MINUTES OF THE TOWN OF FLORENCE COUNCIL REGULAR MEETING HELD ON MONDAY MAY 7, 2018, 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 6:02 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. Jerry Ravert, Florence Resident, asked the Council to postpone the adoption of the Town of Florence Code Enforcement Manual. He stated that he has reviewed the manual and feels that some things are lacking regarding protection in the Historic District. He would like the Council to consider his suggestions on what should be included in the manual.

Mr. Ravert also has concerns regarding the public hearing on the proposed water, wastewater and sanitation increases. It is his understanding that the new rates will take effect July 1, 2018. He has several questions regarding the rates and is not happy with what he is currently being charged. He stated that he travels a lot and most of the water used at his residence is for watering his plants; however, he is paying more in sewer charges. He suggested that the Council have a second public hearing before a vote is made.

Mayor Walter asked that he speak with Mr. Brent Billingsley, Town Manager or Mr. Ben Bitter, Assistant to the Town Manager.

Mr. Garrett Stubson, Florence High School Senior Class Treasurer, thanked the Council for their generous contribution to the Florence Grad Night Lock-In event which allows a safe place for the seniors to come together one last time before they start on their own paths.

Mr. Toby Haugen, Florence High School Principal, thanked the Council for their generous donation for the Grad Night Lock- In event. This will be the ninth year that the Florence High School has done the lock-in event. The school has been very successful in providing a safe place for the seniors on graduation night and also prevents a potentially tragic event from happening. He stated that the event will take place solely due to the Town's donation. They are grateful for the Town's generosity.

PRESENTATIONS

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 read the proclamation into the record and proclaimed Florence's pride in those who have enlisted in the military and urges all citizens to continue to support our military service personnel and the families of those who are serving in our armed forces.

Each of the students who have enlisted into the armed service received an individualized proclamation.

Proclamation declaring May 2018 as National Water Safety Month in the Town of Florence, Arizona.

Mayor Walter read the proclamation into the record and proclaimed May 2018 as National Water Safety Month in the Town of Florence, Arizona.

Mr. Erasmo "Beepo" Mendivil, Jr., Recreation Coordinator, introduced Nick Crewell, Pool Manager and Reagan Rimmer, Head Lifeguard. He discussed the importance of water safety and the events planned for May 26, 2018, which is the Town's Water Safety Day. They will have demonstrations and various booths to discuss safety and healthy living at the event. Entry fees for the pool will be waived that day. The pool will open on the next day with their regular schedule and the entry fee to the pool will be $2 per child and $4 per adult. He stated that they also have multi-use passes available.

Mr. Mendivil stated that Florence has a beautiful facility and there is a lot of work that goes on behind the scenes to provide an enjoyable experience for those who visit the Aquatics Center. They began the employment recruitment in December 2017 with job fairs. He thanked the Human Resources Department for their assistance in filling the vacancies. He invited everyone to visit the website for a listing of all the events and classes planned for the Aquatic Center.

Update on the Pinal Regional Transportation Authority

Mr. Andy Smith, General Manager, provided an update on the Pinal Regional Transportation Authority (PRTA), in which he outlined the following:

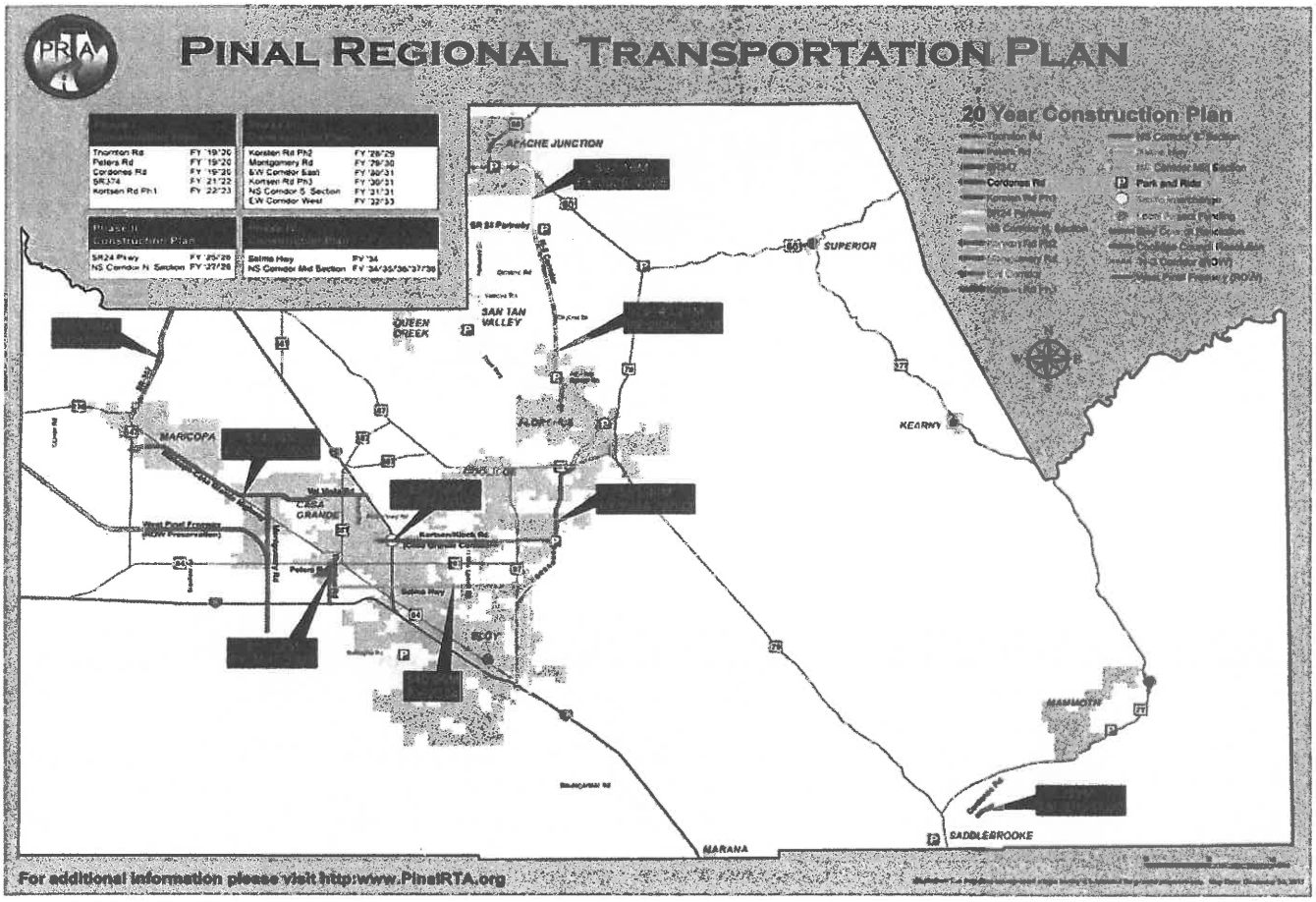
- Created in November 2017 with half- cent sales tax
  - Board of Directors
    - Comprised of mayors of all cities and towns within Pinal County
    - General Manager

- Transportation Technical Advisory Committee (Technical)
  - Comprised of Town Engineers and Public Works Directors
    - Transit Sub-Committee
      - Determine how to split the $1 million
      - To be used for existing services (5310 Developmentally Disabled Senior Riders and 5311 type of programs – CART and Dial-A-Ride Services)
- Citizen Transportation Advisory Committee
  - Will meet on a monthly basis

- Committee Appointments

Member Agency	Board of Directors	TAC Designee	CTAC Designee
Apache Junction	Dave Waldron, Chair	Mike Weaver	Lareme Fesler
Casa Grande	Craig McFarland, Vice Chair	Duane Eitel	Bob Jackson
Coolidge	Jon Thompson	Matt Rencher	Tim Hansen
Eloy	Joel Belloc	Keith Brown	Chris Vasquez
Florence	Tara Walter	Chris Salas	Lonnie Frost
Kearny	Debra Sommers	Anna Flores	David Herrera
Mammoth	Joe Dietz	Don Jones	Sharon Christensen
Maricopa	Christian Price	Bill Fay	Tena Dugan
Pinal County	Pete Rios	Scott Bender	Steve Brown Terri Crain Jason Griggs Rusty Riggs Richard Wilson
Queen Creek	Robin Benning	Troy White	Beth Riley
Superior	Mila Besich-Lira	Todd Pryor	Sue Anderson

- Collection of taxes began in April 2018
  - Currently, there is no funding
  - Arizona Department of Revenue is two months lagging in distribution of funds
- General Manager's Position
  - Being funded by Pinal County through a lease agreement between Pinal County and PRTA Board
- Projects
  - City of Casa Grande – design of Thornton Road and Peters Road
  - Pinal County – Cordones Road in Saddlebrook area
  - Working with Maricopa Association of Governments to do a Design Concept Report for State Route 347



- Goldwater Lawsuit
  - March
    - 19th - Response filed against PRTA and Pinal County Board of Supervisors
    - 23rd - Return hearing, Preliminary injunction denied
  - April
    - 1st - Tax collection begins (funding will start to be received in June)
    - 12th - Plaintiff's filed motion for declaratory judgment
  - May
    - 21st - Response to declaratory judgment
- Finances
  - Tax
    - Collection began April 1st
    - Monies held in escrow
    - Arizona Department of Revenue is two months in arrears
  - Bonding
    - Presentation to PRTA Board
    - 24-month time frame
    - Intergovernmental Agreement/Reimbursement Resolutions
  - Alternative funding sources
    - Construction -Manager at Risk (CMAR)
    - P3
    - Tolls

Councilmember Wall inquired about the reasons as to why the Goldwater Institute would file the lawsuit.

Mr. Smith stated that the Goldwater Institute believes that the tax is unconstitutional in the way that it was relayed to the Pinal County voters. The Board has not done anything to deviate from that. The way that the statute is written, it is the same tax that is being utilized in Maricopa County and Pima County. The only caveat is that a county has not done it; it has been done by cities and towns. He referred the public to their website to obtain more information.

Recognition of Nikolai Zwecker, Administration Intern, for his service to the Town of Florence.

Mr. Brent Billingsley, Town Manager, recognized Mr. Nikolai Zwecker, Administrative Intern, for his work in the Administration Department. He stated that Mr. Zwecker reached out to the Town for an internship. The process was tedious, but well worth it to get Mr. Zwecker to Florence. Mr. Zwecker is a hard worker, intelligent, respectful, and caring to our residents. He has been an asset to the Town, Council and staff. He has come in daily and has given his best in a respectful and professional way. He will be missed by many and he considers Mr. Zwecker to be a friend.

Mr. Billingsley presented Mr. Zwecker with the world's largest Rappala Fishing Lure for his office in Germany. The inscription on the lure read:

> *"I'll always have some ocean front property in Florence, Arizona"*
> *Nikolai Zwecker, Town Manager's Office Intern*
> *February – May 2018*

Mr. Billingsley stated that Mr. Zwecker has two passions in his life: fishing and his family, and is a passionate fisherman. Two of his personal goals were to go fishing and to go to Bass Pro Shop, which were both accomplished. He loves Rappala lures and will only fish with those lures.

Mr. Nikolai Zwecker, Administrative Intern, thanked Mr. Billingsley for the amazing gift and was very excited about receiving it. He was overwhelmed by the Town's kindness. He thanked Mr. Billingsley and the Council for allowing him to do his internship with the Town as well as the Department Heads and employees that he worked with. He outlined the tasks and projects he worked on during his internship. Mr. Zwecker stated that he will be doing a presentation about himself on Thursday, May 10, 2018, at the Senior Center, and invited everyone to attend.

Mr. Zwecker stated that he enjoyed his free time as well. During his free time, he attended a gun show with Mr. Billingsley, went fishing with Councilmember Anderson, attended the car show with Mr. Bryan Hughes, Community Services Director, and was able to take a five-day road trip with his friend (who is doing an internship in Mexico), in which they visited the Grand Canyon, Bryce Canyon, and Las Vegas. Mr. Zwecker stated that he also enjoyed the Easter holiday with Mr. Billingsley and his family.

Mr. Zwecker thanked Stevie Lopez, Casimiro and Maria Hernandez, and their entire family for treating him like part of the family. He was able to enjoy great Mexican food and has had an

awesome time with them and thanked them for incorporating him into the family from the beginning.

Mr. Zwecker stated that overall, he has had a great time in Florence and has thoroughly enjoyed his time here. He acknowledged his family in Germany, who were watching the Town Council meeting via live stream. He thanked his parents for always supporting him and that he would see them soon.

Mayor Walter stated that she would like to have a group trip to take Mr. Zwecker to see a Diamondback's Game before he leaves.

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. **Authorization to enter into an Intergovernmental Agreement with the Town of Winkelman for Community Development Block Grant (CDBG) Funds.**

b. **Adoption of the Town of Florence Code Enforcement Manual.**

c. **Approval of accepting the register of demands ending March 31, 2018, in the amount of $1,737,641.89.**

Councilmember Walter stated that Item B is being removed from the Consent Agenda as it is for informational purposes only.

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

a. **Authorization to enter into an Intergovernmental Agreement with the Town of Winkelman for Community Development Block Grant (CDBG) Funds.**

Councilmember Anderson inquired what the money will be used for.

Ms. Jennifer Evans, Management Analyst, stated that the CDBG Regional Account comes around every two years. The current grant that the Town has, will be used for waterline improvements in the Town core area. For the upcoming grant application, the Town will have two public hearings to solicit ideas for projects from the public. The first public hearing will be May 24, 2018, and the second will be at the Town Council meeting on June 18, 2018. After the public hearing, the Town Council will determine what project it will apply for to utilize the funds.

On motion of Councilmember Anderson, seconded by Councilmember Guilin, and carried to enter into an Intergovernmental Agreement with the Town of Winkelman for Community Development Block Grant (CDBG) Funds.

b. **Adoption of the Town of Florence Code Enforcement Manual.**

Mr. Chris Salas, Development Services Director, stated that no changes have been done to the Code Enforcement Manual or the existing ordinance. The purpose of the manual is to have a tool to explain the process to the residents. He reiterated that everything will remain status quo. He stated that during the Strategic Planning Session, communication was a component that was key and this tool helps staff to communicate with its residents. They are also having monthly building safety meetings on their entire process.

Mr. Billingsley stated that this item is an internal document for staff. It has been discussed at multiple meetings including a work session with the Historic District Advisory Commission and the Planning and Zoning Commission to complete the documents. Staff has done a lot of outreach and is looking forward to implementing the document.

Councilmember Hawkins stated that Mr. Ravert may have been out of Town during the work session. He stated that there have been several opportunities for public input on this manual.

Mr. Billingsley stated that the book has been available for public view and comments. Mr. Ravert did review the manual and has provided comments. Staff has spoken with him as well. It is his understanding that Mr. Ravert's primary concerns are that he owns a historic property and believes that some historic properties may not be in as good of conditions as other development around the town and wants to make sure that people that have historic properties are not being singled out, specifically for code enforcement. He stated that is not the intent of the manual.

Mr. Hawkins stated that the Town has been proactive with regards to outreach for comments on the manual.

There is no action on this item. The item is for informational purposes only.

NEW BUSINESS

Discussion/Approval/Disapproval of the FY2018-2019 Employee Benefit Program 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.

Mr. Scott Barber, Human Resources Director, discussed the recommended employee benefit package proposed for the Fiscal Year 2018-2019 and who the providers are for the various benefits. A $25 co-pay has been added for diagnostic services (basic lab and x-ray) and they have enhanced the prescription drug benefit.

Mr. Barber stated that they have been trying to negotiate the best rates and the final costs have changed from what was submitted to Council for approval. The changes include a decrease from 4.99% to 4.95% for United Healthcare which encompasses the following: spousal coverage is $0.14 less; child coverage is $.05 less, and family coverage is $2.79 more.

Mr. Barber stated that the dental benefits have a reimbursement schedule in the current plan that reimburses providers at the MAC rate. Employees have expressed concerns that subjects

them to the possibility of a more balanced billing. The Town is moving to a program that provides what is more normal, which is payment that is reasonable and customary charges to the 80th percentile. They are reducing the possibility of employees being balanced billed on the dental program. He stated that an additional feature is that if you get your teeth cleaned once a year and have not reached the maximum benefit, then you get a bonus that is credited to you from year to year.

Mr. Barber stated that overall the benefit plan is a very good plan as well as the dependent coverage costs. The Town pays 78% of dependent coverage and employees pay 22% of the cost for the coverage.

Mr. Barber stated that the overall increase is approximately 5.25%; in comparison with other municipalities, this is very good. The renewal meetings have been scheduled for staff and employees are encouraged to attend.

Mr. Billingsley thanked Gary Johnson and Associates, and Mr. Barber, for all their hard work in negotiating a great benefit package for the Town. He stated that when they started the process, the increase was estimated at 17%. He stated that they listened to the employees concerns regarding the prescription benefit plan and dental. Staff's goal was to make changes for the benefit of its employees and were successful in doing so.

Mayor Walter stated that one added benefit in the vision was the tinting of glasses at no extra cost to the employee.

On motion of Councilmember Hawkins, seconded by Councilmember Wall, and carried to approve the FY2018-2019 Employee Benefit Program 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 Program.

Discussion/Approval/Disapproval of setting a date for a work session with the Greater Florence Chamber of Commerce. (Lisa Garcia)

Mayor Walter stated the work session would be on June 4, 2018 at 5:00 pm before the regularly scheduled Council meeting.

On motion of Councilmember Hawkins, seconded by Councilmember Larsen, and carried to set June 4, 2018, from 5:00 pm to 6:00 pm, for a work session with the Greater Florence Chamber of Commerce.

MANAGER'S REPORT

Mr. Billingsley stated that Mr. Cody Curtis, Building Inspector, has achieved his residential inspector certification. He stated that the Jason Joynes, Wastewater Superintendent, attended the Arizona Water Association Conference, and he and his three-member team won the "Top Ops" competition, which is similar to a quiz bowl for wastewater. He stated Mr. Erasmo "Beepo" Mendivil has achieved his NRPAFO for aquatic facilities operations. Mr. Bryan Hughes, Community Services Director, has achieved his Certified Public Manager's Certification.

Mr. Billingsley stated that the Council had asked staff, as part of the Strategic Planning effort, to do continuing education for the staff and to ensure that they have certifications necessary to prove to the public that the staff is qualified to do their job, which it is doing.

Mr. Billingsley stated that the Town is going to receive a dividend of $51,000, from their insurer, AMRRP, based on good performance.

Mr. Billingsley stated that the budget committee has finished reviewing the tentative budget. He thanked the committee for their hard work.

DEPARTMENT REPORTS

Community Services
Courts
Development Services
Finance
Fire
Police

Councilmember Wall inquired where the funds will come from for WestLand Resources, the on-call engineering consultants who have been selected to perform an EA on the two Bureau of Land Management parcels that the Town is currently applying for to expand the Poston Butte Preserve.

Mr. Bryan Hughes, Community Services Director, stated that funds are budgeted under the CIP, in which $39,000 has been allocated for the project this fiscal year. He stated that a portion of the project will be paid for this fiscal year, and the remainder will be next fiscal year in which they have $195,000 budgeted for the project.

The Department Reports were received and filed.

CALL TO THE PUBLIC

There were no public comments.

CALL TO THE COUNCIL – CURRENT EVENTS ONLY

Councilmember Anderson thanked the budget committee and staff with regards to the budget process.

Councilmember Hawkins thanked everyone on the budget committee. They put in a lot of hours and did an excellent job.

Councilmember Wall recognized and thanked the public services employees for their hard work and contributions to the Town's wellbeing. She stated that it is Public Service Recognition Week, that was proclaimed by the US Congress.

Councilmember Larsen thanked the Budget Committee for working with her through the budget process.

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, including Ninth Circuit appeals of the 1997 Aquifer Exemption (Case No. 17-73170) and the decision of the Environmental Appeals Board (Case No. 17-73168).**
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. **Discussion or consultations regarding the Town of Florence Intervention in the Matter of the Commission's Investigation into the Billing Practices and Water Quality Issues of Johnson Utilities, LLC before the Arizona Corporation Commission (WS-02987A-18-0050).**
e. **Possible discussions with government agencies and private entities involving the purchase, sale or lease of real property and other property related to the Town of Florence's water and wastewater systems, including upgrades, expansions, contracts, and/or settlement discussions related thereto.**
f. **Consultation, discussion and contract negotiation involving Pulte Homes Company.**
g. **Consultation, discussion and contract negotiation involving GTIS MR LLC (SWVP).**
h. **Discussions and consultations regarding Design Review Appeal (PZ-17-51-DR).**

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

ADJOURN FROM EXECUTIVE SESSION

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

ADJOURNMENT

On motion of Councilmember Larsen, seconded by Councilmember Hawkins, and carried to adjourn the meeting at 8:34 pm.

Tara Walter

Tara Walter, Mayor

ATTEST:

Maria Hernandez for Lisa Garcia

Lisa Garcia, Town Clerk Deputy 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 7, 2018, and that the meeting was duly called to order and that a quorum was present.

Maria Hernandez for Lisa Garcia

Lisa Garcia, Deputy Town Clerk