

ACTION MINUTES

MINUTES OF THE TOWN OF FLORENCE COUNCIL MEETING OF THE FLORENCE TOWN COUNCIL HELD ON MONDAY OCTOBER 2, 2017, AT 6:00 P.M., IN THE FLORENCE TOWN COUNCIL CHAMBERS, LOCATED AT 775 N. MAIN STREET, FLORENCE, ARIZONA.

1. CALL TO ORDER

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

2. ROLL CALL:

Present: Walter, Woolridge, 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. PRESENTATIONS

a. Proclamation declaring October 8 - 14, 2017, as Fire Prevention Week. (Mayor Walter)

Mayor Walter proclaimed October 8 – 14, 2017, as Fire Prevention Week.

b. Presentation on the Historic District Wireless Fire Alarm Program. (Dave Strayer)

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. Approve the FY 2017/2018 Florence Façade Improvement Program. (Jennifer Evans)

b. Approval of an Administrative Services Contract with the Florence Industrial Development Authority for management of the Florence Façade Improvement Program. (Jennifer Evans)

c. Approval and ratification of the Terms of Engagement for Legal Services and Engagement Agreement Letter with Jennings, Strouss & Salmon, P.L.C., for legal representation of the Town of Florence, as Plaintiff, in connection with pending litigation against Florence Copper, Inc. (aka, Curis Resources (Arizona), Inc.) in pending case: *Town of Florence v. Florence Copper, Inc.*, Case No. CV2015-000325, previously CV2013-02511. (Clifford Mattice)

- d. Approval and ratification of the revised Terms of Engagement for Legal Services and Engagement for Legal Services and Engagement Agreement with Gust Rosenfeld, P.L.C. for regulatory matter, including administrative appeals and potential litigation against county, state, and federal environmental agencies with respect to the permitting process for the “Florence Copper Project, including but not limited to permits for the proposed “production Test Facility” and any future commercial operations. (Clifford Mattice)
- e. Approval of accepting the register of demands ending August 31, 2017, in the amount of \$2,408,662.03. (Joe Jarvis)

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

- b. Approval of an Administrative Services Contract with the Florence Industrial Development Authority for management of the Florence Façade Improvement Program. (Jennifer Evans)

On motion of Councilmember Larsen, seconded by Councilmember Wall, and carried to approve an Administrative Services Contract with the Florence Industrial Development Authority, for management of the Florence Façade Improvement Program.

8. NEW BUSINESS

- a. Resolution No. 1644-17: Discussion/Approval/Disapproval of A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, AUTHORIZING THE TOWN OF FLORENCE TO EXECUTE A DEVELOPMENT AGREEMENT WITH STARTUP PAVILION, INC. (DBA INNOVATION PAVILION INC.) AND PINAL COUNTY TO CONSTRUCT A MIXED-USE PROJECT ON APPROXIMATELY 12 ACRES IN THE TERRITORY SQUARE DISTRICT. (Brent Billingsley)

On motion of Councilmember Guilin, seconded by Councilmember Larsen, and carried to adopt Resolution No. 1644-17.

- b. Resolution No. 1645-17: A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY ARIZONA, APPROVING THE FINAL PLAT FOR ANTHEM AT MERRILL RANCH UNIT 5; AND AUTHORIZING EXECUTION BY THE TOWN MANAGER OF SUPPORTING DOCUMENTS. (Michelle Orton)

On motion of Councilmember Anderson, seconded by Councilmember Guilin, and carried to adopt Resolution No. 1645-17.

- c. Discussion/Approval/Disapproval of a Non-Exclusive Revocable License Agreement with the Copper Basin Railway, Inc. for access to the Poston Butte Preserve. (Bryan Hughes)

On motion of Councilmember Guilin, seconded by Councilmember Anderson, and carried to approve a Non-Exclusive Revocable License Agreement with the Copper Basin Railway, Inc., for access to the Poston Butte Preserve.

- d. Discussion/Approval/Disapproval to enter into a contract with Holbrook Asphalt Company, to provide HA5 high density mineral bond pavement preservation treatment in various locations as part of the Town of Florence CIP T-69 Pavement Preservation Program, in an amount not to exceed \$295,034.27. (Chris Salas)

On motion of Councilmember Hawkins, seconded by Councilmember Larsen, and carried to enter into a contract with Holbrook Asphalt Company, to provide HA5 high density mineral bond pavement preservation treatment in various locations as part of the Town of Florence CIP T-69 Pavement Preservation Program, in an amount not to exceed \$295,034.27.

9. MANAGER'S REPORT

10. DEPARTMENT REPORTS

- a. Community Services
- b. Courts
- c. Development Services
- d. Finance
- e. Fire
- f. Police

11. CALL TO THE PUBLIC

12. CALL TO THE COUNCIL – CURRENT EVENTS ONLY

13. ADJOURN TO EXECUTIVE SESSION

Discussion and possible action to authorize the holding of an Executive Session during the Council Meeting for the purposes of discussions or consultations with designated representatives of the public body and/or legal counsel pursuant to A.R.S. Sections 38-431.03 (A)(3), (A)(4) and (A)(7) to consider its position and instruct its representatives and/or attorneys regarding:

- a. Town's position and instruct its attorneys regarding the Petition for Review of Underground Injection Control Permit Issued by USEPA Region 9 for the Florence Copper Project, UIC Appeal 17-03, and related proceedings.
- b. Town's position and instruct its attorneys regarding Arizona Department of Environmental Quality proceedings, related Water Quality Appeals Board Case No. 16-002, including appellate proceedings to reviewing courts.
- c. Town's position and instruct its attorneys regarding pending litigation in Maricopa County Superior Court: Town of Florence v. Florence Copper, Inc. CV2015 -000325.
- d. Pulte Home Company, L.L.C. Development Agreement Update.

On motion of Councilmember Hawkins, seconded by Councilmember Larsen, and carried to adjourn to Executive Session.

14. ADJOURN FROM EXECUTIVE SESSION

On motion of Councilmember Anderson, seconded by Councilmember Guilin, and carried to adjourn from Executive Session.

15. ADJOURNMENT

On motion of Vice-Mayor Woolridge, seconded by Councilmember Anderson, and carried to adjourn the meeting at 10:06 p.m.

Posted this 3rd day of October 2017, on the Town of Florence website at www.florenceaz.gov by Maria Hernandez, Deputy Town Clerk.