salary Range	HIRING RANGE	PERFORMING MARKET RANGE	EXCEPTIONAL RANGE	Salary Range
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BAND A 60% WIDTH: DEPARTMENT DIRECTORS, DIVISION MANAGERS, SENIOR CONTRIBUTORS

	77.00%		88.50%	100%	111.50%	EXCEPTIONAL RANGE	123.00%	
69	\$84,964	\$97,653	\$97,654	\$110,343	\$123,032	\$123,033	\$135,722	69
68	\$82,892	\$95,271	\$95,272	\$107,652	\$120,032	\$120,033	\$132,412	68
67	\$80,870	\$92,948	\$92,949	\$105,027	\$117,105	\$117,106	\$129,183	67
66	\$78,898	\$90,681	\$90,682	\$102,465	\$114,248	\$114,249	\$126,032	66
65	\$76,974	\$88,469	\$88,470	\$99,966	\$111,462	\$111,463	\$122,958	65
64	\$75,097	\$86,311	\$86,312	\$97,528	\$108,743	\$108,744	\$119,959	64
63	\$73,265	\$84,206	\$84,207	\$95,149	\$106,091	\$106,092	\$117,033	63
62	\$71,478	\$82,152	\$82,153	\$92,828	\$103,503	\$103,504	\$114,178	62
61	\$69,735	\$80,149	\$80,150	\$90,565	\$100,980	\$100,981	\$111,395	61
60	\$68,033	\$78,193	\$78,194	\$88,355	\$98,516	\$98,517	\$108,676	60
59	\$66,375	\$72,287	\$76,288	\$86,201	\$96,114	\$96,115	\$106,027	59
58	\$64,755	\$74,426	\$74,427	\$84,098	\$93,769	\$96,770	\$103,441	58
57	\$63,176	\$72,611	\$72,612	\$82,047	\$91,482	\$91,483	\$100,918	57
56	\$61,635	\$70,840	\$70,841	\$80,046	\$89,251	\$89,252	\$98,457	56

BAND B 55% WIDTH: DIVISION LEADERS AND SENIOR CONTRIBUTORS


	78.50%		89.25%	100%	110.75%	EXCEPTIONAL RANGE	121.50%	
55	\$61,304	\$69,698	\$69,699	\$78,094	\$86,489	\$86,490	\$94,884	55
54	\$59,808	\$67,997	\$67,998	\$76,189	\$84,379	\$84,380	\$92,570	54
53	\$58,350	\$66,339	\$66,340	\$74,331	\$82,322	\$82,323	\$90,312	53
52	\$56,926	\$64,720	\$64,721	\$72,517	\$80,313	\$80,314	\$88,108	52
51	\$55,538	\$63,142	\$63,143	\$70,749	\$78,355	\$78,356	\$85,960	51
50	\$54,183	\$60,602	\$61,603	\$69,023	\$76,443	\$76,444	\$83,863	50
49	\$52,862	\$60,100	\$60,101	\$67,340	\$74,579	\$74,580	\$81,818	49
48	\$51,572	\$58,634	\$58,635	\$65,697	\$72,759	\$72,760	\$79,822	48
47	\$50,315	\$57,204	\$57,205	\$64,095	\$70,985	\$70,986	\$77,875	47
46	\$49,088	\$55,809	\$55,810	\$62,532	\$69,254	\$69,255	\$75,976	46
45	\$47,890	\$54,447	\$54,448	\$61,006	\$67,564	\$67,565	\$74,122	45
44	\$46,722	\$53,119	\$53,120	\$59,518	\$65,916	\$65,917	\$72,314	44
43	\$45,583	\$51,824	\$51,825	\$58,067	\$64,308	\$64,309	\$70,551	43
42	\$44,471	\$50,560	\$50,561	\$56,651	\$62,741	\$62,742	\$68,831	42
41	\$43,386	\$49,327	\$49,328	\$55,269	\$61,210	\$61,211	\$67,152	41
40	\$42,328	\$48,123	\$48,124	\$53,921	\$59,718	\$59,719	\$65,515	40
39	\$41,296	\$46,950	\$46,951	\$52,606	\$58,261	\$58,262	\$63,916	39
38	\$40,289	\$45,805	\$45,806	\$51,323	\$56,840	\$56,841	\$62,357	38
37	\$39,305	\$44,686	\$44,687	\$50,070	\$55,453	\$55,454	\$60,835	37
36	\$38,346	\$43,597	\$43,598	\$48,849	\$54,100	\$54,101	\$59,352	36

Town of Florence

FY 2017-2018 Salary Range Table

BAND C 45% WIDTH: MUNICIPAL, PROFESSIONAL, AND TECHNICAL								
	81.50%		90.75%	100%	109.25%		118.50%	
35	\$38,841	\$43,249	\$43,250	\$47,658	\$52,065	\$52,066	\$56,475	35
34	\$37,893	\$42,194	\$42,195	\$46,496	\$50,797	\$50,798	\$55,098	34
33	\$36,970	\$41,165	\$41,166	\$45,362	\$49,558	\$49,559	\$53,754	33
32	\$36,068	\$40,160	\$40,161	\$44,255	\$48,349	\$48,350	\$52,442	32
31	\$35,188	\$39,181	\$39,182	\$43,176	\$47,170	\$47,171	\$51,164	31
30	\$34,330	\$38,226	\$38,227	\$42,123	\$46,019	\$46,020	\$49,916	30
29	\$33,492	\$37,293	\$37,294	\$41,095	\$44,896	\$44,897	\$48,698	29
28	\$32,676	\$36,383	\$36,384	\$40,093	\$43,802	\$43,803	\$47,510	28
27	\$31,880	\$35,497	\$35,498	\$39,116	\$42,734	\$42,735	\$46,352	27
26	\$31,101	\$34,630	\$34,631	\$38,161	\$41,691	\$41,692	\$45,221	26
25	\$30,343	\$33,786	\$33,787	\$37,231	\$40,674	\$40,675	\$44,119	25
24	\$29,603	\$32,962	\$32,963	\$36,323	\$39,683	\$39,684	\$43,043	24

BAND D 35% WIDTH: BUSINESS SUPPORT, LABOR, TRADES, ENTRY LEVEL								
	85.00%		92.50%	100%	107.50%		115.00%	
23	\$30,121	\$32,777	\$32,778	\$35,436	\$38,094	\$38,095	\$40,751	23
22	\$29,386	\$31,978	\$31,979	\$34,572	\$37,165	\$37,166	\$39,758	22
21	\$28,670	\$31,198	\$31,199	\$33,729	\$36,259	\$36,260	\$38,788	21
20	\$27,970	\$30,437	\$30,438	\$32,906	\$35,374	\$35,375	\$37,842	20
19	\$27,288	\$29,695	\$29,696	\$32,104	\$34,512	\$34,513	\$36,920	19
18	\$26,622	\$28,970	\$28,971	\$31,320	\$33,669	\$33,670	\$36,018	18
17	\$25,973	\$28,264	\$28,265	\$30,557	\$32,849	\$32,850	\$35,141	17
16	\$25,340	\$27,575	\$27,576	\$29,812	\$32,048	\$32,049	\$34,284	16
15	\$24,434	\$26,589	\$26,590	\$28,746	\$30,902	\$30,903	\$33,058	15
14	\$24,117	\$26,244	\$26,245	\$28,373	\$30,501	\$30,502	\$32,629	14
13	\$23,529	\$25,604	\$25,605	\$27,681	\$29,757	\$29,758	\$31,833	13
12	\$22,689	\$24,690	\$24,691	\$26,693	\$28,695	\$28,696	\$30,697	12
11	\$22,395	\$24,370	\$24,371	\$26,347	\$28,323	\$28,324	\$30,299	11
10	\$21,848	\$23,775	\$23,776	\$25,704	\$27,632	\$27,633	\$29,560	10
9	\$21,315	\$23,195	\$23,196	\$25,077	\$26,958	\$26,959	\$28,839	9
8	\$20,796	\$22,630	\$22,631	\$24,466	\$26,301	\$26,302	\$28,136	8
7	\$20,289	\$22,078	\$22,079	\$23,869	\$25,659	\$25,660	\$27,449	7
6	\$19,564	\$21,290	\$21,291	\$23,017	\$24,743	\$24,744	\$26,470	6
5	\$19,311	\$21,014	\$21,015	\$22,719	\$24,423	\$24,424	\$26,127	5
4	\$18,839	\$20,501	\$20,502	\$22,164	\$23,826	\$23,827	\$25,489	4
3	\$18,380	\$20,001	\$20,002	\$21,624	\$23,246	\$23,247	\$24,868	3
2	\$17,932	\$19,514	\$19,515	\$21,097	\$22,679	\$22,680	\$24,262	2
1	\$17,495	\$19,037	\$19,038	\$20,582	\$22,126	\$22,127	\$23,669	1

	TOWN OF FLORENCE COUNCIL ACTION FORM	<u>AGENDA ITEM</u> 8c.
MEETING DATE: June 19, 2017 DEPARTMENT: Administration STAFF PRESENTER: Cliff Mattice, Town Attorney SUBJECT: Resolution No. 1629-17 regarding the "Other Amendment" in APP Permit101704.		<input checked="" type="checkbox"/> Action <input type="checkbox"/> Information Only <input type="checkbox"/> Public Hearing <input checked="" 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
STRATEGIC PLAN REFERENCE: <input checked="" type="checkbox"/> Community Vitality <input checked="" type="checkbox"/> Economic Prosperity <input type="checkbox"/> Leadership and Governance <input type="checkbox"/> Partnership and Relationships <input type="checkbox"/> Transportation and Infrastructure <input type="checkbox"/> Statutory <input type="checkbox"/> None		

RECOMMENDED MOTION/ACTION:

Adoption of Resolution 1629-17, A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING AND AUTHORIZING THE TOWN OF FLORENCE TO PURSUE THE INVESTIGATION OF AND THE FULL PROSECUTION/LITIGATION OF THE APPLICATION FOR AQUIFER PROTECTION PERMIT OTHER AMENDMENT IN APP PERMIT NO. P-101704, AND THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION AND DECLARING AN EMERGENCY.

BACKGROUND/DISCUSSION:

Florence Copper applied to Arizona Department of Environmental Quality (ADEQ) for an "Other Amendment" to APP Permit No. P-101704 to install two replacement point of compliance wells. The application is being reviewed by ADEQ. The Town has received information that indicates that the wells were installed in January of 2017. The Resolution authorizes the attorneys for the Town to investigate and take appropriate action, including legal action.

A VOTE OF NO WOULD MEAN:

A vote of 'No' would mean that the Town would not be authorized to pursue the investigation, full prosecution, and litigation of the "Other Amendment" for APP Permit P-101704.

A VOTE OF YES WOULD MEAN:

A vote of 'Yes' would mean that the Town would be able, if necessary, to pursue the investigation of and the full prosecution/litigation relating to or arising from the construction of the Replacement Wells outside of the Arizona State Land in possible violation or in contravention of the zoning applicable to the property.

FINANCIAL IMPACT:

Unknown at this time.

ATTACHMENTS:

Resolution No. 1629-17

RESOLUTION NO. 1629-17

A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING AND AUTHORIZING THE TOWN OF FLORENCE TO PURSUE THE INVESTIGATION OF AND THE FULL PROSECUTION/LITIGATION OF THE APPLICATION FOR AQUIFER PROTECTION PERMIT OTHER AMENDMENT IN APP PERMIT NO. P-101704, AND THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION AND DECLARING AN EMERGENCY.

WHEREAS, Florence Copper Inc. submitted an application to the Arizona Department of Environmental Quality (“ADEQ”) for an Aquifer Protection Permit Other Amendment in APP Permit No. P-101704 (“Permit Application”) for the replacement of two points of compliance wells (the “Replacement Wells”); and

WHEREAS, the Permit Application is undergoing administrative review by the ADEQ; and

WHEREAS, while under administrative review by ADEQ, documents filed by Florence Copper Inc. in support of the Other Amendment indicate that the Replacement Wells were constructed on January 16, 2017; and

WHEREAS, the Replacement Wells appear to have been constructed outside of the state land on land subject to the zoning jurisdiction of the Town of Florence; and

WHEREAS, the investigation of and the full prosecution/litigation relating to or arising from the construction of the Replacement Wells outside of the state land in possible violation or in contravention of the zoning applicable to the property is in furtherance of the purposes of the Town of Florence (the “Town”) and in the public interest;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Florence, Arizona, that:

Section 1. The investigation, execution, filing, delivery, and the full prosecution/litigation by the Town relating to or arising from the construction of the Replacement Wells outside of the state land in possible violation of or in contravention of applicable zoning, and notices, filings, certificates, pleadings, correspondence, proceedings, agreements and other documents as may be necessary or convenient related thereto is approved and authorized.

Section 2. The Mayor, the Town Manager, the Attorneys for the Town and other officers of the Town, on behalf of the Town, are authorized and directed, without further order of the Mayor and Common Council of the Town, to do all such acts and things, including the investigation of and the full prosecution/litigation relating to or arising from the construction of the Replacement Wells outside of the state land in possible violation of or in contravention of applicable zoning, and to execute, file and deliver all such notices, certificates, filings, pleadings, correspondence, proceedings, agreements and other documents as may be necessary or convenient to be executed, filed and delivered on

behalf of the Town, to evidence compliance with, or further the purposes of, all the terms and conditions of this Resolution and the consummation of the transactions contemplated by, and as may be necessary to carry out the terms and intent of, this Resolution, including but not limited to the employment of attorneys, engineers, appraisers, surveyors, consultants or other persons or entities as may be necessary or convenient to carry out the purposes of this Resolution.

Section 3. All actions of the officers and agents of the Town which conform to the purposes and intent of this Resolution and which further the Town's rights with respect to the application for Aquifer Protection Permit Other Amendment in APP Permit No. P-101704 as contemplated by this Resolution, whether heretofore or hereafter taken, are ratified, confirmed and approved.

Section 4. If any section, paragraph, clause or phrase of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or phrase shall not affect any of the remaining provisions of this Resolution. All orders, resolutions and ordinances or parts thereof inconsistent herewith are hereby waived to the extent only of such inconsistency. This waiver shall not be construed as reviving any order, resolution or ordinance or any part thereof.

Section 5. The immediate operation of the provisions of this Resolution is necessary for the preservation of the public peace, health and safety, particularly to immediately preserve the Town's rights with respect to the approval by the U.S. EPA and/or the Arizona Department of Environmental Quality for operation of a Florence Copper Project-Pilot Test Facility over groundwater of the Pinal Active Management Area and to assert, as necessary, a challenge of the validity and issuance of the Aquifer Protection Permit Other Amendment in APP Permit No. P-101704 and the construction of the Replacement Wells outside of the state land in possible violation of or in contravention of applicable zoning, and an emergency is hereby declared to exist, and this Resolution will be in full force and effect from and after its passage by the Mayor and Common Council of the Town and it is hereby excepted from the referendum provisions of the Constitution and laws of the State of Arizona.

PASSED AND ADOPTED by the Mayor and Council of the Town of Florence, Arizona, and approved by the Mayor of the Town of Florence, Arizona, this 19TH day of June, 2017.

Tara Walter, Mayor

ATTEST:

APPROVED AS TO FORM:

Lisa Garcia, Town Clerk

Clifford L. Mattice, Town Attorney

CERTIFICATION

I hereby certify that the foregoing Resolution No. 1629-17 was duly passed and adopted by the Mayor and Common Council of the Town of Florence, Arizona, at a council meeting held on the 19th day of June, 2017, and the vote was _____ ayes and _____ nays.

Lisa Garcia, Town Clerk