

ACTION MINUTES

MINUTES OF THE TOWN OF FLORENCE COUNCIL SPECIAL MEETING HELD ON MONDAY, JULY 30, 2018, 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 6:00 pm.

2. ROLL CALL:

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

***Anderson arrived at 6:05 pm**

3. PLEDGE OF ALLEGIANCE

4. 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.

5. ADJOURN TO MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 1

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

- a. Ordinance No. MRCFD1 115-18: Discussion/Approval/Disapproval of AN ORDINANCE OF THE MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 1, PINAL COUNTY, ARIZONA, LEVYING THE ASSESSED VALUATION OF THE PROPERTY WITHIN THE COMMUNITY FACILITIES DISTRICT NO. 1 SUBJECT TO TAXATION OF CERTAIN SUM UPON EACH \$100 OF VALUATION SUFFICIENT TO RAISE THE AMOUNT ESTIMATED TO BE RECEIVED FROM FUNDS FOR COMMUNITY FACILITIES EXPENSES FOR THE FISCAL YEAR ENDING THE 30th DAY OF JUNE 2019, AND DECLARING AN EMERGENCY. (Joe Jarvis)

On motion of Boardmember Wall, seconded by Boardmember Hawkins, to adopt Ordinance No. MRCFD1 115-18.

Roll Call Vote:

Boardmember Wall: Yes

Boardmember Hawkins: Yes

Boardmember Guilin: Yes

Boardmember Anderson: Yes

Boardmember Larsen: Yes

Vice-Chairman Woolridge: Yes

Chairman Walter: Yes

Motion Passed: Yes: 7; No: 0

- b. Discussion/Approval/Disapproval of the Merrill Ranch Community Facilities District No. 1 July 16, 2018 Special Meeting minutes.

On motion of Vice-Chairman Woolridge, seconded by Boardmember Larsen, and carried (7-0) to approve the Merrill Ranch Community Facilities District No. 1 July 16, 2018 Special Meeting minutes.

6. ADJOURN FROM MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 1

On motion of Vice-Chairman Woolridge, seconded by Boardmember Larsen, and carried (7-0) to adjourn from Merrill Ranch Community Facilities District No. 1.

7. ADJOURN TO MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 2

On motion of Vice-Mayor Woolridge, seconded by Councilmember Guilin, and carried (7-0) to adjourn to Merrill Ranch Community Facilities District No. 2.

- a. Ordinance No. MRCFD2 215-18: Discussion/Approval/Disapproval of AN ORDINANCE OF THE MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 2, PINAL COUNTY, ARIZONA, LEVYING THE ASSESSED VALUATION OF THE PROPERTY WITHIN THE COMMUNITY FACILITIES DISTRICT NO. 2 SUBJECT TO TAXATION OF CERTAIN SUM UPON EACH \$100 OF VALUATION SUFFICIENT TO RAISE THE AMOUNT ESTIMATED TO BE RECEIVED FROM FUNDS FOR COMMUNITY FACILITIES EXPENSES FOR THE FISCAL YEAR ENDING THE 30th DAY OF JUNE 2019, AND DECLARING AN EMERGENCY. (Joe Jarvis)

On motion of Boardmember Guilin, seconded by Boardmember Anderson, to adopt Ordinance No. MRCFD2 215-18.

Roll Call Vote:

Boardmember Guilin: Yes

Boardmember Anderson: Yes

Boardmember Larsen: Yes

Boardmember Hawkins: Yes

Boardmember Wall: Yes

Vice-Chairman Woolridge: Yes

Chairman Walter: Yes

Motion Passed: Yes: 7; No: 0

- b. Discussion/Approval/Disapproval of the Merrill Ranch Community Facilities District No. 2 July 16, 2018 Special Meeting minutes.

On motion of Boardmember Larsen, seconded by Mayor Walter, and carried (7-0) to approve the Merrill Ranch Community Facilities District No. 2 July 16, 2018 Special Meeting minutes.

8. ADJOURN FROM MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 2

On motion of Vice-Chairman Woolridge, seconded by Boardmember Larsen, and carried (7-0) to adjourn from Merrill Ranch Community Facilities District No. 2.

9. UNFINISHED BUSINESS

- a. Ordinance No. 660-18: Second Reading and Discussion/Approval/Disapproval of AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, LEVYING THE ASSESSED VALUATION OF THE PROPERTY WITHIN THE TOWN OF FLORENCE SUBJECT TO TAXATION OF CERTAIN SUM UPON EACH \$100 OF VALUATION SUFFICIENT TO RAISE THE AMOUNT ESTIMATED TO BE RECEIVED FROM FUNDS FOR GENERAL MUNICIPAL EXPENSES FOR THE FISCAL YEAR ENDING THE 30th DAY OF JUNE 2019. (Joe Jarvis)

On motion of Councilmember Guilin, seconded b Councilmember Anderson, to adopt Ordinance No. 660-18.

Roll Call Vote:

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

Motion Passed: Yes: 7; No: 0

10. TOWN MANAGER'S REPORT

11. CALL TO THE COUNCIL – CURRENT EVENTS ONLY

12. 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 to 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. Discussion or consultations regarding the Town of Florence Intervention in the Matter of the Commission's Investigation into the rate case of Johnson Utilities, LLC before the Arizona Corporation Commission (WS02987A-17-0392).
- f. Discussion or consultation regarding Southeast Valley Regional Cooperative Intergovernmental Agreement for the Management, Operations and Planning for Effluent, Water and Wastewater Treatment Services in the Region between the Town of Florence and the Town of Queen Creek.

On motion of Councilmember Hawkins, seconded by Councilmember Larsen, and carried (7-0) to adjourn to Executive Session.

13. ADJOURN FROM EXECUTIVE SESSION

On motion of Councilmember Anderson, seconded by Councilmember Guilin, and carried (7-0) to adjourn from Executive Session.

14. ADJOURNMENT

On motion of Councilmember Hawkins, seconded by Councilmember Guilin, and carried (7-0) to adjourn the meeting at 7:56 pm.

Posted this 31st day of July 2018, on the Town of Florence website at www.florenceaz.gov by Maria Hernandez, Deputy Town Clerk.