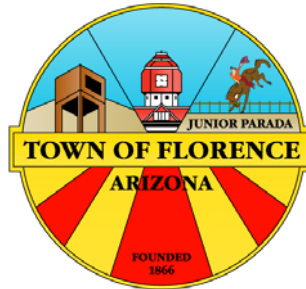


TOWN OF FLORENCE REGULAR MEETING AGENDA

Mayor Tara Walter
Vice-Mayor John Anderson
Councilmember Bill Hawkins
Councilmember Kristen Larsen
Councilmember Karen Wall
Councilmember Michelle Cordes
Councilmember Judy Hughes



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

Monday, July 15, 2019

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, July 15, 2019, 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: Tara Walter, John Anderson, Bill Hawkins, Karen Wall, Kristen Larsen, Michelle Cordes, Judy Hughes.

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. ADJOURN TO MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 1

- a. **Ordinance No. MRCFD1 116-19:** 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 2020, AND DECLARING AN EMERGENCY. (Rey Sanchez)

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

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

- a. **Ordinance No. MRCFD2 216-19:** 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. 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 2020, AND DECLARING AN EMERGENCY. (Rey Sanchez)

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

10. PUBLIC HEARINGS

- a. **Public Hearing to receive citizens'** comments on the proposed zone change for APN (202-04-0530) to Highway Business Commercial (B-2) and first reading of Ordinance No. 680-19: AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING THE HIGHWAY BUSINESS COMMERCIAL (B-2) ZONE CHANGE FOR ASSESSOR PARCEL NUMBER 202-04-0530 (PLZ-19-19). (Larry Harmer)
- b. **Public Hearing to receive citizens'** comments on a request to change setbacks for new units, replacement units, and auxiliary buildings in Caliente Del Sol Units I, II, III, & IV and first reading of Ordinance No. 681-19: AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING CERTAIN NON-CONFORMING USES OF PROPERTY WITHIN UNITS I, II, III, & IV OF CALIENTE DEL SOL, AND DECLARING AN EMERGENCY. (Larry Harmer)

11. 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. **Resolution No. 1709 -19:** Discussion/Approval/Disapproval of A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, ACCEPTING TRIBAL GAMING FUNDS GRANTED BY THE GILA RIVER INDIAN COMMUNITY. (Jennifer Evans)
- b. **Resolution No. 1710-19:** Discussion/Approval/Disapproval of A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, AUTHORIZING THE TOWN TO ENTER INTO A GRANT AGREEMENT WITH THE CITY OF TUCSON POLICE DEPARTMENT REGARDING THE ARIZONA HIGH INTENSITY DRUG TRAFFICKING AREA. (Jennifer Evans)
- c. **Ratification of expenditures** for Truly Painting & More LLC, for repair and painting services to multiple Town facilities (Town Hall, Kokopelli and the Silver King Marketplace) in a final to not exceed amount of \$45,906.37 for all locations. (Chris Salas)
- d. Approval of the **June 3, June 17, June 19** and **June 21, 2019** Town Council Meeting minutes.

- e. Receive and file the following board and commission minutes:
 - i. **May 29, 2019 Historic** District Advisory Commission Meeting minutes

12. UNFINISHED BUSINESS

- a. **Discussion and possible** action on the proposed improvements for the roundabout at State Route 287 and State Route 79B. (Chris Salas)
- b. **Ordinance No. 676-19:** 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 2020. (Rey Sanchez)
- c. **Ordinance No. 677-19:** Discussion/Approval/Disapproval of AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, LEVYING THE ASSESSED VALUATION OF THE PROPERTY WITHIN THE STREET LIGHT IMPROVEMENT DISTRICTS (1, 2, & 3) SUBJECT TO TAXATION OF CERTAIN SUM UPON EACH \$100 OF VALUATION SUFFICIENT TO RAISE THE AMOUNT ESTIMATED TO BE RECEIVED FROM FUNDS FOR STREET LIGHT OPERATIONS FOR THE FISCAL YEAR ENDING THE 30TH DAY OF JUNE 2020. (Rey Sanchez)

13. NEW BUSINESS

- a. **Resolution No. 1711 -19:** Discussion/Approval/Disapproval of A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING A TOWN CORE INCENTIVE DISTRICT PLAN REQUEST FOR PINAL COUNTY APN 200-44-0690 AND APN 200-44-0700 (CASE PZID-19-01). (Larry Harmer)

14. MANAGER'S REPORT

15. CALL TO THE PUBLIC

16. CALL TO THE COUNCIL – CURRENT EVENTS ONLY

17. 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). One or more members of Council may appear for part or all of the meeting including Executive Session telephonically.

POSTED ON JULY 11, 2019 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. ***

MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 1 AGENDA

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the Merrill Ranch Community Facility District No. 1 Members and to the general public that a Special Meeting of the District Board will be held on Monday, July 15, 2019, 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: Tara Walter __, John Anderson__, Bill Hawkins__, Karen Wall ____, Kristen Larsen ____, Michelle Cordes __, Judy Hughes__.

3. NEW BUSINESS

- a. Ordinance No. MRCFD1 116-19: 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 2020, AND DECLARING AN EMERGENCY. (Rey Sanchez)

4. ADJOURNMENT

The Merrill Ranch Community Facilities District No. 1 (MRCFD1) Board may go into Executive Session at any time during the meeting for the purpose of obtaining legal advice from the District's Attorney(s) on any of the agenda items pursuant to A.R.S. § 38-431.03(A)(3). One or more members of MRCFD1 Board may appear for part or all of the meeting including Executive Session telephonically.

POSTED JULY 11, 2019, BY LISA GARCIA, DISTRICT CLERK, AT 775 N. MAIN STREET, ARIZONA AND 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.

MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 2 AGENDA

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the Merrill Ranch Community Facility District No. 2 Members and to the general public that a Special Meeting of the District Board will be held on Monday, July 15, 2019, 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: Tara Walter __, John Anderson__, Bill Hawkins__, Karen Wall____, Kristen Larsen____, Michelle Cordes__, Judy Hughes_____.

3. NEW BUSINESS

- a. Ordinance No. MR CFD2 216-19: 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. 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 2020, AND DECLARING AN EMERGENCY. (Rey Sanchez)

4. ADJOURNMENT

The Merrill Ranch Community Facilities District No. 2 (MR CFD2) Board may go into Executive Session at any time during the meeting for the purpose of obtaining legal advice from the District's Attorney(s) on any of the agenda items pursuant to A.R.S. § 38-431.03(A)(3). One or more members of MR CFD2 Board may appear for part or all of the meeting including Executive Session telephonically.

POSTED JULY 11, 2019, BY LISA GARCIA, DISTRICT CLERK, AT 775 N. MAIN STREET, ARIZONA AND 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.*****

	MERRILL RANCH COMMUNITY FACILITIES DISTRICT 1. ACTION FORM	<u>AGENDA ITEM</u> 6a.
MEETING DATE: July 15, 2019 DISTRICT: Merrill Ranch Community Facilities District No. 1 STAFF PRESENTER: Rey Sanchez, District Treasurer SUBJECT: Ordinance No. MRCFD1 116-19: Property Tax Levy		<input checked="" type="checkbox"/> Action <input type="checkbox"/> Information Only <input type="checkbox"/> Public Hearing <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance <input type="checkbox"/> Other

RECOMMENDED MOTION/ACTION:

Adoption of Ordinance No. MRCFD1 116-19: AN ORDINANCE OF MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 1, PINAL COUNTY, ARIZONA, LEVYING THE ASSESSED VALUATION OF THE PROPERTY WITHIN THE COMMUNITY FACILITIES DISTRICT SUBJECT TO TAXATION OF CERTAIN SUM UPON EACH ONE HUNDRED DOLLARS (\$100.00) 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 2020.

BACKGROUND/DISCUSSION:

A budget and property tax levy must be adopted for each Community Facilities District. This will satisfy the statutory requirement for the District and set forth a budget and levy the property tax needed to support debt service and operations and maintenance of the District.

The debt service is funded by an ad valorem levy not to exceed \$0.42 per \$100 of Net Assessed Valuation (NAV). Operations and Maintenance is funded by an ad valorem levy not to exceed \$0.30 per \$100 of NAV.

The estimated revenues and expenditures within the Capital Projects Fund, Debt Service Fund and Administration Fund have been set forth in Schedules A-E.

The Capital Projects Fund includes expenditures for bonds already issued and a provision for new bonding. The Debt Service budget includes anticipated revenues from assessments and secondary property taxes (ad valorem). Expenditures are anticipated debt service payments. The Administrative Fund is for the incidental operations and maintenance of the District and revenues are funded by secondary property tax (ad valorem).

Assessment revenue and expenditures are for issued bonds that are for local improvements within the unit homes are built in.

General Obligation Bond revenue and expenditures are for issued bonds that are for regional improvements within the District.

A VOTE OF NO WOULD MEAN:

Not approving a budget for the District would be a violation of statutory requirements for Community Facilities Districts.

Not approving a tax levy would result in an inability to fund debt service for General Obligation Bonds and operations and maintenance of the District.

A VOTE OF YES WOULD MEAN:

A budget for CFD No.1 would be approved, which would be in compliance with state statutes.

A tax would be levied to fund debt service for General Obligation bonds and the operations and maintenance of the District.

FINANCIAL IMPACT:

Total budgeted expenditures for Community Facilities District No. 1 is \$3,899,607.

Ad Valorem levy for General Obligation Debt Service is \$.42 per \$100 NAV or \$124,779.

Ad Valorem levy for Operations and Maintenance is \$.30 per \$100 NAV or \$83,685.

Total Levy is \$.72 per \$100 NAV or \$208,464.

ATTACHMENTS:

Ordinance No. MRCFD1 116-19
Official Budget – Schedule B
Power Point Presentation

MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 1

ORDINANCE NO. MRCFD1 116-19

AN ORDINANCE OF MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 1, PINAL COUNTY, ARIZONA, LEVYING THE ASSESSED VALUATION OF THE PROPERTY WITHIN THE COMMUNITY FACILITIES DISTRICT SUBJECT TO TAXATION OF CERTAIN SUM UPON EACH ONE HUNDRED DOLLARS (\$100.00) 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 2020.

WHEREAS, by the provision of State Law, the Ordinance levying a secondary property tax rate for the Fiscal Year 2019-20 is required to be adopted no later than the third Monday in August; and

WHEREAS, the County of Pinal is now the assessing and collecting authority for the Merrill Ranch Community Facilities District No. 1, the District Clerk is hereby directed to transmit a certified copy of the Ordinance to the Assessor and Board of Supervisors of Pinal County, Arizona;

NOW, THEREFORE, BE IT ORDAINED by the District Board of Merrill Ranch Community Facilities District No. 1 as follows:

Section 1: There is hereby levied on each one hundred dollars (\$100.00) of the assessed value of all property, both real and personal, within the corporate limits of the Merrill Ranch Community Facilities District No. 1, except such property as may by law be exempt from taxation, a secondary property tax rate of **\$0.42** on each one hundred dollars (\$100.00) for the purpose of providing debt service and enhanced municipal services, and **\$0.30** on each one hundred dollars (\$100.00) for operations and maintenance of the district, for a combined rate of **\$0.72** on each one hundred dollars (\$100.00) for the fiscal year ending on the 30th day of June 2020, but if the said sum exceeds the maximum levy allowed by law, the Board of Supervisors of Pinal County is hereby authorized to reduce the said sum to the maximum which is allowed by law.

Section 2: No failure by the officials of Pinal County, Arizona to properly return the delinquent list and no irregularity in the assessment or commission in the same, or irregularity of any kind in any proceeding will invalidate such proceeding or invalidate any title conveyed by tax deed; nor will any failure or neglect of any officer or officers to perform any of the duties assigned to him or to them on the day within the time specified work an invalidation of any proceedings or of any such deed or sale or affect the validity of the assessment of a levy of taxes or of the judgment of sale by which the collection of the same may be enforced or in

any manner affect the lien of the Town upon such property for the delinquent unpaid taxes thereon, and no overcharge as to part of the taxes or of costs will invalidate any of the proceeding upon the lien therefore, or a sale of the property under such foreclosure; and all acts of officers de facto will be valid as if performed by officer de jure.

Section 3: All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

Section 4: The immediate operation of the Ordinance is necessary for the preservation of the public peace, health, and safety of the Merrill Ranch Community Facilities District No. 1, and an emergency is hereby declared to exist; and this Ordinance shall be in full force and effect from its passage and approval by the District Board and publication as required by the laws of the State of Arizona, and is hereby exempt from the referendum provisions of the constitution and laws of the State of Arizona.

PASSED AND ADOPTED BY THE DISTRICT BOARD of Merrill Ranch Community Facilities District No. 1, Florence Arizona, the 15th day of July 2019.

Tara Walter, District Board Chairperson

ATTEST:

APPROVED AS TO FORM:

Lisa Garcia, District Clerk

Clifford L. Mattice, District Attorney

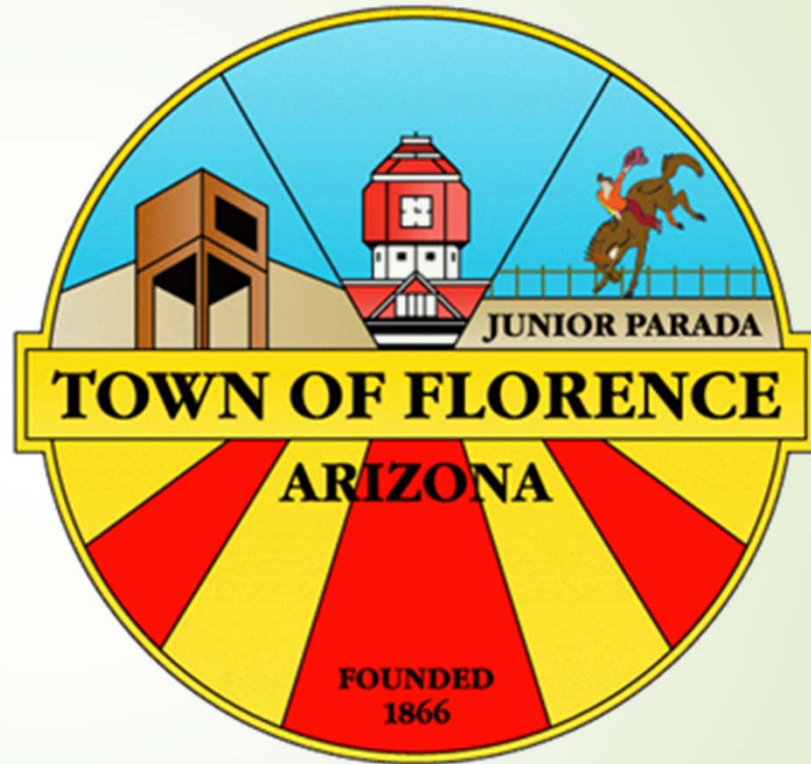
Merrill Ranch Community Facilities District No 1
Tax Levy and Tax Rate Information
Fiscal Year 2020

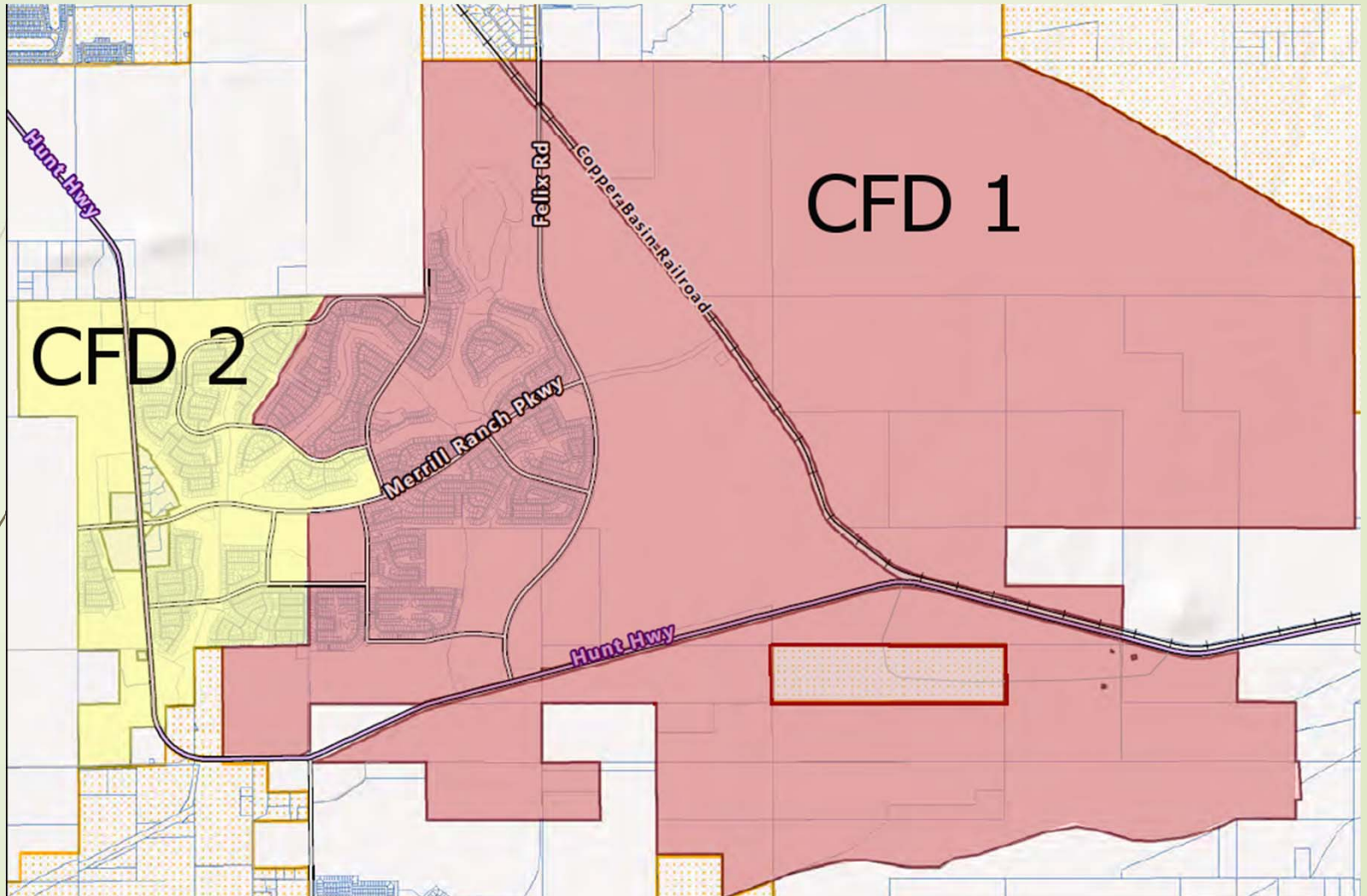
	2019	2020
3. Property tax levy amounts		
A. Primary property taxes	\$ _____	\$ _____
B. Secondary property taxes	788,150	208,464
C. Total property tax levy amounts	\$ 788,150	\$ 208,464
4. Property taxes collected*		
A. Primary property taxes		
(1) Current year's levy	\$ _____	
(2) Prior years' levies	_____	
(3) Total primary property taxes	\$ _____	
B. Secondary property taxes		
(1) Current year's levy	\$ 788,150	
(2) Prior years' levies	_____	
(3) Total secondary property taxes	\$ 788,150	
C. Total property taxes collected	\$ 788,150	
5. Property tax rates		
A. City/Town tax rate		
(1) Primary property tax rate	_____	_____
(2) Secondary property tax rate	3.2800	0.7200
(3) Total city/town tax rate	3.2800	0.7200
B. Special assessment district tax rates		

Secondary property tax rates - As of the date the proposed budget was prepared, the District was operating 1 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.

2019/2020
CFD 1 Tax Levy
Adoption
Presentation





CFD 1 Tax Levy Adoption

- State law requires the Town to advertise and adopt the secondary property tax levy in the same way as the primary tax levy. The levy was advertised in the newspaper and Town website.
- Council held a Public Hearing on July 01, 2019.
- The recommended tax rate for FY19/20 will be set at \$.72 per \$100 of Net Assessed Valuation.
- CFD 1 levy will collect \$208,464.

PINAL COUNTY 2018 PROPERTY TAX STATEMENT ARIZONA

PARCEL NUMBER	AREA CODE	PRIMARY TAX RATE PER \$100 ASSESSED VALUE	SECONDARY TAX RATE PER \$100 ASSESSED VALUE	SPECIAL DISTRICT \$ PER ACRE	2018 TAX SUMMARY	
211-XX-XXXXX	0131	11.8851	5.3730		PRIMARY PROPERTY TAX	2,505.50
					SECONDARY PROPERTY TAX	1,132.70
					SPECIAL DISTRICT TAX	0.00
					PRM/REDUCTION	(397.40)
					TOTAL TAX DUE FOR 2018	3,240.80

ASSESSMENT	VALUE IN DOLLARS	LEGAL CLASS	RATIO	EXEMPTIONS	NET ASSESSED
LIMITED	210,805	0301	.1000	0.00	21,081

SEE PAGE 2 FOR PAYMENT COUPON

SITUS ADDRESS	TAX AUTHORITY		LEVY	PURPOSE	TAX RATE	2017 TAX	2018 TAX	INCREASE / DECREASE
XXX XXXXXXX FLORENCE AZ 85132	2000	Pinal County	PRM		3.7006	750.94	780.12	29.18
	2000	Pinal County	PRM	Schl Resr	0.1294	25.98	27.28	1.30
PROPERTY DESCRIPTION LOT XXX ANTHEM AT MERRILL RANCH UNIT X CAB G - SLD 044 SEC 19 4S-0E	2010	School Equalization	PRM		0.4741	97.88	99.96	2.08
	4154	Town of Florence	PRM		1.1060	227.76	233.16	5.40
	7001	Florence USD #001	PRM		4.2984	849.34	906.14	56.80
	7001	Florence USD #001	SEC	"B" Bonds	1.3872	225.96	292.44	66.48
	8150	Pinal County Jr College	PRM		2.1766	448.30	458.84	10.54
REDUCTION RATE 1.8851	8150	Pinal County Jr College	SEC	Bonds	0.1857	62.22	39.16	-23.06
	11900	Fire Dist Assistance Tax	SEC		0.0643	12.92	13.56	0.64
	14613	Central AZ Water Conservation	SEC		0.1400	28.10	29.52	1.42
Michael P. McCord Pinal County Treasurer PO Box 729 Florence, AZ 85132	14900	Pinal County Library	SEC		0.0965	19.38	20.34	0.96
	15625	Pinal County Flood	SEC		0.1693	34.00	35.70	1.70
	18006	Town of Florence/Anthem at Merrill Ranch CFD #1	SEC		0.3000	60.22	63.24	3.02
	18006	Town of Florence/Anthem at Merrill Ranch CFD #1	SEC	Bonds	2.9800	652.46	628.20	-24.26
	30002	Cntrl AZ Vly Inst Tech(CAVIT)	SEC		0.0500	10.04	10.54	0.50
	TOTALS					3,505.50	3,638.20	132.70

BEGINNING 2015, TAX BILL DETAIL IS DISPLAYED AS GROSS TAXES BEFORE REDUCTIONS

211-XX-XXXXX THIS IS A CALENDAR YEAR TAX NOTICE	MAKE CHECKS PAYABLE TO: Pinal County Treasurer PO Box 729 Florence, AZ 85132	PAYMENT INFORMATION Nov. 01, 2018 First half 2018 taxes due, delinquent after 5:00 PM. Dec. 31, 2018 Final day to pay 2018 current full year taxes without interest.
THERE WILL BE A \$31.25 CHARGE FOR EACH RETURNED CHECK AND YOUR TAXES WILL REVERT TO AN UNPAID STATUS.	PLEASE INCLUDE YOUR PARCEL NUMBER ON YOUR CHECK.	May. 01, 2019 Second half 2018 taxes due, delinquent after 5:00 PM.

CFD 1 Historical Rate

FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
3.55	3.55	3.55	3.28	.72
Example: \$100,000 home equals \$72				

Discussion and Questions???



	MERRILL RANCH COMMUNITY FACILITIES DISTRICT 2. ACTION FORM	<u>AGENDA ITEM</u> 8a.
MEETING DATE: July 15, 2019 DISTRICT: Merrill Ranch Community Facilities District No. 2 STAFF PRESENTER: Rey Sanchez, District Treasurer SUBJECT: Ordinance No. MRCFD2 216-19: Property Tax Levy		<input checked="" type="checkbox"/> Action <input type="checkbox"/> Information Only <input type="checkbox"/> Public Hearing <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance <input type="checkbox"/> Other

RECOMMENDED MOTION/ACTION:

Adoption of Ordinance No. MRCFD2 216-19: AN ORDINANCE OF MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 2, PINAL COUNTY, ARIZONA, LEVYING THE ASSESSED VALUATION OF THE PROPERTY WITHIN THE COMMUNITY FACILITIES DISTRICT SUBJECT TO TAXATION OF CERTAIN SUM UPON EACH ONE HUNDRED DOLLARS (\$100.00) 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 2020.

BACKGROUND/DISCUSSION:

A budget and property tax levy must be adopted for each Community Facilities District. This will satisfy the statutory requirement for the District to set forth a budget and levy a property tax need to support debt service and operations and maintenance of the District.

The debt service is funded by an ad valorem levy not to exceed \$3.25 per \$100 of Net Assessed Valuation (NAV). Operations and Maintenance is funded by an ad valorem levy not to exceed \$0.30 per \$100 of NAV.

The estimated revenues and expenditures within the Capital Projects Fund, Debt Service Fund and Administration Fund have been set forth in Schedules A-E.

The Capital Projects Fund includes expenditures for bonds already issued and a provision for new bonding. The Debt Service budget includes anticipated revenues from assessments and secondary property taxes (ad valorem). Expenditures are anticipated debt service payments. The Administrative Fund is for the incidental operations and maintenance of the District and revenues are funded by secondary property tax (ad valorem).

Assessment revenue and expenditures are for issued bonds that are for local improvements within the unit homes are built in.

General Obligation Bond revenue and expenditures are for issued bonds that are for regional improvements within the District.

A VOTE OF NO WOULD MEAN:

Not approving a budget for the District would be a violation of statutory requirements for Community Facilities Districts.

Not approving a tax levy would result in an inability to fund debt service for General Obligation Bonds and operations and maintenance of the District.

A VOTE OF YES WOULD MEAN:

A budget for CFD No. 2 would be approved, which would be in compliance with state statutes.

A tax would be levied to fund debt service for General Obligation bonds and the operations and maintenance of the District.

FINANCIAL IMPACT:

Total budgeted expenditures for Merrill Ranch Community Facilities District No. 2 is \$4,447,321.

Ad Valorem levy for General Obligation Debt Service is \$3.25 per \$100 NAV or \$698,767.

Ad Valorem levy for Operations and Maintenance is \$0.30 per \$100 NAV or \$64,501.

Total Levy is \$3.55 per \$100 NAV or \$763,268.

ATTACHMENTS:

Ordinance No. MRCFD2 216-19
Official Budget-Schedule B
Power Point Presentation

MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 2

ORDINANCE NO. MRCFD2 216-19

AN ORDINANCE OF MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 2, PINAL COUNTY, ARIZONA, LEVYING THE ASSESSED VALUATION OF THE PROPERTY WITHIN THE COMMUNITY FACILITIES DISTRICT SUBJECT TO TAXATION OF CERTAIN SUM UPON EACH ONE HUNDRED DOLLARS (\$100.00) 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 2020.

WHEREAS, by the provision of State Law, the Ordinance levying a secondary property tax rate for the Fiscal Year 2019-20 is required to be adopted no later than the third Monday in August; and

WHEREAS, the County of Pinal is now the assessing and collecting authority for the Merrill Ranch Community Facilities District No. 2, the District Clerk is hereby directed to transmit a certified copy of the Ordinance to the Assessor and Board of Supervisors of Pinal County, Arizona;

NOW, THEREFORE, BE IT ORDAINED by the District Board of Merrill Ranch Community Facilities District No. 2 as follows:

Section 1: There is hereby levied on each one hundred dollars (\$100.00) of the assessed value of all property, both real and personal, within the corporate limits of the Merrill Ranch Community Facilities District No. 2, except such property as may by law be exempt from taxation, a secondary property tax rate of **\$3.25** on each one hundred dollars (\$100.00) for the purpose of providing debt service and enhanced municipal services, and **\$0.30** on each one hundred dollars (\$100.00) for operations and maintenance of the district, for a combined rate of **\$3.55** on each one hundred dollars (\$100.00) for the fiscal year ending on the 30th day of June 2020, but if the said sum exceeds the maximum levy allowed by law, the Board of Supervisors of Pinal County is hereby authorized to reduce the said sum to the maximum which is allowed by law.

Section 2: No failure by the officials of Pinal County, Arizona to properly return the delinquent list and no irregularity in the assessment or commission in the same, or irregularity of any kind in any proceeding will invalidate such proceeding or invalidate any title conveyed by tax deed; nor will any failure or neglect of any officer or officers to perform any of the duties assigned to him or to them on the day within the time specified work an invalidation of any proceedings or of any such deed or sale or affect

the validity of the assessment of a levy of taxes or of the judgment of sale by which the collection of the same may be enforced or in any manner affect the lien of the Town upon such property for the delinquent unpaid taxes thereon, and no overcharge as to part of the taxes or of costs will invalidate any of the proceeding upon the lien therefore, or a sale of the property under such foreclosure; and all acts of officers de facto will be valid as if performed by officer de jure.

Section 3: All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

Section 4: The immediate operation of the Ordinance is necessary for the preservation of the public peace, health, and safety of the Merrill Ranch Community Facilities District No. 2, and an emergency is hereby declared to exist; and this Ordinance shall be in full force and effect from its passage and approval by the District Board and publication as required by the laws of the State of Arizona, and is hereby exempt from the referendum provisions of the constitution and laws of the State of Arizona.

PASSED AND ADOPTED BY THE DISTRICT BOARD of Merrill Ranch Community Facilities District No. 2, Pinal County, Arizona, the 15th day of July 2019.

Tara Walter, District Board Chairperson

ATTEST:

APPROVED AS TO FORM:

Lisa Garcia, District Clerk

Clifford Mattice, District Attorney

Merrill Ranch Community Facilities District No 2
Tax Levy and Tax Rate Information
Fiscal Year 2020

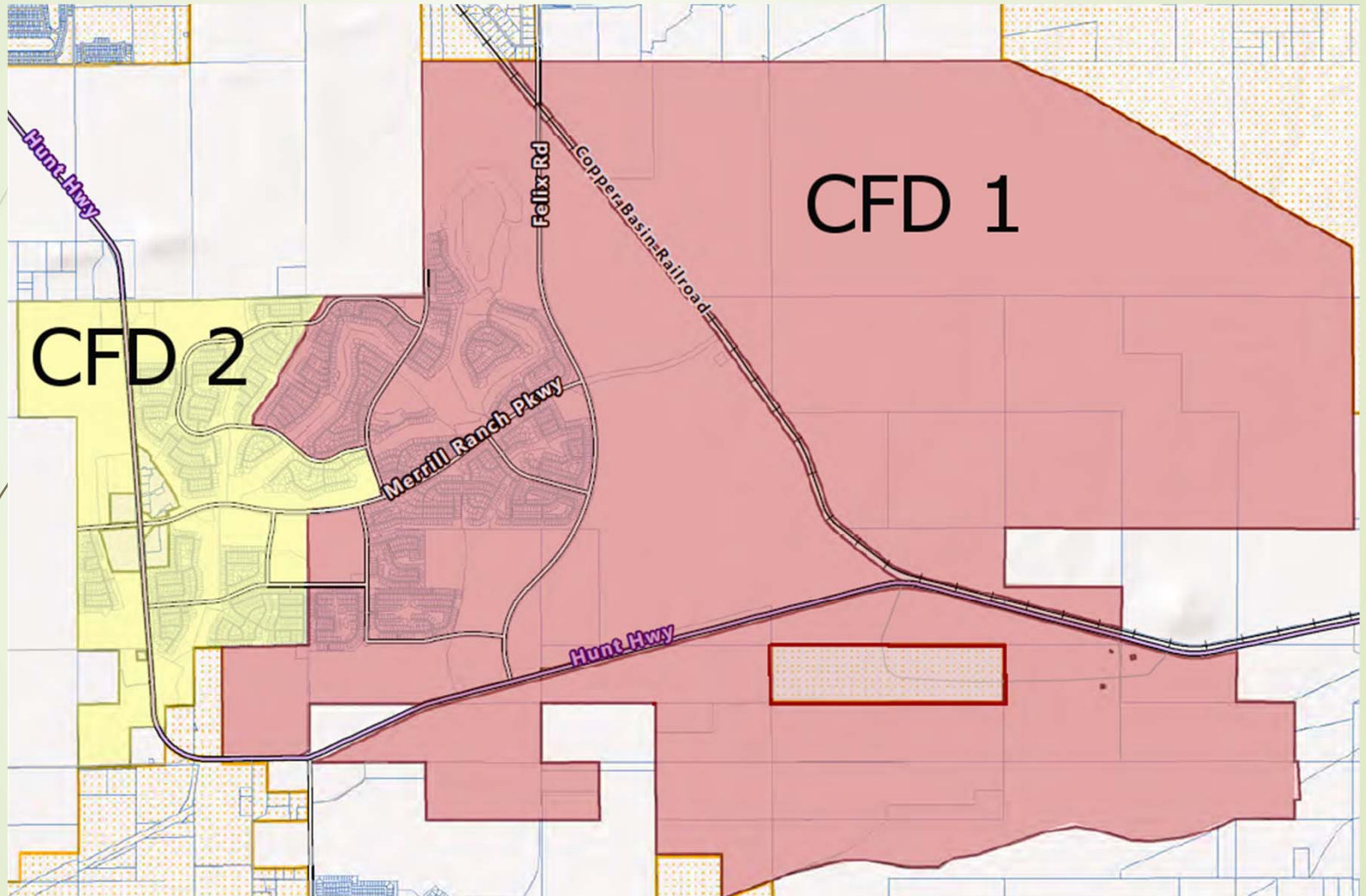
	2019	2020
3. Property tax levy amounts		
A. Primary property taxes	\$ _____	\$ _____
B. Secondary property taxes	_____	_____
C. Total property tax levy amounts	\$ <u>620,210</u>	\$ <u>763,268</u>
4. Property taxes collected*		
A. Primary property taxes		
(1) Current year's levy	\$ _____	
(2) Prior years' levies	_____	
(3) Total primary property taxes	\$ _____	
B. Secondary property taxes		
(1) Current year's levy	\$ _____	
(2) Prior years' levies	_____	
(3) Total secondary property taxes	\$ _____	
C. Total property taxes collected	\$ <u>620,210</u>	
5. Property tax rates		
A. City/Town tax rate		
(1) Primary property tax rate	_____	_____
(2) Secondary property tax rate	_____	_____
(3) Total city/town tax rate	<u>3.2800</u>	<u>3.5500</u>
B. Special assessment district tax rates		

Secondary property tax rates - As of the date the proposed budget was prepared, the District was operating 1 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.

2019/2020
CFD 2 Tax Levy
Adoption
Presentation





Tax Levy Adoption CFD 2

- State law requires the Town to advertise and adopt the secondary property tax levy in the same way as the primary tax levy. The levy was advertised in the newspaper and Town website.
- Council held a Public Hearing on July 01, 2019.
- The recommended tax rate for FY19/20 will be set at \$3.55 per \$100 of Net Assessed Valuation.
- CFD 2 levy will collect \$763,268.

PINAL COUNTY 2018 PROPERTY TAX STATEMENT ARIZONA

PARCEL NUMBER	AREA CODE	PRIMARY TAX RATE PER \$100 ASSESSED VALUE	SECONDARY TAX RATE PER \$100 ASSESSED VALUE	SPECIAL DISTRICT \$ PER ACRE	2018 TAX SUMMARY	
211-XX-XXXX	0151	11.8851	6.4514		PRIMARY PROPERTY TAX	1,647.39
					SECONDARY PROPERTY TAX	894.24
					SPECIAL DISTRICT TAX	0.00
					PRM/REDUCTION	(261.29)
					TOTAL TAX DUE FOR 2018	2,280.34

ASSESSMENT	VALUE IN DOLLARS	LEGAL CLASS	RATIO	EXEMPTIONS	NET ASSESSED
LIMITED	138,608	0301	.1000	0.00	13,861

SEE PAGE 2 FOR PAYMENT COUPON

SITUS ADDRESS	TAX AUTHORITY	LEVY	PURPOSE	TAX RATE	2017 TAX	2018 TAX	INCREASE / DECREASE
XXXXXXXX XXXX XX FLORENCE AZ 85132	2000 Pinal County	PRM		3.7006	493.78	512.94	19.16
	2000 Pinal County	PRM	Schl Resr	0.1294	17.08	17.94	0.86
PROPERTY DESCRIPTION LOT XXX ANTHEM AT MERRILL RANCH PHASE XX - UNIT CAB F - SLD 154 SEC 19-04S-09E AND SEC 24-04S-08E AS RE-PLATTED IN CAB G- 500	2010 School Equalization	PRM		0.4741	64.34	65.72	1.38
	4154 Town of Florence	PRM		1.1060	149.78	153.30	3.52
	7001 Florence USD #001	PRM		4.2984	558.48	595.80	37.32
	7001 Florence USD #001	SEC	"B" Bonds	1.3872	148.58	192.28	43.70
	8150 Pinal County Jr College	PRM		2.1766	294.78	301.70	6.92
	8150 Pinal County Jr College	SEC	Bonds	0.1857	40.90	25.74	-15.16
REDUCTION RATE 1.8851	11900 Fire Dist Assistance Tax	SEC		0.0643	8.50	8.90	0.40
	14613 Central AZ Water Conservation	SEC		0.1400	18.48	19.42	0.94
	14900 Pinal County Library	SEC		0.0965	12.74	13.38	0.64
Michael P. McCord Pinal County Treasurer PO Box 729 Florence, AZ 85132	15625 Pinal County Flood	SEC		0.1693	22.34	23.48	1.14
	15629 Magma Flood	SEC		1.0784	71.18	149.48	78.30
	18007 Town of Florence/Anthem at Merrill Ranch CFD #2	SEC		0.3000	39.60	41.58	1.98
	18007 Town of Florence/Anthem at Merrill Ranch CFD #2	SEC	Bonds	2.9800	429.04	413.06	-15.98
	30002 Cntrl AZ Vly Inst Tech(CAVIT)	SEC		0.0500	6.60	6.92	0.32
	TOTALS				2,376.20	2,541.64	165.44

BEGINNING 2015, TAX BILL DETAIL IS DISPLAYED AS GROSS TAXES BEFORE REDUCTIONS


211-XX-XXXX THIS IS A CALENDAR YEAR TAX NOTICE	MAKE CHECKS PAYABLE TO: Pinal County Treasurer PO Box 729 Florence, AZ 85132	PAYMENT INFORMATION
		Nov. 01, 2018 First half 2018 taxes due, delinquent after 5:00 PM.
		Dec. 31, 2018 Final day to pay 2018 current full year taxes without interest.
THERE WILL BE A \$31.25 CHARGE FOR EACH RETURNED CHECK AND YOUR TAXES WILL REVERT TO AN UNPAID STATUS.	PLEASE INCLUDE YOUR PARCEL NUMBER ON YOUR CHECK.	May. 01, 2019 Second half 2018 taxes due, delinquent after 5:00 PM.

CFD 2 Historical Rate Data

FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
3.55	3.55	3.55	3.28	3.55
Example: \$100,000 home equals \$355				

Discussion and Questions???



	TOWN OF FLORENCE COUNCIL ACTION FORM	<u>AGENDA ITEM</u> 10a.
MEETING DATE: July 15, 2019 DEPARTMENT: Community Development STAFF PRESENTER: Larry C. Harmer Community Development Director SUBJECT: Ordinance No. 680-19: Rezoning from Single Family Residential (R1-6) to Highway Business (B-2) for Assessor Parcel Number 202-04-0530		<input type="checkbox"/> Action <input type="checkbox"/> Information Only <input checked="" type="checkbox"/> Public Hearing <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance <input type="checkbox"/> Regulatory <input checked="" 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 checked="" type="checkbox"/> Economic Prosperity <input type="checkbox"/> Leadership and Governance <input type="checkbox"/> Partnerships and Relationships <input type="checkbox"/> Transportation and Infrastructure <input type="checkbox"/> Statutory <input type="checkbox"/> None		

RECOMMENDED MOTION/ACTION:

July 15, 2019: Public Hearing and first reading of Ordinance No. 680-19: AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING THE HIGHWAY BUSINESS COMMERCIAL (B-2) ZONE CHANGE FOR ASSESSOR PARCEL NUMBER 202-04-0530 (PLZ-19-19).

August 5, 2019: second reading and possible adoption of Ordinance No. 680-19.

BACKGROUND/DISCUSSION:

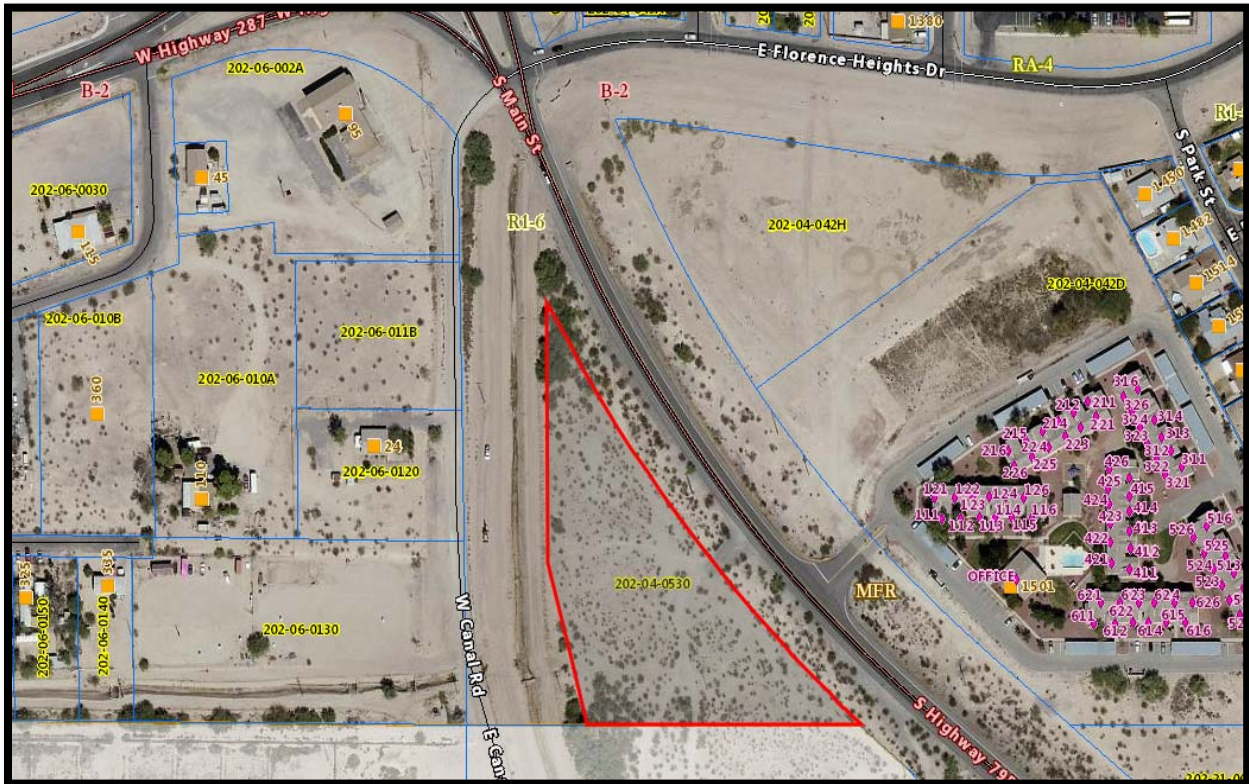
The property owners are desirous of establishing zoning on their property that is better suited to the 'business route' designation of Highway 79/South Main Street. There are no existing structures on the parcel.

The Town 2020 General Plan shows Land Use categories as non-site specific, allowing flexibility of underlying zoning. The subject parcel is generally designated as Community Commercial (CC) in the General Plan Figure 2-5. The CC designation is primarily located around intersections of arterial roadways and along the future north-south freeway corridor. The land uses are meant to provide a wide variety of goods and services to the community, enhance local sales tax revenues and buffer traffic noise to prevent it from reaching surrounding neighborhoods. The land use assists with the revitalization of older areas and to provide for a mix of highway-oriented retail goods and commercial services for commuters, workers and residents.

Analysis:

The proposed rezoning site consists of one 2.6-acre parcel. It is situated fronting Highway 79B/ South Main Street, also known as Business Loop State Route 79. The lot is currently zoned Single Family Residential (R1-6). The properties immediately adjacent to the subject parcel are zoned as follows:

- North East across Highway 79B – Highway Business Commercial (B-2)
- East across Highway 79B – Multiple Family Residential (MFR)
- South – Pinal County Jurisdiction
- West across Canal Road – Single-Family Residential (R1-6)
- Right-of-Way east parcel is owned by Arizona Department of Transportation (ADOT)



FINDINGS:

Staff offers the following findings for the consideration of the Planning and Zoning Commission and Town Council:

1. The proposed zoning is consistent with the Town of Florence 2020 General Plan, specifically the Community Commercial (CC) designation.

2. The proposed zoning and development of the site should facilitate ongoing revitalization and redevelopment efforts along South Main Street and Business Loop State Route 79 Corridor.

PUBLIC PARTICIPATION:

A notice for the Planning and Zoning Commission public hearing was mailed to all property owners within 150' of the site. Property posting for notice of public hearings was posted on site and advertisements in the local paper per Town requirements. Under Arizona Revised Statutes, Title 9, Section-462.04 and Town of Florence Development Code, a public hearing is required for a zone change.

A Citizen Participation meeting was held on June 11, 2019 at the Town of Florence Community Development Building located at 224 West 20th Street.

Staff notes that as of this writing, no public comments have been received.

The tentative Planning and Zoning Commission/Town Council meeting schedule for this application is as follows:

June 20, 2019	Planning and Zoning Public Hearing
July 15, 2019	Town Council Public Hearing and 1 st Reading
August 5, 2019	2 nd Reading and Action

All public hearings will be held at Town Hall Council Chambers located at 775 North Main Street, Florence, Arizona 85132.

RECOMMENDATION:

The Planning and Zoning Commission finds that the proposed zone change for APN (202-04-0530) is in compliance with the Town's 2020 General Plan and therefore a favorable recommendation for this zone change to the Town Council, subject to the following conditions:

1. The development of the subject site shall be in conformance to any applicable Town Codes and Ordinances.
2. Property owners agree to waive claims for diminution in value pursuant to Proposition 207 [A.R.S. §12-1134].
3. Any additional conditions deemed necessary by the Town Council.

A VOTE "NO" WOULD MEAN:

Ordinance No. 680-19 would not be adopted and the rezoning request would be denied.

A VOTE “YES” WOULD MEAN:

Ordinance No. 680-19 would be adopted and the rezoning request would be approved.

FINANCIAL IMPACT:

Approval of the rezoning request will broaden the scope of potential sales tax producing uses available to be placed on the property.

ATTACHMENTS:

Ordinance 680-19
Exhibit A
Power Point Presentation

ORDINANCE NO. 680-19

AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING THE HIGHWAY BUSINESS COMMERCIAL (B-2) ZONE CHANGE FOR ASSESSOR PARCEL NUMBER 202-04-0530 (PLZ-19-19).

WHEREAS, a request to change the existing zoning on the subject properties from Single Family Residential (R1-6) to Highway Business (B-2) has been proposed and a public hearing has been held by the Planning and Zoning Commission; and

WHEREAS, the Planning and Zoning Commission has found the zone change is in conformance with the Town's 2020 General Plan; and

WHEREAS, the Planning and Zoning Commission has forwarded the Mayor and Council of the Town of Florence, Arizona, a favorable recommendation for the zone change, subject to certain conditions; and

WHEREAS, said proposal has been considered by the Mayor and Council of the Town of Florence, Arizona, and the zone change has been found to be appropriate and further found to promote the health, safety and welfare of the residents of the Town and its orderly growth.

NOW, THEREFORE BE IT ORDAINED by the Mayor and Council of the Town of Florence, Arizona, as follows:

The Zoning Map of Florence, Arizona is hereby amended by changing the zoning classification of the parcels of land depicted on EXHIBIT A attached hereto, from Single Family Residential (R1-6) to Highway Business Commercial (B-2), subject to the following conditions:

1. The development of the subject site, as described in Exhibit A attached, shall be in conformance to any applicable Town Codes and Ordinances.
2. Property owners agree to waive claims for diminution in value pursuant to Proposition 207 [A.R.S. §12-1134].
3. Any additional conditions deemed necessary by the Town Council.

PASSED AND ADOPTED by the Mayor and Council of the Town of Florence this 5th day of August 2019.

Tara Walter, Mayor

ATTEST:

APPROVED AS TO FORM:

Lisa Garcia, Town Clerk

Clifford L. Mattice, Town Attorney

July 15, 2019

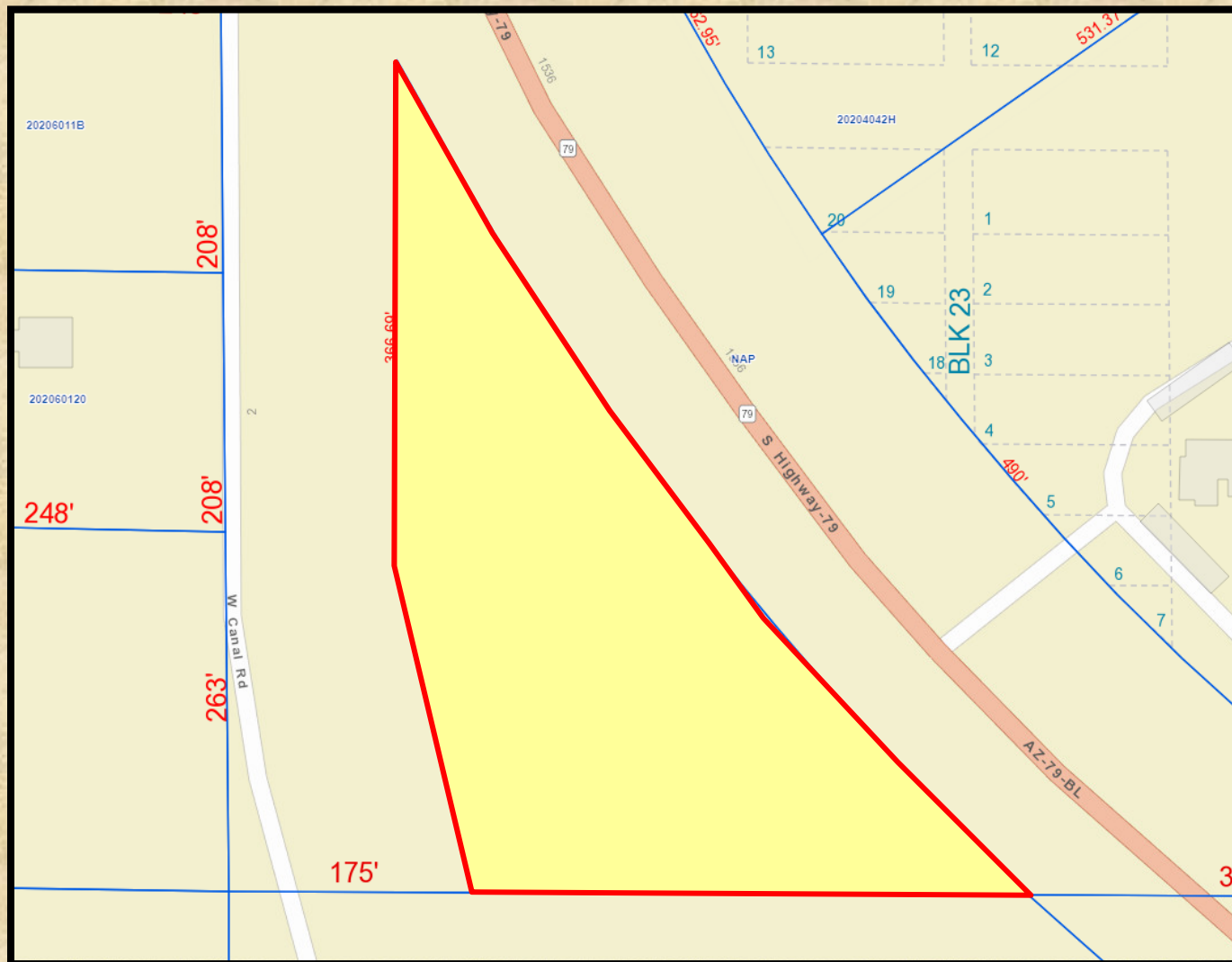
Florence Town Council

**Zone Change
PLZ-19-19**

Case PLZ-19-19 Rezoning

- Property located South of the intersection at Highway 287 and west of Highway 79.
- APN# 202-04-0530
- Rezone from Single-Family Residential (R1-6) to Highway Business Commercial (B-2)
- 2.09 acres

Exhibit A



Public Outreach

Forms of outreach:

- Mailed notice to those within 150 ft.
- Advertisement posted in local newspaper
- Public Notice sign on site
- Citizen Review Meeting June 11, 2019
- Planning and Zoning Commission Public Hearing June 20, 2019

Findings

Proposed rezoning is consistent with the
2020 General Plan


Rezoning should facilitate commercial
development along Highway 79

Recommendation

Town Staff and the Planning and Zoning Commission recommend approval subject to conditions:

- The development of the subject site shall be in conformance to any applicable Town Code and Ordinances.
- Property owners agree to waive claims for diminution in value pursuant to Proposition 207.
- Any additional conditions deemed necessary by the Planning and Zoning Commission.

Questions?

	TOWN OF FLORENCE COUNCIL ACTION FORM	<u>AGENDA ITEM</u> 10b.
MEETING DATE: July 15, 2019 DEPARTMENT: Community Development STAFF PRESENTER: Larry C. Harmer Community Development Director SUBJECT: Ordinance No. 681-19 Caliente Del Sol Units I, II, III, and IV Setback Overlay PZ-19-17		<input type="checkbox"/> Action <input type="checkbox"/> Information Only <input checked="" type="checkbox"/> Public Hearing <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance <input type="checkbox"/> Regulatory <input checked="" 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 Prosperity <input checked="" type="checkbox"/> Leadership and Governance <input type="checkbox"/> Partnerships and Relationships <input type="checkbox"/> Transportation and Infrastructure <input type="checkbox"/> Statutory <input type="checkbox"/> None		

RECOMMENDED MOTION/ACTION:

On July 15, 2019: Public Hearing and first reading of Ordinance No. 681-19: AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING CERTAIN NON-CONFORMING USES OF PROPERTY WITHIN UNITS I, II, III, & IV OF CALIENTE DEL SOL, AND DECLARING AN EMERGENCY.

On August 5, 2019 Council will have the second reading and possibly adoption of Ordinance No. 681-19, Caliente Del Sol Units I, II, III, and IV Setback Overlay.

BACKGROUND/DISCUSSION:

The development known as Caliente Del Sol Units I, II, III, and IV has recognized the need to modify the Town Code §150-068 “Recreational Vehicle Parks and/or Subdivisions” to accommodate recent changes. Community Development staff has been working with the Caliente Del Sol Property Owners Association (CPOA) regarding a request to change setbacks for new units, replacement units, and auxiliary buildings. The changes would apply to Caliente Del Sol Units I, II, III, and IV. Images of the changes are attached to the report.

Caliente Del Sol has existed since about 1971. The original setbacks were not readily enforced and allowed for a one-foot setback from the property line on the livable side and two-foot setback on the carport side from the property line. In 2017, it was brought to the Town’s attention that these setbacks were not code compliant with the 2006 Building Code. The Town responded by placing a five-foot setback on the side of the lots for all

new and replacement units. This made it difficult for new construction or development to take place because the updated requirements did not allow enough parking per HOA standards and there was limited accessibility for new models.



ANALYSIS:

In 2018, several issues were brought to the attention of the Town Council. Staff contacted other municipalities and researched best practices for similar communities with the same problem. Building Safety staff, along with representatives of the Fire Department, met with residents and Board members of Caliente. The Building Code allows for modifications to the setbacks if health, life safety and fire, accessibility, and structural requirements were all met. Three requirements were made by the Town:

- Propane and gas are to be removed from all new and replaced Park Model units
- Replacement Park Model units have an age requirement of no older than five years
- All new and replaced Park Model units have carbon monoxide detectors

Town Staff went to Town Council twice with the issue and the proposal. Staff went to the Caliente Board meeting for the final approval from the residents, Town, and Staff. A final condition of the amendment was that only new park model sets must have a five-foot rear setback to accommodate existing utilities easements. The new standards have been ratified by the CPOA earlier in 2019.

FINDINGS:

Staff and the Planning and Zoning Commission offers the following findings for the consideration of the Town Council:

1. The proposed amendments are consistent with the needs of the community and the Town.
2. The proposed amendments of the site should facilitate ongoing development and replacement efforts of the local residents.

PUBLIC PARTICIPATION:

Town Staff has complied with all applicable Town requirements and Arizona Revised Statutes regarding public notification and public participation. A notice for the Planning and Zoning Commission Public Hearing was advertised in the local Town paper and posted at the Town’s posting location. Meetings and public outreach for these proposed amendments are as follows:

The CPOA held a meeting in February 2019 at the Caliente Del Sol Club House to approve the amendment to the Declaration of Restrictions.

The tentative Planning and Zoning Commission/Town Council meeting schedule for this application is as follows:

June 20, 2019	Planning and Zoning Public Hearing
July 15, 2019	Town Council Public Hearing and 1 st Reading
August 5, 2019	Town Council 2 nd Reading/Action

All public hearings will be held at Town Hall Council Chambers – 775 North Main Street, Florence, Arizona 85132.

RECOMMENDATION:

Staff and the Planning and Zoning Commission finds that the proposed amendment for Caliente Del Sol Unit I, II, II, IV is in compliance with the Town’s Development Code and other applicable codes; therefore, the Town Council consider a favorable recommendation for this amendment subject to the following conditions:

1. Any additional conditions deemed necessary by the Town Council.

A “NO” VOTE WOULD MEAN:

The Setback Overlay would not be approved, and the Building Code setbacks and separations would be in effect.

A “YES” VOTE WOULD MEAN:

The Setback Overlay would be approved and would affect all future new and replacement Park Model units.

FINANCIAL IMPACT:

Approval of the Setback Overlay will facilitate to placement and replacement of Park Model units in Caliente Del Sol. This will have limited or no financial impact on the Town.

ATTACHMENTS:

Ordinance No. 681-19
Exhibit A
Power Point Presentation

ORDINANCE NO. 681-19

AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING CERTAIN NON-CONFORMING USES OF PROPERTY WITHIN UNITS I, II, III, & IV OF CALIENTE DEL SOL, AND DECLARING AN EMERGENCY.

WHEREAS, the Town of Florence has, by Ordinance, adopted a certain document entitled "Recreational Vehicle Parks and/or Subdivisions" as part of the Town of Florence Development Code §150-068; and

WHEREAS, the development known as Caliente Del Sol Units I, II, III, and IV has recognized the need to modify §150-068 specific to setbacks and age restrictions of park model units in an effort to accommodate upgrades to individual parcels and the recreational vehicle park, as a whole; and

WHEREAS, a request to change the existing setbacks and individual park model unit age requirements has been proposed and a public hearing has been held by the Planning and Zoning Commission; and

WHEREAS, the Planning and Zoning Commission has found this change is in conformance with the intent of the 2020 General Plan and the Town of Florence Development Code; and

WHEREAS, the Planning and Zoning Commission has forwarded the Mayor and Council of the Town of Florence a favorable recommendation for the Setback Change; and

WHEREAS, said proposal has been considered by the Mayor and Council of the Town of Florence and the recommended Setback Change and age-limit on replacement and new park model unit installations has been found to be appropriate and further found to promote the health, safety and welfare of the residents of the Town and its orderly growth.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Florence, Arizona, as follows:

The following conditions shall be allowed, and shall be unique to Caliente Del Sol Units I, II, III, and IV:

- a) The Front Setback shall be two (2) feet (which is back-of-sidewalk) from property line.
- b) The Rear Setback shall be five (5) feet from property line.

- c) The Side Yard Setback for new interior Park Models, or other fixed Recreational Vehicle units, shall be three (3) feet; and two (2) feet for street side yard (which is back-of-sidewalk).
- d) Any new or replacement Park Model Unit shall be no more than five years in age from the date of original construction.
- e) Propane and gas are to be removed from all new and replacement Park Model units.
- f) All new and replacement Park Model units have carbon monoxide detectors.

All other/new buildings, structures, sites and uses shall comply with the Town of Florence Development Code §150-068, "Recreational Vehicle Parks and/or Subdivisions", as existing on this date, or as may be amended or replaced.

PASSED AND ADOPTED by the Mayor and Council of the Town of Florence this 5th day of August 2019.

Tara Walter, Mayor

ATTEST:

APPROVED AS TO FORM:

Lisa Garcia, Town Clerk

Clifford L. Mattice, Town Attorney

EFFECTIVE 10/01/2018

Must be permitted by both Caliente and the Town of Florence. No unit can be placed larger than 400 sq. ft. Unit must be totally electric, and less than 5 years in age. Unit measurement is outside end to end. It must be secured with approved tie-down.

Any unit that is added must conform with the following setbacks, no closer than 3' from side property lines, except when placed on a corner lot with the roadway on its right, then the right setback can be no closer than 2' from the property line. It cannot infringe on the utility setback or the corner radius.

Placement of new unit

41' lot (maximum length 34')

42' lot (maximum length 35')

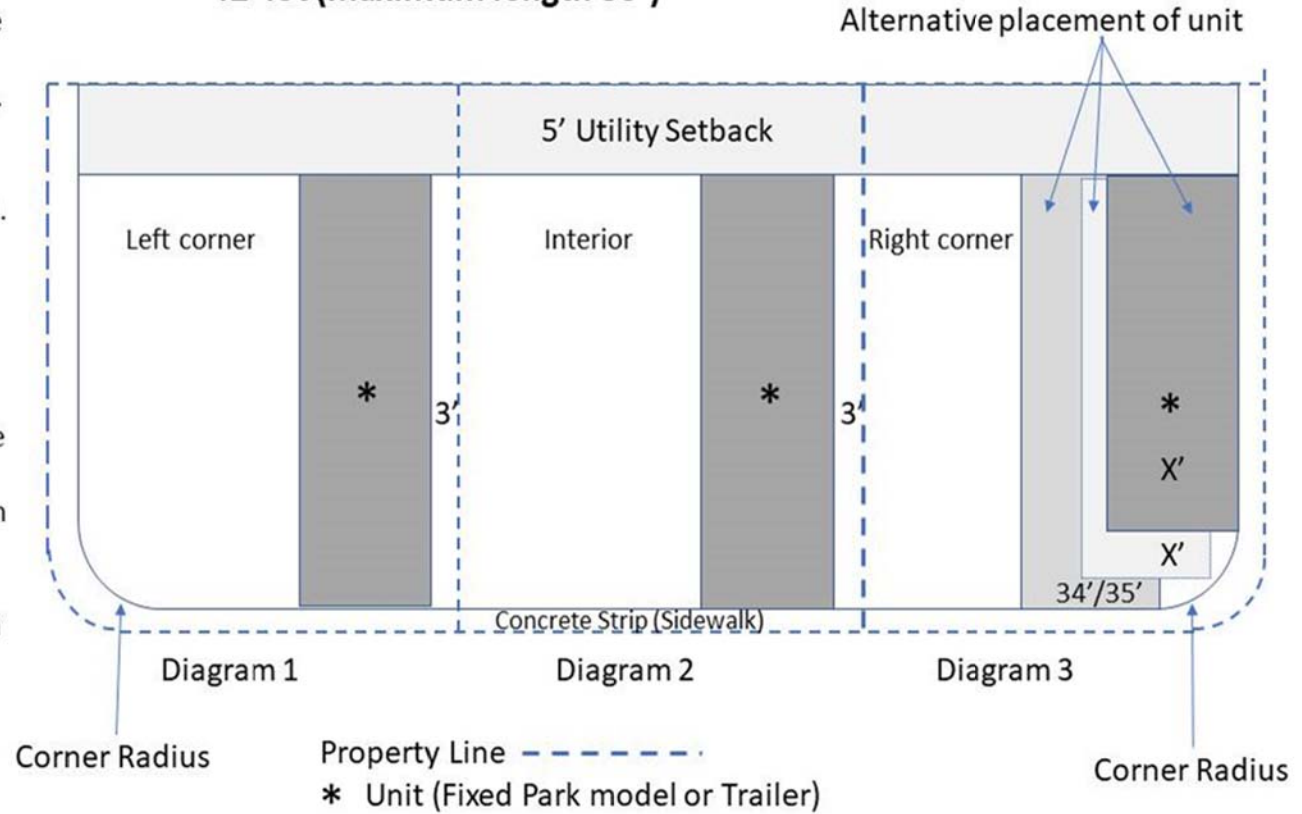


Exhibit A

EFFECTIVE 10/01/2018

Must be permitted by both Caliente and the Town of Florence. No unit can be placed larger than 400 sq ft. Unit must be totally electric, and less than 5 years in age. Unit measurement is outside end to end. It must be secured with approved tie-down.

* Any replacement unit must conform with the following setbacks, no closer than 1' from the right side property line or the current setback of the unit being replaced, whichever is the greater. If placed on a corner lot with the roadway on its right, then the right setback can be no closer than 2' from the property line. It cannot infringe on utility setback or the corner radius.

Replacement of old unit
41' lot (maximum length 34')
42' lot (maximum length 35')

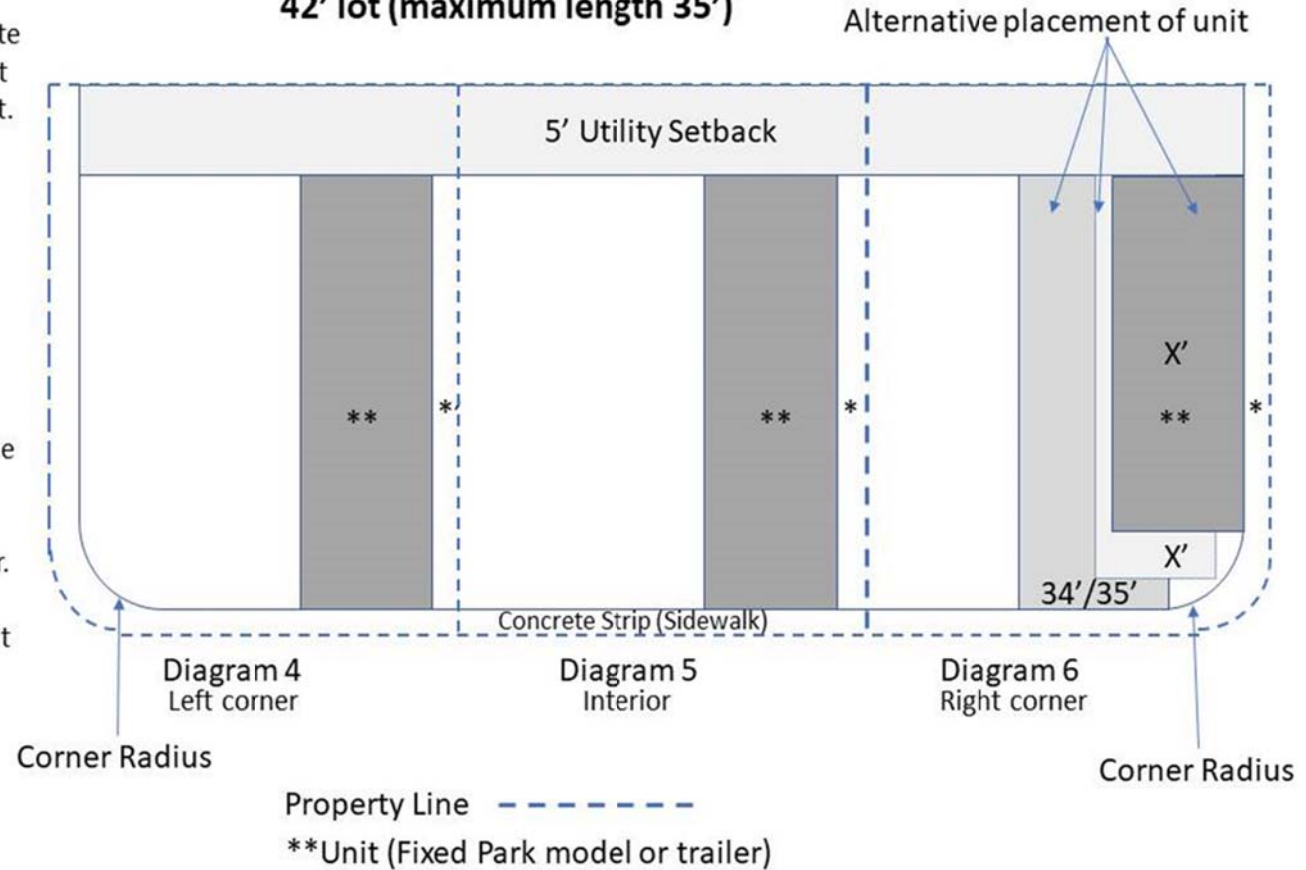


Exhibit A

EFFECTIVE 10/01/2018

Placement of auxiliary buildings

Auxiliary buildings include sheds, additions to the main living unit and Arizona rooms. Auxiliary buildings have a left setback of 3' on internal and right corner lots and 2' on left corner lots. All lots will at least have a setback of 5' from the rear property line and 2' for the front property line.

On each lot there must be a 18' deep and 9' wide mandatory parking area starting at inside of the concrete strip, this area may not contain any structure or violate the concrete strip. If the lot is a corner lot with a street on left the parking area can be dedicated three ways as shown in diagram 7

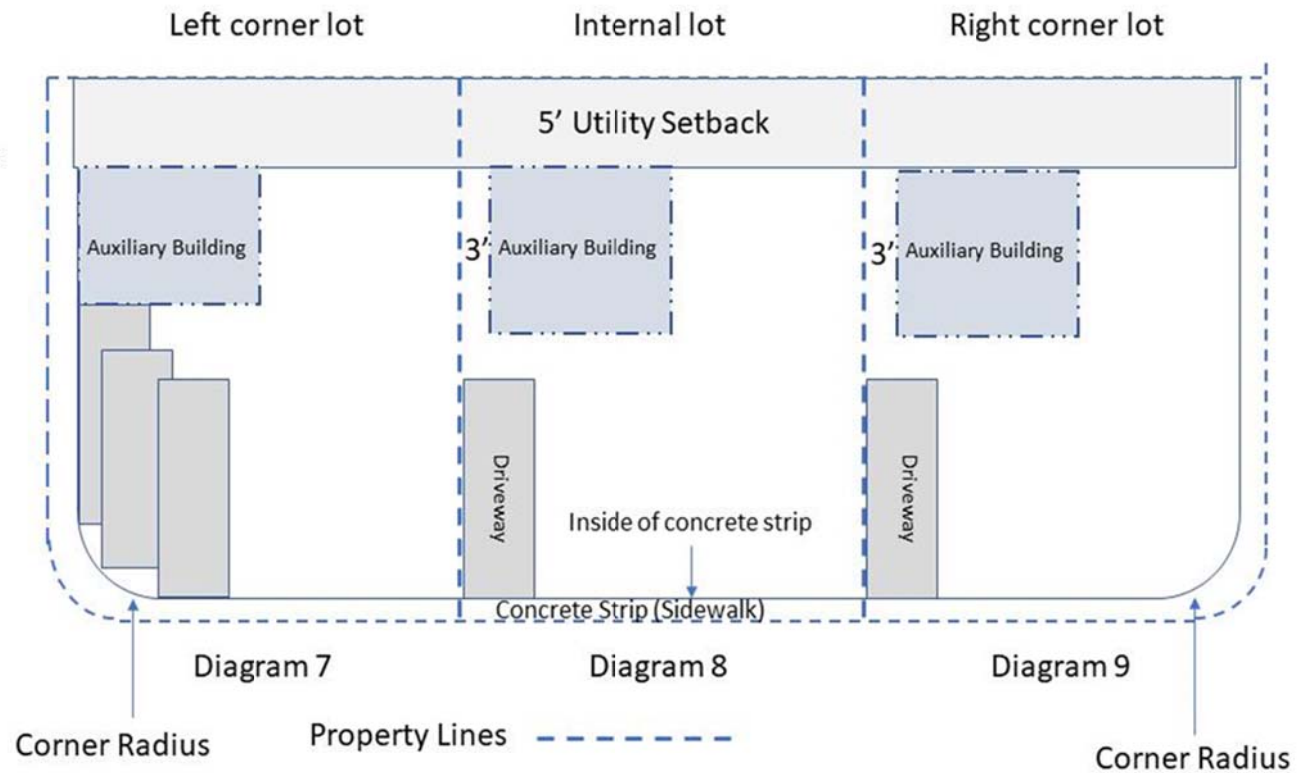


Exhibit A

July 15, 2019

Town Council

**Zone Change
PZ-19-17**

Case PZ-19-17 Amendments

Community Development staff has been working with the Caliente Del Sol Property Owners Association (CPOA) regarding a request to change setbacks for:

- New units
- Replacement units
- Auxiliary buildings

Caliente Del Sol



Background

- Old setbacks allowed for a 1 ft. setback on the livable side and 2 ft. setback on the carport side from the property lines
- 2017: Setbacks not code compliant with the 2006 Building Code and placed a 5 ft. setback on the side of the lots for new and replacement units
- 2018: Staff contacted other municipalities and researched best practices
- 2019: CPOA approved the recommended changes

Proposal

The Building Code allowed for modifications to the setbacks with three (3) additional requirements:

- Propane and gas to be removed from all new and replaced Park Model units
- New and replacement units have an age requirement of no older than five years
- All new and replaced Park Model units have carbon monoxide detectors

Ordinance Details

- The Front Setback shall be two (2) feet (which is back-of-sidewalk) from property line.
- The Rear Setback shall be five (5) feet from property line.
- The Side Yard Setback for interior Park Models, or other fixed Recreational Vehicle units, shall be three (3) feet; and two (2) feet for street side yard (which is back-of-sidewalk).
- Any new or replacement Park Model Unit shall be no more than five years in age from the date of original construction.
- Propane and gas are to be removed from all new and replacement Park Model units
- All new and replacement Park Model units have carbon monoxide detectors.

Public Outreach

- Building Safety staff and the Fire Department met with residents and board members of Caliente
- Two Council meetings on issue and proposal
- Staff went to Council & Caliente Board meeting for the final approval from the residents, Town, and Staff
- The CPOA held a Citizen Meeting in February 2019 at Caliente Del Sol
- Advertisement posted in local newspaper
- Public hearings/readings

Exhibit A

EFFECTIVE 10/01/2018

Must be permitted by both Caliente and the Town of Florence. No unit can be placed larger than 400 sq. ft. Unit must be totally electric, and less than 5 years in age. Unit measurement is outside end to end. It must be secured with approved tie-down.

Any unit that is added must conform with the following setbacks, no closer than 3' from side property lines, except when placed on a corner lot with the roadway on its right, then the right setback can be no closer than 2' from the property line. It cannot infringe on the utility setback or the corner radius.

Placement of new unit

41' lot (maximum length 34')
42' lot (maximum length 35')

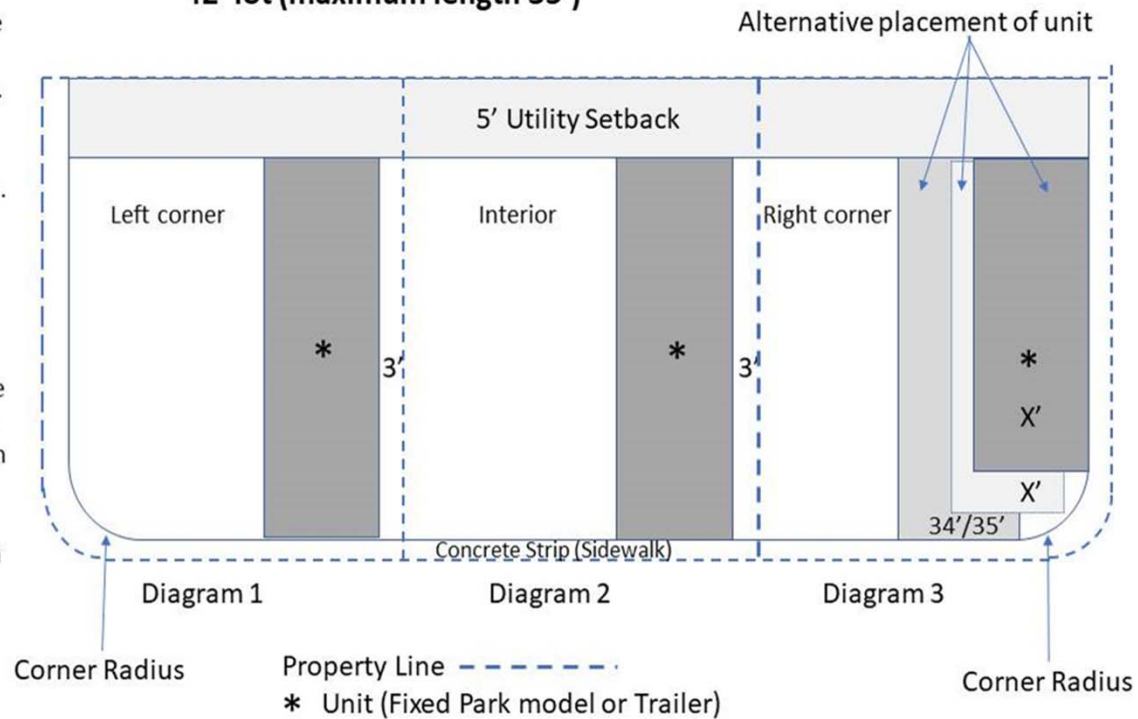


Exhibit A

EFFECTIVE 10/01/2018

Must be permitted by both Caliente and the Town of Florence. No unit can be placed larger than 400 sq ft. Unit must be totally electric, and less than 5 years in age. Unit measurement is outside end to end. It must be secured with approved tie-down.

* Any replacement unit must conform with the following setbacks, no closer than 1' from the right side property line or the current setback of the unit being replaced, whichever is the greater. If placed on a corner lot with the roadway on its right, then the right setback can be no closer than 2' from the property line. It cannot infringe on utility setback or the corner radius.

Replacement of old unit
41' lot (maximum length 34')
42' lot (maximum length 35')

Alternative placement of unit

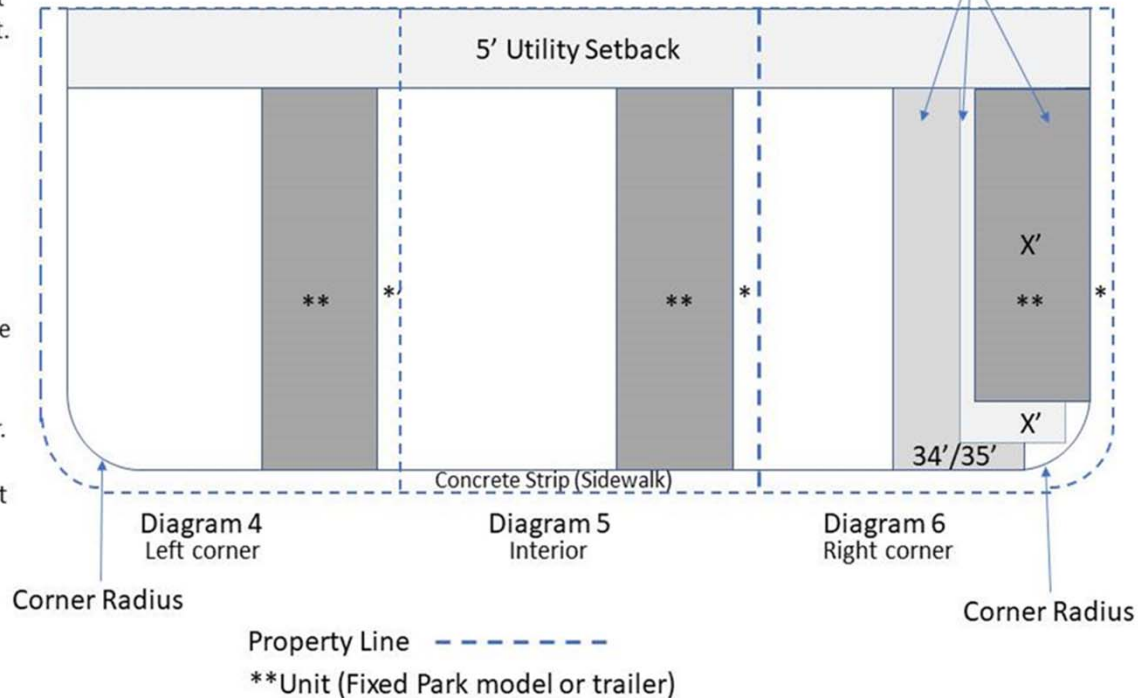


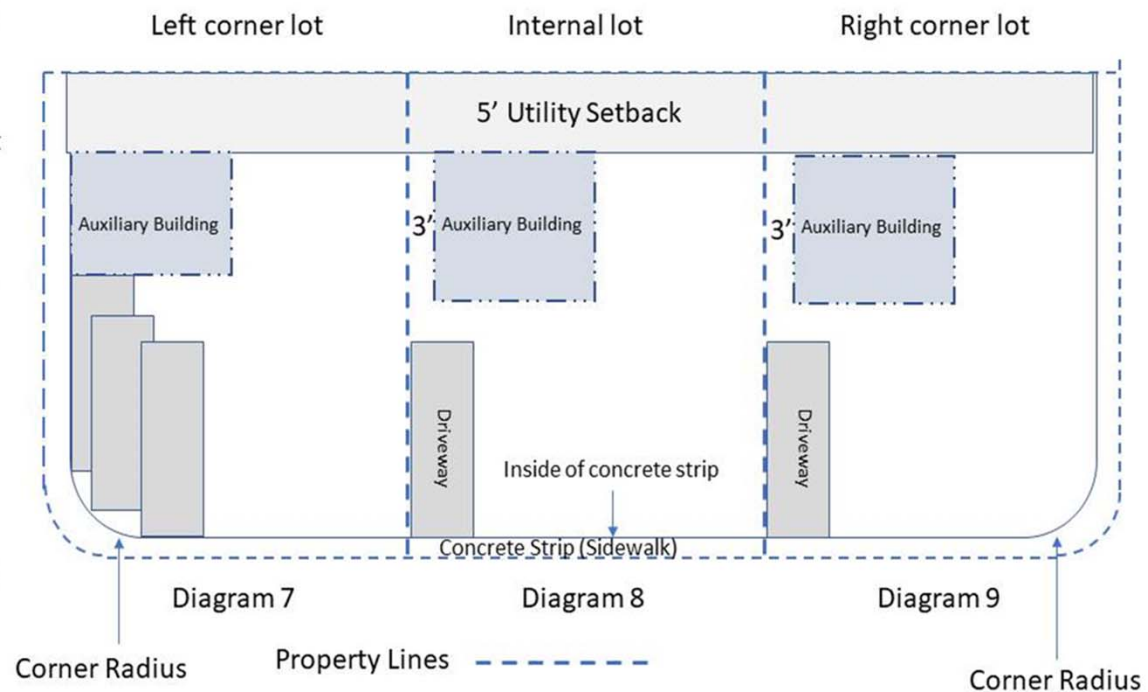
Exhibit A

EFFECTIVE 10/01/2018

Auxiliary buildings include sheds, additions to the main living unit and Arizona rooms. Auxiliary buildings have a left setback of 3' on internal and right corner lots and 2' on left corner lots. All lots will at least have a setback of 5' from the rear property line and 2' for the front property line.

On each lot there must be a 18' deep and 9' wide mandatory parking area starting at inside of the concrete strip, this area may not contain any structure or violate the concrete strip. If the lot is a corner lot with a street on left the parking area can be dedicated three ways as shown in diagram 7

Placement of auxiliary buildings



Findings

Staff and Planning and Zoning Commission offer the following findings for the consideration by the Town Council:


1. The proposed amendments are consistent with the needs of the community and the Town.
2. The proposed amendments of the site should facilitate ongoing development and replacement efforts of the local residents.

Recommendation

The Planning and Zoning Commission recommends approval subject to conditions:

- Any Additional conditions deemed necessary by the Town Council.

Questions?

	TOWN OF FLORENCE COUNCIL ACTION FORM	<u>AGENDA ITEM</u> 11a.
MEETING DATE: July 15, 2019 DEPARTMENT: Administration STAFF PRESENTER: Jennifer Evans, Management Analyst SUBJECT: Resolution No. 1709-19 to accept grant funds recommended for award from the Gila River Indian Community		<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 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:

Motion to adopt Resolution No. 1709-19: A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, ACCEPTING TRIBAL GAMING FUNDS GRANTED BY THE GILA RIVER INDIAN COMMUNITY.

BACKGROUND/DISCUSSION:

The Gila River Indian Community (GRIC) may award tribal gaming funds to the Town of Florence during its 2019 grant cycle. The police department has applied for \$51,490 in grant funding to purchase seven P-25 compliant digital portable radios. The grant application has been recommended for award by GRIC staff. Before the grant application is presented to the GRIC Community Council for final approval, GRIC requires a resolution from the municipality to acknowledge its willingness to accept the gaming funds for the specified use. The resolution states the Town's acceptance of the grant funds to purchase digital portable radios for the police department.

A VOTE OF NO WOULD MEAN:

The Town will not accept gaming funds from GRIC.

A VOTE OF YES WOULD MEAN:

The Town of Florence will accept gaming funds from GRIC.

FINANCIAL IMPACT:

The Gila River Indian Community may award \$51,490 to the Town of Florence for the purchase of digital portable radios. There is no match required.

ATTACHMENTS:

Resolution No. 1709-19

RESOLUTION NO. 1709-19

A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, ACCEPTING TRIBAL GAMING FUNDS GRANTED BY THE GILA RIVER INDIAN COMMUNITY.

WHEREAS, the Gila River Indian Community has reviewed applications for the distribution of gaming revenues through their State Shared Revenue Program; and

WHEREAS, the Town of Florence requests funding from the Gila River Indian Community for portable digital police radios; and

WHEREAS, the Town of Florence Police Department is dedicated to promoting public safety for its citizens and local businesses.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Florence, Arizona, that funds will be accepted from the Gila River Indian Community for Shared Revenue Funds in the amount of \$51,490.

PASSED AND ADOPTED by the Town Council of the Town of Florence on this 15th day of July 2019.

Tara Walter, Mayor

ATTEST:


APPROVED AS TO FORM:

Lisa Garcia, Town Clerk

Clifford L. Mattice, Town Attorney

I, the undersigned, being the duly appointed and qualified Town Clerk of the Town of Florence, certify that the foregoing Resolution No. 1709-19 is a true, correct and accurate copy as passed and adopted at a regular meeting of the Florence Town Council, held on the 15th day of July 2019 at which a quorum was present and voted in favor of said Resolution No. 1709-19.

Lisa Garcia, Town Clerk

	TOWN OF FLORENCE COUNCIL ACTION FORM	<u>AGENDA ITEM</u> 11b.
MEETING DATE: July 15, 2019 DEPARTMENT: Administration STAFF PRESENTER: Jennifer Evans, Management Analyst SUBJECT: Resolution No. 1710-19 to accept grant funds awarded for High Intensity Drug Trafficking Area (HIDTA)		<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 Prosperity <input type="checkbox"/> Leadership and Governance <input checked="" type="checkbox"/> Partnership and Relationships <input type="checkbox"/> Transportation and Infrastructure <input type="checkbox"/> Statutory <input type="checkbox"/> None		

RECOMMENDED MOTION/ACTION:

A motion to adopt Resolution No. 1710-19 A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, AUTHORIZING THE TOWN TO ENTER INTO A GRANT AGREEMENT WITH THE CITY OF TUCSON POLICE DEPARTMENT REGARDING THE ARIZONA HIGH INTENSITY DRUG TRAFFICKING AREA.

BACKGROUND/DISCUSSION:

The grant is awarded annually to the Town of Florence and provides for an officer to participate in the Pinal County High Intensity Drug Trafficking Area (HIDTA) program. The program is administered by the City of Tucson and provides wages, overtime and fringe benefits for the participating officer. The grant period is from January 1, 2019 through December 31, 2020.

A VOTE OF NO WOULD MEAN:

A No vote means the Town will not participate in the HIDTA program or receive the grant funds.

A VOTE OF YES WOULD MEAN:

A Yes vote means the Town will participate in the HIDTA program and receive \$75,587.70 in grant funds.

FINANCIAL IMPACT:

The grant award is \$75,587.70 to pay for wages, overtime and fringe benefits. The grant will pay a maximum of \$49,778 for salary, \$18,343 for overtime wages, and \$7,466.70 in fringe benefits. The Town pays for 85% of the officer's fringe benefits.

ATTACHMENTS:

Resolution No. 1710-19
Grant Agreement

RESOLUTION NO. 1710-19

A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, AUTHORIZING THE TOWN TO ENTER INTO A GRANT AGREEMENT WITH THE CITY OF TUCSON POLICE DEPARTMENT REGARDING THE ARIZONA HIGH INTENSITY DRUG TRAFFICKING AREA.

WHEREAS, THIS GRANT-IN-AID (“Grant”) is entered into as of the 15th day of July 2019, by and between the CITY OF TUCSON POLICE DEPARTMENT (“CTPD”) and the TOWN OF FLORENCE, an Arizona municipal corporation (“TOWN”); and

WHEREAS, it is hereby acknowledged that CTPD now has the authority to administer and subsequently award federal High Intensity Drug Trafficking Area funding for the purpose of performing covert undercover operations to reduce narcotic trafficking and related crimes including burglaries, gang violence, and use of illegal weapons through recognized area narcotics task forces; and

WHEREAS, this program was previously administered through the Arizona Criminal Justice Commission (“ACJC”); and

WHEREAS, through the HIDTA 29 grant cycle, CTPD has now awarded such grant funds in the amount of \$75,587.70 to the TOWN for the cost of officer salary, fringe benefits, and overtime in order to achieve these purposes as a member of the Pinal County Narcotics Task Force (“PCNTF”); and

WHEREAS, it is necessary to execute the agreement by formal resolution of the Mayor and Town Council, and that this resolution shall hereby be made a part thereof and incorporated into the agreement; and

WHEREAS, CTPD is authorized to enter into this agreement pursuant to A.R.S. 11-951, et seq. as well as City of Tucson Resolution number 21460 and the TOWN is authorized to enter into this agreement pursuant to A.R.S. 11-952.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Florence, Arizona, to execute this agreement with CTPD.

PASSED AND ADOPTED by the majority vote of the Town Council of the Town of Florence, Arizona, on this the 15th day of July 2019.

Tara Walter, Mayor

ATTEST:

APPROVED AS TO FORM:

Lisa Garcia, Town Clerk

Clifford L. Mattice, Town Attorney



**CITY OF TUCSON
HIGH INTENSITY DRUG TRAFFICKING AREA (HIDTA)
PROGRAM
GRANT AGREEMENT CFDA NUMBER: 95.001**

AWARD NUMBER (FAIN): **G19SA0007A**

COT Grant Number **HT-19-2928**

This Grant Agreement is made this **1ST day of January 2019** by and between the CITY OF TUCSON hereinafter called "CITY" and **GOVERNING BODY**, through **Florence Police Department** hereinafter called "GRANTEE". The CITY enters into this Agreement pursuant to its authority under the provisions of A.R.S. § 11-951, et seq., and the City of Tucson's Resolution number 21460, having satisfied itself as to the qualification of GRANTEE.

NOW, THEREFORE, it is agreed between the parties as follows:

1. This Agreement will commence on **January 1, 2019** and terminate on **December 31, 2020**. This Agreement expires at the end of the award period unless prior written approval for an extension has been obtained from the CITY. A request for extension must be received by the CITY sixty (60) days prior to the end of the award period. The CITY may approve an extension that further the goals and objectives of the program and shall determine the length of any extension within Office of National Drug Control Policy (ONDCP) guidelines.
2. The GRANTEE agrees that grant funds will be used for the **Pinal County HIDTA Task Force (PCHTF)**.
3. The CITY will monitor the performance of the GRANTEE against goals and performance standards outlined in the grant application. Sub-standard performance as determined by the CITY will constitute non-compliance with this Agreement. The GRANTEE shall operate in a manner consistent with and in compliance with the provisions and stipulations of the approved grant application and this Agreement. If the CITY finds non-compliance, the GRANTEE will receive a written notice that identifies the area of non-compliance, and the appropriate corrective action to be taken. If the GRANTEE does not respond within thirty calendar days to this notice, and does not provide sufficient information concerning the steps that are being taken to correct the problem, the CITY may suspend funding; permanently terminate this Agreement and/or revoke the grant; Any deviation or failure to comply with the purpose and/or conditions of this Agreement without prior written CITY approval may constitute sufficient reason for the CITY to terminate this Agreement; revoke the grant; require the return of all unspent funds, perform an audit of expended funds; and require the return of any previously spent funds which are deemed to have been spent in violation of the purpose or conditions of this grant.
4. This Agreement may be modified only by a written amendment signed by the parties. Any notice given pursuant to this Agreement shall be in writing and shall be considered to have been given when actually received by the following addressee or their agents or employees:

A. If to the City of Tucson:

**City of Tucson
ATTN: Business Services
Police Satellite Office (Finance)
Tucson Police Department
270 S. Stone Ave.
Tucson, Arizona 85701-1917**

B. If to the GRANTEE:

**Florence Police Department
P O Box 2670
Florence, AZ 85132
Attention: Brent Billingsley, Town Manager**

5. The GRANTEE may make budget adjustments only after written notification with signature approval from Arizona HIDTA Director is provided to the CITY. A grant adjustment notice (GAN) will be issued to the GRANTEE notifying the GRANTEE of the approval. Adjustments or reprogramming of the grantee's budget in an initiative or any reprogramming between initiative and/or agencies; in any amount, require the approval of the Board, the AZ HIDTA Director, and/or the ONDCP in accordance with HIDTA Program Policy and Budget Guidance.

APPROVED LINE ITEM PROGRAM BUDGET	
Personnel:	
Salaries	\$49,778.00
Fringe Benefits	\$7,466.70
Overtime	\$18,343.00
Travel	\$0
Facilities	\$0
Services	\$0
Operating Expenses:	
Supplies	\$0
Other	\$0
Equipment	\$0.00
TOTAL	\$78,587.70
See Attached Budget Detail Sheet	

6. The GRANTEE understands that financial reports are required for reimbursement of expenditures.
7. Every payment obligation of the CITY under this Agreement is conditioned upon the availability of funds appropriated or allocated for the payment of such obligation. If funds are not allocated and available for the continuance of this Agreement, this Agreement may be terminated by the CITY. No liability shall accrue to the CITY in the event this provision is exercised, and the CITY shall not be obligated or liable for any future payments or for any damages as a result of termination under this paragraph.
8. The GRANTEE understands that prior to the expenditure of confidential funds; an authorized official of the GRANTEE shall sign a certification indicating that he or she has read, understands, and agrees to abide by all of the conditions pertaining to confidential fund expenditures as set forth in HIDTA Program Policy and Budget Guidance Para. 6.16.2

9. The GRANTEE certifies that it will comply with Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards 2 CFR 200 as codified in 2 CFR Part 3603 and HIDTA Program Policy & Budget Guidance - October 1, 2016.

Link: Electronic Code of Federal Regulations: <http://www.ecfr.gov>

10. The GRANTEE agrees to account for interest earned on Federal grant funds and shall remit interest earned in excess of the allowable amount as detailed in 2 CFR, Part 200, §200.305 Payment, and all unexpended grant funds to the CITY within 30 days after receipt of a written request from the CITY. The GRANTEE agrees to expend all encumbered funds within 90 days of expiration of this award.
11. The GRANTEE agrees to retain all books, account reports, files and other records, (paper and/or electronic) relating to this Agreement and the performance of this Agreement for no less than five (5) years from the last financial report submitted to the CITY. All such documents shall be subject to inspection and audit at reasonable times.
12. For the purpose of this grant, a capital expenditure is \$5,000 or above. If the GRANTEE'S policy defines a capital expenditure as less than \$5,000, the GRANTEE will use its own policy.

The GRANTEE shall maintain a tracking system, in accordance with HIDTA Program Policy & Budget Guidance – October 1, 2016, Section 8, to account for all HIDTA purchased equipment, vehicles, and other items valued at \$5000 or more per unit at the time of purchase. GRANTEE is encouraged to include lower cost, high-risk items, electronic devices and software, such as but not limited to digital cameras, palm pilots, and GPS devices in the tracking system.

The GRANTEE agrees to abide by Section 8, that those using HIDTA funds to purchase equipment must maintain a current inventory of HIDTA-purchased equipment and must provide that inventory to the HIDTA Director or an ONDCP employee, and/or the CITY upon request. A 100-percent physical inventory of HIDTA-purchased equipment must be conducted at least every two years.

13. The GRANTEE agrees to follow equipment disposition policies outlined in Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards 2 CFR 200 Subpart D- Post Federal Award Requirements, §§ 310-316- Property Standards when the equipment is no longer needed for the grant program. When no longer needed for the original program, the equipment may be used in other activities supported by the Office of National Drug Control Policy.

Link: *Electronic Code of Federal Regulations* <http://www.ecfr.gov>

The GRANTEE agrees that the purchasing agency shall comply with ONDCP HIDTA Program Policy & Budget Guidance – Oct 1, 2016 Section 8 in determining the end of the useful life and disposition of HIDTA purchased equipment. Purchasing agencies must retain documentation of the disposition and provide to the HIDTA Director and the CITY.

14. The GRANTEE agrees to keep time and attendance sheets signed by the employee and supervisory official having first hand knowledge of the work performed by the grant funded employees. The GRANTEE agrees to track overtime expenses in accordance with ONDCP HIDTA Program Policy & Budget Guidance – October 1, 2016.

15. The GRANTEE will comply with the audit requirements of Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 CFR 200 Subpart F- Audit Requirements and provide the CITY with the audit report and any findings within 90 days of receipt of such finding. If the report contains no findings, the GRANTEE must provide notification that the audit was completed.

Link: *Electronic Code of Federal Regulations* <http://www.ecfr.gov>

16. The GRANTEE agrees that it will submit financial reports and supporting documentation to the CITY through the AZ HIDTA Finance Manager on forms/format provided by the CITY, documenting the activities supported by these grant funds. In the event reports are not received on or before the indicated date(s), funding will be suspended until such time as delinquent report(s) are received. These reports are submitted according to the following schedule:

Report Period Month of:	Due Date:	Report Period Month of:	Due Date:
January 1 - 31	February 25	July 1 - 31	August 25
February 1 - 29	March 25	August 1 - 31	September 25
March 1 - 30	April 25	September 1 - 30	October 25
April 1 - 30	May 25	October 1 - 31	November 25
May 1 - 31	June 25	November 1 - 30	December 25
June 1 - 30	July 25	December 1 - 31	January 25

More frequent reports may be required for GRANTEES who are considered high risk.

17. All goods and services purchased with grant funds must be received by the GRANTEE within 60 days of the expiration of this award.

18. The GRANTEE agrees to check the U.S. General Service Administration (GSA) Excluded Parties Listing Service as required by Executive Order 12549, as defined in 2 CFR 180 et. seq. for individuals, agencies, companies and corporations debarred or suspended from doing business with recipients receiving Federal funds. The GRANTEE agrees not to do business with any individual, agency, company or corporation listed in the Excluded Parties Listing Service.

Link: *Excluded Parties Listing System* <http://sam.gov>

19. No funds shall be used to supplant federal, state, county or local funds that would otherwise be made available for such purposes. Supplanting means the deliberate reduction of State or local funds because of the existence of Federal funds.

20. The GRANTEE assigns to the CITY any claim for overcharges resulting from antitrust violations to the extent that such violations concern materials or services applied by third parties to the GRANTEE in exchange for grant funds provided under this Agreement.

21. The parties agree to use arbitration in the event of disputes in accordance with the provisions of A.R.S. § 12-1501 et seq.

22. The laws of the State of Arizona apply to questions arising under this Agreement and any litigation regarding this Agreement must be maintained in Arizona courts, except as provided in paragraph 25 of this Agreement pertaining to disputes, which are subject to arbitration.

23. The GRANTEE understands that grant funds will not be released until all required reports and reversion of funds from the prior year grant are submitted to the CITY.

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24. The GRANTEE (as "Indemnitor") agrees to indemnify, defend and hold harmless the CITY (as "Indemnitee") from and against any and all claims, losses, liability, costs, or expenses, (including reasonable attorney's fees) (hereinafter collectively referred to as "Claims") arising out of bodily injury of any person (including death) or property damage, but only to the extent that such Claims which result in vicarious/derivative liability to the Indemnitee are caused by the act, omission, negligence, misconduct, or other fault of the Indemnitor, its officers, officials, agents, employees, or volunteers. If the GRANTEE is a State agency or entity, this paragraph does not apply.
25. Unless GRANTEE's contractor or subcontractor is a State agency or entity, GRANTEE shall cause its contractor(s) and subcontractors, if any to indemnify defend, save and hold harmless the City of Tucson, any jurisdictions or agency issuing any permits for any work arising out of this Agreement, and their respective directors, officers, officials, agents, and employees from and against any and all claims, actions, liabilities, damages, losses or expenses (including court costs, attorneys' fees, and costs of claim processing, investigation and litigation) (hereinafter referred to as "Claims") for bodily injury or personal injury (including death), or loss or damage to tangible or intangible property caused, or alleged to be caused, in whole or in part, by the negligent or willful acts or omissions of GRANTEE'S contractor or any of the directors, officers, agents, or employees or subcontractors of such contractor. This indemnity includes any claim or amount arising out of or recovered under the Worker's Compensation Law or arising out of the failure of such contractor to conform to any federal, state, or local law, statute, ordinance, rule, regulation or court decree. It is the specific intention of the parties that the Indemnitee shall, in all instances, except for Claims arising solely from the negligence or willful acts or omissions of the Indemnitee, be indemnified by such contractor from and against any and all claims. It is agreed that such contractor will be responsible for primary loss investigation, defense and judgment costs where this indemnification is applicable. Insurance requirements for any contractor used by GRANTEE are incorporated herein by this reference and attached to this Agreement as Exhibit "A".
26. If the GRANTEE is a governmental political subdivision, the GRANTEE will, to the extent possible and practical share criminal justice information with other authorized criminal justice agencies. The process control number (PCN) shall be used in accordance with A.R.S. § 41-1750 when sharing data with other criminal justice agencies as electronic data systems are developed or improved.
27. The GRANTEE agrees to comply with the non-discrimination requirements of the Omnibus Crime Control and Safe Streets Act of 1968, as amended; 42 USC 3789(d); Title VI of the Civil Rights Act of 1964, as amended; Section 504, Rehabilitation Act of 1973, as amended; Subtitle A, Title II of the Americans with Disabilities Act (ADA) (1990); Title IX of the Education Amendments of 1972 and the Department of Justice regulations 28 CFR Part 54; The Age Discrimination Act of 1975; Department of Justice Non-Discrimination Regulations, 28 CFR Part 42, Subparts C, D, E, G and I; Department of Justice regulations on disability discrimination 28 CFR Part 35; all applicable state laws of A.R.S. § 41-1463; and Executive Orders 2009-09 and 2007-21. These laws prohibit discrimination on the basis of race, color, religion, sex and national origin including Limited English Proficiency (LEP) in the delivery of service. In the event that a Federal or State court or Federal or State administrative agency makes a finding of discrimination after a due process hearing against the GRANTEE, the GRANTEE will forward a copy of the findings to the Office for Civil Rights, Office of Justice Programs and the CITY.

28. The GRANTEE agrees to formulate and keep on file an Equal Employment Opportunity Plan (EEO) (if grantee is required pursuant to 28 CFR 42.302). The GRANTEE certifies that they have forwarded to the Office for Civil Rights, Office of Justice Programs the EEO, or certifications that they have prepared and have on file an EEO, or that they are exempt from EEO requirements. Failure to comply may result in suspension of the receipt of grant funds. Copies of all submissions such as certifications to or correspondence with the Office for Civil Rights, Office of Justice Programs regarding this requirement must be provided to the CITY by the GRANTEE.
29. The GRANTEE certifies to comply with the Drug-Free Workplace Act of 1988, and implemented in 2 CFR Part 182.
30. The GRANTEE agrees to complete and keep on file, as appropriate, Immigration and Naturalization Form (I-9). This form is to be used by recipients to verify that persons are eligible to work in the United States. Additionally the GRANTEE ensures compliance with Executive Order 2005-30 federal immigration laws by state employers and contractors.
31. The GRANTEE agrees to notify the Arizona HIDTA Director and provide written notification to the CITY within ten (10) days in the event that the project official is replaced during the award period.
32. No rights or interest in this Agreement shall be assigned by GRANTEE without prior written approval of the CITY.
33. The GRANTEE agrees that no funds provided, or personnel employed under this Agreement shall be in any way or to any extent engaged in conduct of political activities in violation of U.S.C. Title 5, Part II, Chapter 15, Section 1502.
34. The GRANTEE certifies that it presently has no financial interest and shall not acquire any financial interest, direct or indirect, which would conflict in any manner or degree with the performance of services required under this Agreement.
35. The Grantee certifies that no federal funds will be paid, by or on behalf of, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and for the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan or cooperative agreement. If any funds other than Federal funds are paid or will be paid to any person for influencing or attempting to influence an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal award, grant loan, or cooperative agreement, the GRANTEE will complete and submit to the CITY Standard Form-LLL, "Disclosure Form to Report Lobbying" in accordance with its instructions

36. This Agreement is subject to cancellation pursuant to the provision of A.R.S. § 38-511.
37. This Agreement may be cancelled at the CITY's discretion if not returned with authorized signatures to the CITY within 90 days of commencement of the award.
38. If any provision of this Agreement is held invalid the remainder of the Agreement shall not be affected thereby and all other parts of this Agreement shall be in full force and effect.
39. Pursuant to resolution number 21460, adopted by Mayor and Council December 15, 2009, the Tucson Police Chief is authorized to enter into contracts and grant agreements for HIDTA operations.
40. In accordance with A.R.S. §41-4401, GRANTEE warrants compliance with E-Verify and all federal immigration laws and regulations relating to employees and warrants compliance with A.R.S. § 23-214A.

IN WITNESS WHEREOF, the parties have made and executed the Agreement the day and year first above written.

FOR GRANTEE:

Signature

Date

Printed Name and Title

Note: If applicable, the Agreement must be approved by the appropriate county supervisory board or municipal council and appropriate local counsel (i.e. county or city attorney). Furthermore, if applicable, resolutions and meeting minutes must be forwarded to the CITY with the signed Agreement.

Approved as to form and authority to enter into Agreement:

Legal counsel for GRANTEE

Date

Printed Name and Title

INDICATE STATUTORY OR OTHER LEGAL AUTHORITY TO ENTER AGREEMENT BELOW:

Appropriate A.R.S., ordinance, or charter reference

FOR CITY OF TUCSON:

Chris Magnus, Chief of Police
City of Tucson Police Department

Date

Principal Assistant City Attorney
City of Tucson Police Department
Approved as to form

Date



CITY OF TUCSON
GRANT AGREEMENT

**Insurance Requirements
Exhibit "A"**

Insurance Requirements for Governmental Parties to a Grant Agreement:

None.

Insurance Requirements for Any Contractors Used by a Party to the Grant Agreement:

(Note: this applies only to Contractors used by a governmental entity, not to the governmental entity itself.) The insurance requirements herein are minimum requirements and in no way limit the indemnity covenants contained in the Intergovernmental Agreement. The City of Tucson in no way warrants that the minimum limits contained herein are sufficient to protect the governmental entity or Contractor from liabilities that might arise out of the performance of the work under this Contract by the Contractor, his agents, representatives, employees or subcontractors, and Contractor and the governmental entity are free to purchase additional insurance.

A. **MINIMUM SCOPE AND LIMITS OF INSURANCE:** Contractor shall provide coverage with limits of liability not less than those stated below.

1. **Commercial General Liability – Occurrence Form**

Policy shall include bodily injury, property damage, personal injury and broad form contractual liability.

- General Aggregate \$2,000,000
- Products – Completed Operations Aggregate \$1,000,000
- Personal and Advertising Injury \$1,000,000
- Blanket Contractual Liability – Written and Oral \$1,000,000
- Fire Legal Liability \$50,000
- Each Occurrence \$1,000,000

- a. The policy shall be endorsed to include the following additional insured language: "***The City of Tucson, its departments, agencies, boards, commissions, universities and its officers, officials, agents, and employees shall be named as additional insureds with respect to liability arising out of the activities performed by or on behalf of the Contractor.***"

(Note that the other governmental entity(ies) is/are also required to be additional insured(s) and they should supply the Contractor with their own list of persons to be insured.)

- b. Policy shall contain a waiver of subrogation against the City of Tucson, its departments, agencies, boards, commissions, universities and its officers, officials, agents, and employees for losses arising from work performed by or on behalf of the Contractor.

2. **Automobile Liability**

Bodily Injury and Property Damage for any owned, hired, and/or non-owned vehicles used in the performance of this Contract.

Combined Single Limit (CSL) \$1,000,000

- a. The policy shall be endorsed to include the following additional insured language: ***"The City of Tucson, its departments, agencies, boards, commissions, universities and its officers, officials, agents, and employees shall be named as additional insured with respect to liability arising out of the activities performed by or on behalf of the Contractor, involving automobiles owned, leased, hired or borrowed by the Contractor"***.

(Note that the other governmental entity(ies) is/are also required to be additional insured(s) and they should supply the Contractor with their own list of persons to be insured.)

3. **Worker's Compensation and Employers' Liability**

Workers' Compensation	Statutory
Employers' Liability	
Each Accident	\$500,000
Disease – Each Employee	\$500,000
Disease – Policy Limit	\$1,000,000

- a. Policy shall contain a waiver of subrogation against the City of Tucson, its departments, agencies, boards, commissions, universities and its officers, officials, agents, and employees for losses arising from work performed by or on behalf of the Contractor.
- b. This requirement shall not apply to: Separately, EACH contractor or subcontractor exempt under A.R.S. 23-901, AND when such contractor or subcontractor executes the appropriate waiver (Sole Proprietor/Independent Contractor) form.

B. **ADDITIONAL INSURANCE REQUIREMENTS:** The policies are to contain, or be endorsed to contain, the following provisions:

- 1. The City of Tucson, its departments, agencies, boards, commissions, universities and its officers, officials, agents, and employees *and the other governmental entity* shall be additional insureds to the full limits of liability purchased by the Contractor even if those limits of liability are in excess of those required by the Contract.
- 2. The Contractor's insurance coverage shall be primary insurance with respect to all other available sources.
- 3. The Contractor's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability. Coverage provided by the Contractor shall not be limited to the liability assumed under the indemnification provisions of its Contract with the other governmental entity(ies) party to the Grant Agreement.

- C. **NOTICE OF CANCELLATION:** Each insurance policy required by the insurance provisions of this Contract shall not be suspended, voided, cancelled, reduced in coverage or in limits except after thirty (30) days prior written notice has been given the City of Tucson. Such notice shall be sent directly to the GRANTEE and shall be sent by certified mail, return receipt requested.
- D. **ACCEPTABILITY OF INSURERS:** Insurance is to be placed with duly licensed or approved non-admitted insurers in the State of Arizona with an "A.M. Best" rating of not less than A- VII. The City of Tucson in no way warrants that the above-required minimum insurer rating is sufficient to protect the Contractor from potential insurer insolvency.
- E. **VERIFICATION OF COVERAGE:** Contractor shall furnish the GRANTEE with certificates of insurance (ACORD form or equivalent approved by the State of Arizona) as required by this Contract. The certificates for each insurance policy are to be signed by a person authorized by that insurer to bind coverage on its behalf.

All certificates and endorsements are to be received and approved before work commences. Each insurance policy required by this Contract must be in effect at or prior to commencement of work under this Contract and remain in effect for the duration of the project. Failure to maintain the insurance policies as required by this Contract, or to provide evidence of renewal, is a material breach of contract.

All certificates required by this Contract shall be sent directly to the GRANTEE. The City of Tucson's project/contract number and project description are to be noted on the certificate of insurance. The City of Tucson reserves the right to require complete, certified copies of all insurance policies required by this Contract at any time. **DO NOT SEND CERTIFICATES OF INSURANCE TO THE CITY OF TUCSON'S RISK MANAGEMENT SECTION.**

- F. **SUBCONTRACTORS:** Contractor's certificate(s) shall include all subcontractors as insureds under its policies or Contractor shall furnish to the county or local government agency responsible separate certificates for each subcontractor. All coverage's for subcontractors shall be subject to the minimum requirements identified above.
- G. **APPROVAL:** Any modification or variation from the *insurance requirements* must have prior approval from the City of Tucson, Risk Management Section, whose decision shall be final. Such action will not require a formal contract amendment, but may be made by administrative action.
- H. **EXCEPTIONS:** In the event the Contractor or sub-contractor(s) is/are a public entity, then the Insurance Requirements shall not apply. Such public entity shall provide a Certificate of Self-Insurance. If the contractor or sub-contractor(s) is/are a City of Tucson agency, board, commission, or university then none of the above shall apply.



CITY OF TUCSON
HIGH INTENSITY DRUG TRAFFICKING AREA (HIDTA)
GRANT AGREEMENT

**Confidential Funds Certification
Exhibit "B"**

CONFIDENTIAL FUNDS CERTIFICATION

1) This is to certify that I have read, understand, and agree to abide by all of the conditions for confidential funds as set forth in the effective edition of the Office of National Drug Control Policy Financial and Administrative Guide.

2) My agency **is/ is not** authorized to disburse confidential funds.

Grant Number: **HT19-2928**

Date: _____

Signature: _____

Authorized Official

PROCEDURES

Each project agency authorized to disburse confidential funds must develop and follow internal procedures, which incorporate the following elements:

Deviations from these elements must receive prior approval of the ONDCP.

1. Imprest Fund. The funds authorized will be established in an imprest fund, which is controlled by a bonded cashier.
2. Advance of Funds: The supervisor of the unit to which the imprest funds is assigned must authorize all advances of funds for the P/I. Such authorization must specify the information to be received, the amount of expenditures, and assumed name of the informant.
3. Informant Files: Informant files are confidential files of the true names, assumed names, and signature of all informants to whom payments of confidential expenditures have been made. To the extent possible, pictures and/or fingerprints of the informant payee should also be maintained. Refer to Informant Files "Documentation" (2) for a list of required documents for the informant files.
4. Cash Receipts.
 - a. The cashier shall receive from the agent or officer authorized to make a confidential payment, receipt for cash advanced to him/her for such purposes.
 - b. The agent or officer shall receive from the informant payee a receipt for cash paid to him/her.

5. Receipts for Purchase of Information. An Informant Payee Receipt shall identify the exact amount paid to and received by the informant payee on the date executed. Cumulative or anticipatory receipts are not permitted. Once the receipt has been completed no alteration is allowed. The agent shall prepare an Informant Payee Receipt containing the following information:
 - a. The jurisdiction initiating the payment.
 - b. A description of the information/evidence received.
 - c. The amount of payment, both in numeral and word form.
 - d. The date on which the payment was made.
 - e. The signature of the informant payee.
 - f. The signature of the case agent or officer making payment.
 - g. The signature of at least one other officer witnessing the payment.
 - h. The signature of the first-line supervisor authorizing and certifying the payment.

6. Review and Certification. The signed Informant Payee Receipt with a memorandum detailing the information received shall be forwarded to the agent or officer in charge. The agent or officer in charge shall compare the signatures. He/she shall also evaluate the information received in relation to the expense incurred, and add his/her evaluation remarks to the report of the agent or officer who made the expenditure from the imprest funds. The certification will be witnessed by the agent or officer in charge on the basis of the report and Informant Payee's Receipt.

7. Reporting of Funds. Each project shall prepare a reconciliation report on the imprest funds on a quarterly basis. Information to be included in the reconciliation report will be the assumed name of the informant payee, the amount received, the nature of the information given, and to what extent this information contributed to the investigation. Recipients/subrecipients shall retain the reconciliation report in their files and shall be available for review unless the State agency requests that the report be submitted to them on a quarterly basis.

8. Record and Audit Provisions. Each project and member agency must maintain specific records of each confidential fund transaction. At a minimum, these records must consist of all documentation concerning the request for funds, processing (to include the review and approve/disapprove), modifications, closure or impact material, and receipts and/or other documentation necessary to justify and track all expenditures. Refer to Informant Files Documentation (2) for a list of documents, which should be in an informant's file. In projects where funds are used for confidential expenditures, it will be understood that all of the above records, except the true name of the informant, are subject to the record and audit provision of grantor agency legislation.

INFORMANT FILES

1. Security. A separate file should be established for each informant for accounting purposes. Informant files should be kept in a separate and secure storage facility, segregated from any other files, and under the exclusive control of the supervisor or an employee designated by him/her. The facility should be locked at all times when unattended. Access to these files should be limited to those employees who have a necessary legitimate need. An informant file should not leave the immediate area except for review by a management official or the handling agent, and should be returned prior to the close of business hours. Sign-out logs should be kept indicating the date, informant number, time in and out, and the signature of the person reviewing the file.

2. Documentation. Each file should include the following information:

- a. Informant Payment Record - kept on top of the file. This record provides a summary of informant payments.
- b. Informant Establishment Record - including complete identifying and location data, plus any other documents connected with the informant's establishment.
- c. Current photograph and fingerprint card (or FBI/State Criminal Identification Number).
- d. Agreement with cooperating individual.
- e. Receipt for P/I.
- f. Copies of all debriefing reports (except for the Headquarters case file).
- g. Copies of case initiation reports bearing on the utilization of the informant (except for the Headquarters case file).
- h. Copies of statements signed by the informant (unsigned copies will be placed in appropriate investigative files).
- i. Any administrative correspondence pertaining to the informant, including documentation of any representations made on his behalf or any other nonmonetary considerations furnished.
- j. Any deactivation report or declaration of any unsatisfactory informant.

INFORMANT MANAGEMENT AND UTILIZATION

All persons who will be utilized as informants should be established as such. The specific procedures required in establishing a person as an informant may vary from jurisdiction to jurisdiction but, at a minimum, should include the following:

1. Assignment of an informant code name to protect the informant's identity.

2. An informant code book controlled by the supervisor or his/her designee containing:
 - a. Informant's code number.
 - b. Type of information (i.e. informant, defendant/informant, restricted use/informant).
 - c. Informant's true name.
 - d. Name of establishing law enforcement officer.
 - e. Date the establishment is approved.
 - f. Date of deactivation.
3. Establish each informant file in accordance with Informant File Documentation (2).
4. For each informant in an active status, the agent should review the informant file on a quarterly basis to assure it contains all relevant and current information. Where a MATERIAL face that was earlier reported on the Establishment Record is no longer correct (e.g. a change in criminal status, means of locating him/her, etc.), a supplemental establishing report should be submitted with the correct entry.
5. All informants being established should be checked in all available criminal indices. If verified FBI number is available, request a copy of the criminal records from the FBI. Where a verified FBI number is not available, the informant should be fingerprinted with a copy sent to the FBI and appropriate State authorities for analysis. The informant may be utilized on a provisional basis while awaiting a response from the FBI.

PAYMENTS TO INFORMANTS

1. Any person who is to receive payments charged against PE/PI funds should be established as an informant. This includes a person who may otherwise be categorized as sources of information or informants under the control of another agency. The amount of payment should be commensurate with the value of services and/or information provided and should be based on the following factors:
 - a. The level of the targeted individual, organization or operation.
 - b. The amount of the actual or potential seizure.
 - c. The significance of the contribution made by the informant to the desired objectives.
2. There are various circumstances in which payments to informants may be made.
 - a. Payments for Information and/or Active Participation. When an informant assists in developing an investigation, either through supplying information or actively participating in it, he/she may be paid for his/her service either in a lump sum or in staggered payments. Payments for information leading to a seizure, with no defendants, should be held to a minimum.

b. Payment for Informant Protection. When an informant needs protection, law enforcement agencies may absorb the expenses of relocation. These expenses may include travel for the informant and his/her immediate family, movement and/or storage of household goods, and living expense at the new location for a specific period of time (not to exceed 6 months). Payments should not exceed the amounts authorized by law enforcement employees for these activities.

c. Payments to Informants of Another Agency. To use or pay another agency's informant, he/she should be established as an informant. These payments should not be a duplication of a payment from another agency; however, sharing a payment is acceptable.

3. Documentation of payments to informants is critical and should be accomplished on a Informant Payee Receipt. Payment should be made and witnessed by two law enforcement officers and authorized payment amounts should be established and reviewed by at least the first line supervisory level. In unusual circumstances, a non-officer employee or an officer of another law enforcement agency may serve as witness. In all instances, the original signed receipt must be submitted to the project director for review and record keeping.

ACCOUNTING AND CONTROL PROCEDURES

Special accounting and control procedures should govern the use and handling of confidential expenditures, as described below:


1. It is important that expenditures which conceptually should be charged to PE/PI/PS are so charged. It is only in this manner that these funds may be properly managed at all levels, and accurate forecasts of projected needs be made.
2. Each law enforcement entity should apportion its PE/PI/PS allowance throughout its jurisdiction and delegate authority to approve PE/PI/PS expenditures to those offices, as it deems appropriate.
3. Headquarters management should establish guidelines authorizing offices to spend up to a predetermined limit of their total allowance on any buy or investigation.
4. In exercising his/her authority to approve these expenditures, the supervisor should consider:
 - a. The significance of the investigation.
 - b. The need for this expenditure to further the investigation.
 - c. Anticipated expenditures in other investigations.

Funds for PE/PI/PS expenditures should be advanced to the officer for a specific purpose. If they are not expended for that purpose, they should be returned to the cashier. They should not be used for another purpose without first returning them and repeating the authorization and advance process based on the new purpose.

5. Funds for PE/PI/PS expenditure should be advanced to the officer on suitable receipt form. Informant Payee Receipt or a voucher for P/E should be completed to document funds used in the purchase of evidence or funds paid or advanced to an informant.
6. For security purposes there should be a 48-hour limit on the amount of time funds advanced for PE/PI/PS expenditure may be held outstanding. If it becomes apparent at any point within the 48-hour period that the expenditure will not materialize, the funds should be returned to the cashier as soon as possible. An extension of the 48-hour limit may be granted by the level of management that approved the advance. Factors to consider in granting such an extension are:
 - a. The amount of funds involved.
 - b. The degree of security under which the funds are being held.
 - c. How long an extension is required.
 - d. The significance of the expenditure.

Such extensions should be limited to 48 hours. Beyond this, the funds should be returned and readvanced, if necessary. Regardless of circumstances, within 48 hours of the advance, the cashier should be presented with either the unexpended funds, an executed Informant Payee Receipt or purchase of evidence or written notification by management that an extension has been granted.

7. P/S expenditures, when not endangering the safety of the officer or informant, need to be supported by canceled tickets, receipts, lease agreements, etc. If not available, the supervisor, or his immediate subordinate, must certify that the expenditures were necessary and justify why supporting documents were not obtained.

	TOWN OF FLORENCE COUNCIL ACTION FORM	<u>AGENDA ITEM</u> 11c.
MEETING DATE: July 15, 2019 DEPARTMENT: Public Works STAFF PRESENTER: Christopher A. Salas P.E. Public Works Director/Town Engineer SUBJECT: Ratification of expenditures to Truly Painting & More LLC for repair and painting services to multiple Town facilities		<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 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:

Ratification of expenditures for Truly Painting & More LLC, for repair and painting services to multiple Town facilities (Town Hall, Kokopelli and the Silver King Marketplace) in a final to not exceed amount of \$45,906.37 for all locations.

BACKGROUND/DISCUSSION:

Through the Town’s procurement process, three competitive quotes were received, and a bid tab was approved August 24, 2018 for the Town Hall painting project (Chamber, Lobby bathrooms, Lobby, East and West Wings) for \$24,987.

On October 21, 2018, an additional amount of \$1,994.00 for the sound boards within the Council Chambers was added to the original quote. The entire amount, \$26,981 was approved by Council on November 5, 2018.

Miscellaneous patch, repair and paint needed for Town Facilities totaling \$1,308.60 is included in the amount.

An additional solicitation for quotes was performed for repairs at the Silver King. This individual solicitation was for \$17,616.77. This amount was not individually over the \$25,000 threshold and did not go to Council. Additional work that was performed for Kokopelli Saloon and the Silver King Marketplace brought the final annual expenditure to \$45,906.37.

A VOTE OF NO WOULD MEAN:

Not applicable

A VOTE OF YES WOULD MEAN:

Not applicable

FINANCIAL IMPACT:

\$24,987.00	Approved by Town Council 8/24/2018
\$ 1,994.00	Additional sound board painting approved by Town Council on November 5, 2018
\$17,616.77	Individual solicitation approved for the Silver King Marketplace
<u>\$ 1,308.60</u>	Miscellaneous patch, repair, paint needs for Town Facilities
<u>\$45,906.37</u>	Total

ATTACHMENTS:

- EXHIBIT A – Approved Bid Tab for Town Hall Painting
- EXHIBIT B – Approved Requisition for Town Hall Painting
- EXHIBIT C – PO #50575 for Town Hall Painting
- EXHIBIT D – RCA for additional amount needed for Town Hall (Chambers)
- EXHIBIT E – Approved Bid Tab for additional Sound Board Painting
- EXHIBIT F - Approved 11/5/18 Council Minutes for Town Hall additional amount
- EXHIBIT G – PO #50575 for Town Hall Painting with 11/5/19 approved amount
- EXHIBIT H – Approved Bid Tab for painting the Silver King Marketplace
- EXHIBIT I – Approved Requisition for painting the Silver King Marketplace
- EXHIBIT J – PO for painting the Silver King Marketplace



Town of Florence Bid Tabulation Sheet

		General Ledger Account Number:	011-531-211
Verbal (Only allowed \$5,000 or less)		Date Prepared:	8/21/2018
Written / Fax / Email (Mandatory over \$5,000 bids attached)		Prepared By:	Susan Jonas
Formal Sealed Bid :	Title of Bid:	Open Date:	
		Close Date:	

Item(s) (Include quality, Brand, Model & Color): Interior Paint & Patch Town Hall; Chambers, West Wing / East Wing / Lobby and Bathrooms

VENDORS	Payment Terms (Discount)	Availability	Who Pays Shipping?	Unit Price	Extended Price	Comments	
1 Name: Truly Painting & More LLC Address: 8828 E Malorie Lane Coolidge, AZ 85128 Contact: Carlos Ortega Phone: 520-280-1599 Email: carlos@trulypaintingandmore.com Quote #: 2280, 2284, 2293, 2292, 2291 Received: 8/8/2018					\$24,987.00	Chambers \$7714.00 West Wing \$3970.00 East Wing \$3970.00 Lobby \$6606.00 Bathrooms \$2727.00 Tax is included with quote	
2 Name: Arizona Painting Company Address: 3235 N Arizona Ave D10 Chandler, AZ 85225 Contact: Keith Phone: 602-648-3071 Email: keith@apcaz.com Quote #: 46757 Received: 8/7/2018					\$ 26,955.00	Chambers \$9985.00 West & East Wings \$9985.00 Lobby & Bathrooms \$6985.00	
3 Name: JC Tarasco Address: 12411 W. Mountain Lane Casa Grande, AZ 85194 Contact: JC Tarasco Phone: 520-836-8780 Email: info@jctarasco.com Quote #: Received: 8/15/2018					\$ 36,458.00		

Attach additional page(s), if necessary.

Vendor Selected: Truly Painting & More LLC (Vendor #1106)

Justification (if not lowest bid.):

Department Head Approval:		Date:	8/22/18
Finance Director Approval:		Date:	8/24/18
Town Manager Approval:		Date:	8/4/18

Exhibits Attached:	

If over \$24,999, must go to Town Council for approval.

Attach this approved form to purchase request with written quotes, if applicable.

**PURCHASE ORDER
TOWN OF FLORENCE**

775 N MAIN ST
FLORENCE AZ 85132
PHONE: 520 868 7500 FAX: (520) 868-7501

THIS ORDER
NUMBER # 50575
MUST APPEAR
ON YOUR
INVOICE

ISSUED TO: 1106
CARLOS ORTEGA
TRULY PAINTING & MORE LLC
8828 E MALORIE LANE
COOLIDGE AZ 85128-9392

SHIP TO: TOWN OF FLORENCE
775 N MAIN ST
P O BOX 2670
FLORENCE AZ 85132
SHIPPING: FOB DESTINATION

PURCHASE ORDER DATE: 08/27/2018

REQ #	QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL	GLACCOUNT
52895	1.00	Interior Painting Town Hall - Chambers	7,714.00	7,714.00	011-531-211
52895	1.00	Interior Painting Town Hall - West	3,970.00	3,970.00	011-531-211
52895	1.00	Interior Painting Town Hall - East	3,970.00	3,970.00	011-531-211
52895	1.00	Interior Painting Town Hall - Lobby	6,606.00	6,606.00	011-531-211
52895	1.00	Interior Painting Town Hall - Bathrooms	2,727.00	2,727.00	011-531-211

TOTAL 24,987.00

Truly Painting & More LLC

RECEIVED BY

COMPANY


SIGNATURE

DATE

I hereby approve the issuance and encumbrance of this purchase order.

I hereby certify that the amount of this encumbrance has been entered against the designated appropriation accounts and that this encumbrance is within the authorized available balance of said appropriation.

The Town of Florence, Arizona, Purchase Order Terms and Conditions ("Terms") referenced herein are incorporated by this reference as if fully set forth herein. These Terms are fully binding becoming part of the contract between the Town and the Vendor, and can be found at: <http://www.florenceaz.gov/wp-content/uploads/2010/07/purchasing-terms-conditions.pdf>

	TOWN OF FLORENCE COUNCIL ACTION FORM	<u>AGENDA ITEM</u> 7a.
MEETING DATE: November 5, 2018 DEPARTMENT: Public Works STAFF PRESENTER: Christopher A. Salas, Public Works Director/ Town Engineer SUBJECT: Truly Painting and More LLC for repair and painting services in the Town Hall Council Chambers.		<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:

Authorization to contract with Truly Painting and More LLC, for repair and painting services in the Town Hall Council Chambers, in an amount not to exceed \$26,981 (\$26,522.60 estimate plus \$458.40 contingency for incidentals to complete the project).

BACKGROUND/DISCUSSION:

Through the Town's Procurement process, three competitive quotes were received and a Bid Tabulation was approved on August 24, 2018, to cover the following painting projects:

Estimate # 2290	Town Hall Chambers	\$ 7,714
Estimate # 2291	Town Hall Lobby bathrooms	\$ 2,727
Estimate # 2292	Town Hall Lobby	\$ 6,606
Estimate # 2293	Town Hall East Wing	\$ 3,970
Estimate # 2294	Town Hall West Wing	<u>\$ 3,970</u>
		\$24,987

While the painting project was underway, it was discovered that the Chambers sound boards (14 in total) need to match the rest of the room; therefore, an estimate was received from Truly Painting and More, LLC, in the amount of \$1,535.60. The request also includes a small contingency in case of unknown damage behind the sound boards in an amount not to exceed \$458.40.

The addition on painting the sound boards brings the total cost of the project to \$26,981 and needs to be approved by Council before proceeding with the additional work.

A VOTE OF NO WOULD MEAN:

A vote of no would mean that the sound boards would remain in the same condition.

A VOTE OF YES WOULD MEAN:

A vote of yes would mean the Town Hall painting project will be completed.

FINANCIAL IMPACT:

The contract with Truly Painting & More LLC with the amount not to exceed \$26,981 (\$26,522.60 estimate plus \$458.40 contingency for incidentals to complete the project.)

5.632 Vendor Selection

5.6321 Alternative purchase methods are identified if approved by necessity or by the Town Manager as indicated by Emergency / Sole Source Purchase, cooperative purchase, state contract or any other method authorized. The Finance Director reviews for budget availability and bidding procedures. The Town Manager reviews for need.

4.12 Purchasing Policy

Department Heads must approve all purchases regardless of dollar value. This does not preclude the Department Head from obtaining the necessary approval from the Town Manager and/or Town Council, nor does this allow them to have signature authority on contracts. The Town Manager has signature authority on purchases up to \$24,999. Town Council is required on any purchases of \$25,000 or more.

ATTACHMENTS:

EXHIBIT A – Scope of Work – Estimates #2290, #2291, #2292, #2293 & #2294

EXHIBIT B – Scope of Work – Estimate # 2343

EXHIBIT C – Approved Bid Tabulation Form



Town of Florence Bid Tabulation Sheet

		General Ledger Account Number:	011-531-211
Verbal (Only allowed \$5,000 or less)		Date Prepared:	10/19/2018
X	Written / Fax / Email (Mandatory over \$5,000 bids attached)	Prepared By:	Susan Jonas
Formal Sealed Bid :		Title of Bid:	Open Date:
			Close Date:

Item(s) (Include quality, Brand, Model & Color):

VENDORS		Payment Terms (Discount)	Availability	Who Pays Shipping?	Unit Price	Extended Price	Comments
1	Name:	Truly Painting & More LLC				\$ 1,535.60	This is additional work to be added to the previous bid tab for the painting projects in Town Hall. This amount brings the total project to \$26,981.00, so the RCA goes to Council on 11/5/2018.
	Address:	8828 E Malorie Lane			Tax:		
		Coolidge, AZ 85128			Contingency	\$ 458.40	
	Contact:	Carlos Ortega				\$1,994.00	
	Phone:	520-280-1599			Fax:		
	Email:	carlos@trulypaintingandmore.com			Date Notified of Decision:		
	Quote #:	2343	REQ # :		PO #:		
	Received:	9/18/2018	Expires:				
2	Name:						
	Address:				Tax:		
					Freight:		
	Contact:					\$ -	
	Phone:				Fax:		
	Email:				Date Notified of Decision:		
	Quote #:		REQ # :		PO #:		
	Received:		Expires:				
3	Name:						
	Address:				Tax:		
					Freight:		
	Contact:						
	Phone:				Fax:		
	Email:				Date Notified of Decision:		
	Quote #:		REQ # :		PO #:		
	Received:		Expires:				

Attach additional page(s), if necessary.

Vendor Selected: Truly Painting & More LLC

Justification (if not lowest bid.): This is additional work to be added to the previous bid tab for the painting projects in Town Hall. This amount brings the total project to \$26,981.00, so the RCA goes to Council on 11/5/2018.

Department Head Approval:		Date:	10/19/18
Finance Director Approval:		Date:	10/19/18
Town Manager Approval:		Date:	10/21/18

Exhibits Attached:	

If over \$24,999, must go to Town Council for approval.

Attach this approved form to purchase request with written quotes, if applicable.

ACTION MINUTES

MINUTES OF THE TOWN OF FLORENCE COUNCIL MEETING HELD ON MONDAY, NOVEMBER 5, 2018, AT 6:00 P.M., IN THE FLORENCE TOWN COUNCIL CHAMBERS, LOCATED AT 775 N. MAIN STREET, FLORENCE, ARIZONA.

1. CALL TO ORDER

Vice-Mayor Woolridge called the meeting to order at 6:00 pm.

2. ROLL CALL:

Present: Woolridge, Hawkins, Anderson, Wall, Larsen

Absent: Walter

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. Presentation by Joseph Carl Homes regarding their product and building in the Town of Florence. (Larry Harmer)
- b. Presentation on the Veterans Memorial Project. (Bryan Hughes)
- c. Presentation on Florence Gardens Phase IV and V project. (Chris Salas)

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. Authorization to contract with Truly Painting and More LLC, for repair and painting services in the Town Hall Council Chambers, in an amount not to exceed \$26,981. (Chris Salas)
- b. Authorization to contract with Arizona Generator Technology, also known as Gen-Tech, utilizing a Cooperative Contract through the State of Arizona Contract # ADPS15-079205, in an amount not to exceed \$50,000 for maintenance of generators. (Chris Salas)
- c. Approval of a contract with Arizona Office Technologies (AOT) for the purchase of seven multi-function copy machines. (Joe Jarvis)

**PURCHASE ORDER
TOWN OF FLORENCE**

775 N MAIN ST
FLORENCE AZ 85132
PHONE: 520 868 7500 FAX: (520) 868-7501

THIS ORDER
NUMBER # 50575
MUST APPEAR ON YOUR
INVOICE

ISSUED TO: 1106
CARLOS ORTEGA
TRULY PAINTING & MORE LLC
8828 E MALORIE LANE
COOLIDGE AZ 85128-9392

SHIP TO: TOWN OF FLORENCE
775 N MAIN ST
P O BOX 2670
FLORENCE AZ 85132
SHIPPING: FOB DESTINATION

PURCHASE ORDER DATE: 08/27/2018

REQ #	QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL	GLACCOUNT
52895	1.00	Interior Painting Town Hall - Chambers	7,714.00	7,714.00	011-531-211
52895	1.00	Interior Painting Town Hall - West	3,970.00	3,970.00	011-531-211
52895	1.00	Interior Painting Town Hall - East	3,970.00	3,970.00	011-531-211
52895	1.00	Interior Painting Town Hall - Lobby	6,606.00	6,606.00	011-531-211
52895	1.00	Interior Painting Town Hall - Bathrooms	2,727.00	2,727.00	011-531-211
0	1.00	Sound board	1,994.00	1,994.00	011-531-211
0		Sound board	118.40	-118.40	011-531-211

TOTAL 26,862.60

Truly Painting & More LLC

RECEIVED BY

COMPANY

SIGNATURE

DATE

I hereby approve the issuance and encumbrance of this purchase order.

I hereby certify that the amount of this encumbrance has been entered against the designated appropriation accounts and that this encumbrance is within the authorized available balance of said appropriation.

The Town of Florence, Arizona, Purchase Order Terms and Conditions ("Terms") referenced herein are incorporated by this reference as if fully set forth herein. These Terms are fully binding becoming part of the contract between the Town and the Vendor, and can be found at: <http://www.florenceaz.gov/wp-content/uploads/2010/07/purchasing-terms-conditions.pdf>



Town of Florence Bid Tabulation Sheet

General Ledger Account Number: 011-531-211	
Date Prepared: 04/16/19	
Prepared By: JH for T Celaya	
Email Confirmation (\$5,000 or less) <input type="checkbox"/>	
Written / Fax / Email (Mandatory over \$5,000 bids attached) <input type="checkbox"/>	
Sealed Bid Title:	Formal Sealed Bid: <input type="checkbox"/> Written Bid: <input type="checkbox"/>
Open Date:	
Close Date:	

Item(s) (Include Quantity, Model & Color):
 Painting and prep services for the Silver King Marketplace

VENDOR NAME		CONTACT INFO:		Payment Terms (Discount)	Availability	Who Pays Shipping?	Unit Price	Extended Price	Comments
1	Name:	Truly Painting & More	Contact:	Carlos			14,960.05	\$ 14,960.05	Estimate includes paint, supplies, lift and labor.
	Address:	805 West Encinas Street, Gilbert	Phone:	520-280-1599					
	Quote #:	2406	Fax:						
	Received		Email:	carlos@trulypaint	REQ # :		PO #:		
2	Name:	JC Tarasco	Contact:	John Tarasco				\$ 0.00	No response
	Address:	12411 W Mountain Ln, Casa Grande	Phone:	480-510-6022					
	Quote #:	N/A	Fax:						
	Received		Email:	info@jctarasco.com	REQ # :		PO #:		
3	Name:	Cooper Painting	Contact:	Paul Cooper				\$ 0.00	Chose not to provide a proposal. Email response attached.
	Address:	2449 N Sandstone Pl, Casa Grande	Phone:	520-836-3941					
	Quote #:	N/A	Fax:	520-433-9200					
	Received		Email:	cooperpaintingaz@gmail.com	REQ # :		PO #:		

Attach additional page(s), if necessary.
 Vendor Selected:

Justification (if not lowest bid.):

Department Head Approval:		Date:	4/16/19
Finance Director Approval:		Date:	4/25/19
Town Manager Approval:		Date:	

If over \$24,999, must go to Town Council for approval.
 Attach this approved form to purchase request with written quotes, if applicable.

**PURCHASE ORDER
TOWN OF FLORENCE**

775 N MAIN ST
FLORENCE AZ 85132
PHONE: 520 868 7500 FAX: (520) 868-7501

THIS ORDER
NUMBER # 52033
MUST APPEAR
ON YOUR
INVOICE

ISSUED TO: 1106
CARLOS ORTEGA
TRULY PAINTING & MORE LLC
8828 E MALORIE LANE
COOLIDGE AZ 85128-9392

SHIP TO: TOWN OF FLORENCE
775 N MAIN ST
P O BOX 2670
FLORENCE AZ 85132
SHIPPING: FOB DESTINATION

PURCHASE ORDER DATE: 04/29/2019

<u>REQ #</u>	<u>QUANTITY</u>	<u>DESCRIPTION</u>	<u>UNIT PRICE</u>	<u>TOTAL</u>	<u>GL ACCOUNT</u>
54378	1.00	Painting and prep services for the	14,960.65	14,960.65	011-531-211
54378		Silver King Marketplace			011-531-211

TOTAL 14,960.65

Truly Painting & More LLC

RECEIVED BY

COMPANY

SIGNATURE

DATE

I hereby approve the issuance and encumbrance of this purchase order.

I hereby certify that the amount of this encumbrance has been entered against the designated appropriation accounts and that this encumbrance is within the authorized available balance of said appropriation.

The Town of Florence, Arizona, Purchase Order Terms and Conditions ("Terms") referenced herein are incorporated by this reference as if fully set forth herein. These Terms are fully binding becoming part of the contract between the Town and the Vendor, and can be found at: <http://www.florenceaz.gov/wp-content/uploads/2010/07/purchasing-terms-conditions.pdf>

MINUTES OF THE TOWN OF FLORENCE COUNCIL MEETING HELD ON MONDAY, JUNE 3, 2019, 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 p.m.

ROLL CALL:

Present: Tara Walter, John Anderson, Bill Hawkins, Karen Wall, Kristen Larsen, Michelle Cordes, Judy Hughes

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.

Mayor Walter stated that the Town held a press conference at the Aquatics Center to publicize the partnership of water safety between the Town of Florence Community Services Department and American Red Cross. They have partnered to reduce drowning by providing training. The Town's eight certified water safety instructors will teach accessible and affordable swim lessons to the 122 students that have signed up thus far. She thanked everyone for working together for making the aquatics center as safe as possible.

Mr. Charles Watson, Florence Resident, stated the some of the top swimmers in the State of Arizona come from Florence. He discussed the \$650,000 for legal fees budgeted in the upcoming budget which he understands is for the issue with the copper mine. He stated that the Council works for all of the residents and not just part of the community. He would like to see the issue with the copper mine end. He would prefer that the Town work with the mine. He discussed how other mines resolved issues by bringing in a third party to communicate with the community when issues arose and suggested that the Town do the same. He stated that the mine is producing, and it will create jobs in the community.

Mayor Walter asked Mr. Watson to speak with Mr. Benjamin Bitter, Assistant to the Town Manager, so he can provide an update on the status with the Town and the copper mine.

Mr. Jerry Ravert, Florence Resident, stated that he met with several Anthem residents who are in support of the copper project. They have experience in or with the mining community. He stated that new methods of extracting minerals are being tested and Florence can be a leader in this technology. The Florence Copper Project can bring needed revenue to the community that can be used to protect and save historic properties. To tear down three historic buildings, the Town was willing to cut services, projects and contingencies; but what about the expense of fighting the copper project. He asked that the Council consider the fines being levied against the Town by unfounded legal actions to stop the project and what could have been done with that money. He inquired how much it will cost to fight the copper project this year. He stated that the total cost is hidden in the proposed budget.

Mr. Ravert stated that the previous Council, along with this Council, has started the ball rolling with regulatory agencies and now the Town should let them do their job. The Town should be more concerned with the quantity of water, not just the quality, and place a moratorium on any new subdivisions. The Town could then concentrate their efforts on economic development and what to do with three empty lots on Main Street. It appears that the demolition will not cost as much as anticipated. He inquired what the levy amount is for the demolition and clean-up of the Kokopelli Moon Saloon and if there has been any movement by Matt Ritter, property owner, to settle the debt.

Mr. Ravert stated that the Town purchased the old Pinal County Federal Credit Union Building on 20th Street for offices. They also agreed to purchase two vacant lots for storage. He stated that perhaps the Town could purchase one empty lot on Main Street and lead the way for infill construction.

Ms. Laurie Wood, Pinal County Resident, stated that Pinal and Gila Counties are very similar, they both:

- Started as ranching and mining communities
- Rural areas
- Struggled to create an economic base to provide jobs

Ms. Wood stated that Pinal County took a different path and embraced opportunities for growth. Florence needs to take a different path. She discussed the resurgence of Superior due to mining. She stated that mining helps create jobs and opportunities. She stated that Florence Copper is a responsible mining company that can improve the community. She asked the Council to embrace the facts and support the opportunity for growth.

Ms. Kim Ehlebracht, Bucks 4 Style Store Owner, stated that she considers Florence her home and she and her family are committed to Florence. As a business owner, she listens to her customer's concerns about what to do in Florence for fun. She stated that there isn't much to do. Business owners collaborate to build up their businesses. Another concern is that Florence is not business-friendly. She stated that she is beginning to feel the same way. Investors come in with ideas and leave as quick as they came. Her opinion to stop this perception is to stop fighting a major revenue generator and employer such as Florence Copper. They will bring revenue to Florence. She said people come to Florence to live and spend their money here. The downtown is not thriving and needs to be rebuilt. Florence is in need of more shopping, restaurants, bars,

etc. She said buildings need to be brought up to Code and Florence needs more things for families to do and people will stay.

Ms. Carla Fox, Florence Resident, stated that she supports the Florence Copper Project. She is concerned that money is being spent to fight something that can bring in money and jobs to rebuild the Town and make it a better place. Florence has done some great projects; however, buildings are still falling apart. She stated the money would be better spent in the buildings rather than fighting Florence Copper. She stated that she lives in Anthem and she is representing all of the residents who were not able to be present.

Ms. Cathy Adam, Florence Resident, stated that she was unable to attend the Budget Work Session on May 20, 2019. She heard the comments regarding the Pinal County Historical Museum (PCHM). She stated that the PCHM is self-supporting and is the only museum that is open as many days and hours as they are. She stated that they are open on Sundays when everything else in Town is closed. She added that the shortfall that the museum was seeking funding for was the result of a poor roofing job that was completed and they must now purchase a new roof. Furthermore, they are working with the Town's Fire Marshall who has now required that the museum be brought up to Code, which will cost a significant amount of money to do as well.

Ms. Adam stated that they may need to cut hours and programs if they are unable to afford their expenses with fund-raising efforts and grants. She responded to the comment regarding tangible benefits and said that she does not know how tangible benefits can be measured. The return on investment is broken into soft and hard benefits. Arts and Culture falls into soft benefits and they are unable to put a dollar figure to those benefits.

Ms. Adam stated that the Council supports the Art and Culture Commission and asked the Council how they measure those tangible benefits. She believes that the museum falls under the same category.

Ms. Adam stated that Mr. Larry Johnson, Greater Florence Chamber of Commerce Director and Mr. Tim Kanavel, Program Manager for Pinal County can both substantiate that they draw people to the community. She stated that communities surrounding Florence are supported by their Councils and this sets precedent.

Mayor Walter inquired what the cost is for the roof repair.

Ms. Adam stated that the cost is approximately \$30,000.

Mayor Walter clarified some of the comments that were made regarding Florence Copper:

- There is only one aquifer that flows north of Florence Copper
 - In other communities when aquifers get polluted, they are capped, and they move on to the next aquifer
 - Florence does not have another aquifer that it can utilize
 - The prior pilot that was there showed pollutants within 90 days

- The past and current Council's action has resulted in increased safety regulations; unfortunately, there have been mistruths and she encouraged the public to meet with Mr. Bitter or Mr. Billingsley to clarify any misunderstandings.

PRESENTATION

Florence Teen Council Update and Anti-Bullying Video

Mr. David Lewis, Recreation Leader III, and the Florence Teen Council (FTC) members Abigail Johnson, Arianna Wieman, Jayden Jones, Jayden McMillim, provided an update on events hosted by the Florence Teen Council, which included:

- Cupid's Ball on February 15, 2019
 - Eight FTC members volunteered
 - DJ played music for everyone to enjoy along with a music request station
 - Snack bar sold refreshments
 - Photo booth was available and provided mementos
 - Played the game Snow Ball
 - Snow ball is a game where girls line up on one side and boys on the other; a song is played, and a girl goes in the middle and picks a dance partner from the boy's line
- Symposium on February 23, 2019
 - 15 members volunteered
 - Food was served
 - We had four speakers: Anita Soto, Tomas Stanton, Jazmine and Anthony Hall along with a keynote speaker Alonzo "AJ" Jones.
 - Anita Soto discussed how to be proud of one's self and had us write a message to our past selves.
 - Tomas Stanton is a poet and told a story in poetry.
 - Jazmine and Anthony Hall discussed perseverance in tough times and how you need to persevere in tough times.
 - Alonzo "AJ" Jones talked about making the right choices and how the type of choices we make depends on the type of place we are in and how it affects us daily
- BBQ, Suns Game on March 13, 2019
 - 13 FTC members traveled to South Point High School for a BBQ
 - We played Pickle-Ball, grilled and socialized with South Point students
 - Attended Suns Game at Talking Stick Resort Arena
- Woman's Club Fashion Show on March 23, 2019
 - Five FTC volunteered
 - Assisted with the set up for the event
 - All of the FTC members were waiters and served lasagna, salad and garlic bread
 - FTC provided musical entertainment
- 50's Sock Hop on April 4, 2019
 - Partnered with the Florence Senior Center for the event
 - FTC provided food, musical entertainment, and trivia with prizes.
- Road to Country Thunder event on April 6, 2019
 - Two FTC members walked around the event on stilts to provide entertainment and promote the FTC
- Eggstravaganza on April 13, 2019

- Seven FTC members assisted with the set up
- FTC members assisted with the setup of the DJ equipment and decorations
- Two FTC members did face painting while two other members made animal balloons
- Held bunny hop race for all ages
- Conducted Easter egg hunt
- Members of the Month
 - January – Jayden McMillin
 - February- Cara Roberts
 - March- Cara Roberts
 - April- Cara Roberts

Mr. Lewis stated the Town held their First Annual Florence Teen Council Banquet in which all of the members and their families were invited to attend. Several awards were presented. The three main awards were:

- FTC Member of the Year Runner Up – Middle School
 - Arianna Wieman
- FTC Member of the Year Runner Up – High School
 - Cara Roberts
- FTC Member of the Year
 - Jayden McMillin

Mr. Lewis explained that the winners were chosen based on the points they have earned.

Mr. Kim “Koko” Hunter, Florence Teen Council, played the Anti-Bullying Video for the Council. He explained that the project has been in the works for five years and he had issues getting it filmed. Ultimately, he decided to shoot the video himself. In the onset, he played the song for the students, and some students were so moved, that they had to excuse themselves from the room. They filmed the video and posted it on Facebook and they had over 6,000 views in less than one week. They received a ton of support and positive comments. The FTC has been invited to a few news stations to do a story on bullying.

Mr. Hunter thanked everyone who participated in the making of the video and for the ongoing support that the FTC receives. The FTC will also be doing assemblies at schools to discuss bullying and will put on a five-minute play with a Q & A session to follow. There will also be distributing a pamphlet that discusses what to do if you are being bullied and why people bully.

Mayor Walter stated that she is impressed with their hard work and what they are accomplishing.

CONSENT: All items on the consent agenda will be handled by a single vote as part of the consent agenda, unless a Councilmember or a member of the public objects at the time the agenda item is called.

- a. **Approval of the Intergovernmental Agreement between the Town of Florence, and the Arizona Department of Revenue, regarding the uniform administration, licensing, collection, and auditing of transaction privilege tax, use tax, severance**

tax, jet fuel excise and use tax and rental occupancy taxes imposed by the State or cities or towns.

- b. Approval to purchase a new Caterpillar 259D Track Loader from Empire Southwest, using the City of Tucson Cooperative Contract #161534-01, in an amount not to exceed \$63,330.38.**
- c. Approval of accepting the register of demands ending April 30, 2019, in the amount of \$2,876,528.36.**

On motion of Councilmember Wall, seconded by Councilmember Larsen, and carried (7-0) to approve the Consent Agenda, as written, with the exception of Item C.

- c. Approval of accepting the register of demands ending April 30, 2019, in the amount of \$2,876,528.36.**

Vice-Mayor Anderson inquired if the GO payment for \$922,656.55 is paid to Pulte or Merrill.

Mr. Billingsley stated that payment was made to Pulte for work that was completed in Merrill Ranch Community Facilities District No. 2.

Vice-Mayor Anderson inquired how the Town was able to gift \$5,000 for the Florence High School Senior Lock In, while still complying with the gift law.

Mayor Walter explained that it is part of a partnership between the Town of Florence and the Florence Unified School District to keep the youth safe. There are not many things for the students to do and there have been several vehicular accidents in which students lost their lives on graduation night, and this is a way to keep the students safe. This investment is similar to an investment that the Town does for the Florence Teen Council.

Mr. Billingsley stated that the lock in program has traditionally been funded by the Council under the general Council funds. He stated that the gift clause pertains to private parties, business and property owners with funds, time and material, etc. An agreement with the Pinal County or The Florence Unified School District is not an issue.

Vice-Mayor Anderson is in support of the youth; however, he was concerned about violating the gift clause.

On motion of Vice-Mayor Anderson, seconded by Councilmember Hughes and carried (7-0) to accept the register of demands ending April 30, 2019, in the amount of \$2,876,528.36.

UNFINISHED BUSINESS

Discussion/Approval/Disapproval of awarding the Cuen Building Auction to Tom L. and Carolyn S. Smith, for \$21, and instruct the Town Manager to file a deed to include restrictions, as outlined in the Request for Bids.

Ms. Garcia stated that the bids were due on May 2, 2019, at 11:00 am, and only one bid was received. The minimum offer was \$5, and Mr. and Mrs. Smith submitted a bid for \$21.

Ms. Garcia stated that after the bid closed, the Smith's provided the Town with a stability report, which they paid for. The report is beneficial because it provides the analysis which informed them as to what needs to be completed. The Smith family has also met with SHPO and are aware of how the program works.

Ms. Garcia stated that staff is confident that the Smith's will be able to complete the renovations on the Cuen Building. Staff is in support of offering the building to Mr. and Mrs. Smith.

Mr. Tom Smith, Florence Resident, stated that he provided the Structural Engineering Report to Council for review. He expressed to the engineer that he wanted as much of the building saved as possible. He also wanted them to work with the Town and adhere to the Town Code. He explained what needs to be completed to restore the building.

Councilmember Cordes inquired what the building will be used for once it is completed.

Mr. Smith stated there are no set plans for the building; however, there has been some interest regarding rental of the building. He has another building on Main Street and the rent is just enough to cover the cost to pay for itself. He stated that they do not expect to make a profit on the building.

Councilmember Cordes inquired if the deed restrictions will follow with the new building if Mr. Smith sells the building.

Ms. Garcia stated that the deed restrictions allow Mr. Smith to rehab the building and obtain a Certificate of Occupancy (C of O). He will be able to sell the building once he receives the C of O.

Mr. Smith stated that he has no intentions of selling the building.

Ms. Garcia stated that staff is asking if Council is waiving the permit fees for this project.

Mayor Walter stated that the fees will be waived.

On motion of Councilmember Wall seconded by Councilmember Larsen, and carried (7-0) to award the Cuen Building Auction to Tom L. and Carolyn S. Smith, for \$21, and instruct the Town Manager to file a deed to include restrictions, as outlined in the Request for Bids with a waiver of the building permit fees and plan review fees.

Discussion and possible action on selecting options regarding changes to Sign Code as it relates to off-premise or off-site signs.

Mr. Larry Harmer, Community Development Director, provided a presentation in which he outlined the following:

- Off Premise Sign

- An outdoor sign that advertises an activity, service or product and that is located on premises (public or private) other than the premises at which activity or service occurs or product is sold or manufactured.
- Typically Permitted Off-Premise Signs
 - Municipal-owned kiosks and wayfinding
 - Highway informational/services signs
 - Official signs (traffic control, informational, etc.)
 - Special event signs
 - A-Frame signs (generally on sidewalks)
 - Civic organization displays
 - Gateway signs
 - Human signs/sign walkers (ARS regulated)
 - Political signs and other federally and state regulated signs
- Typically Illegal Off-Premise Signs
 - Snipe signs - tend to forget to remove them once the event ends
 - Bandit or yard signs
 - Structural off-premise signs/billboards
- Snipe Signs
 - The industry definition of a Snipe sign is a sign made of any material and is tacked, nailed, posted, pasted, glued or otherwise attached to trees, poles, fences or other objects. This form of signage is not recommended and is illegal in most municipalities.
- Bandit or Yard Signs
 - Bandit or yard signs are most commonly used in lawns and alongside roads as political advertising, business services promotion, real estate signage and more.
 - This form of sign generally has less than six square feet and is made of a variety of materials such as vinyl, paper, corrugated plastic, poster board, plastic core, cardboard, wood, or plywood; and include signs with wood or wire framing, posts, or stakes.
 - This form of signage is illegal in most municipalities.
 - Potential Issues
 - Visual proliferation
 - Vandalism by other sign owners
 - Lack of design standards
 - Lack of maintenance
 - If there is a desire to permit this type of signage, suggested criteria would be:
 - Maximum area and height
 - Separation from similar signs
 - Protect site visibility at intersections and driveways
 - Minimum maintenance requirements
 - Right-of-way permit
- Kiosk Signs
 - Generally, kiosk signs have been used to identify specific home builders who have projects within a municipality. A few municipalities have expanded their use to include businesses on a first-come, first-serve basis.
 - Kiosk signs are usually owned by a private sign company who erects, maintains and rents individual sign placards after obtaining an agreement from the municipality. The

municipality typically receives a portion of the revenues and may reserve space for civic uses.

- Wayfinding Signs
 - Wayfinding refers to information systems that guide people through a physical environment.
 - Wayfinding is particularly important in environments such as urban centers, healthcare and educational campuses, and transportation facilities.
 - In general, wayfinding signs are owned by the municipality and the municipality controls the content, which is usually generic and at no cost to local businesses or organizations.

Mr. Harmer stated that signage on Main Street and Butte Avenue would be on ADOT right-of-way and they have control. The Town must first seek ADOT's approval when doing anything within their right-of-way.

Councilmember Larsen stated that she likes the wayfinding signs; however, they are not specific enough for the community and do not benefit individual businesses. She does not agree with a full ban on bandit signs and would prefer that there be some stipulations or guidelines be added.

Mr. Harmer stated that he has not found anywhere where individual businesses are allowed to place signs outside of their property other than a kiosk or wayfinding signs.

Mayor Walter concurs with Councilmember Larsen and wants to allow business owners to advertise and grow their business. She does not support a ban on the bandit signs.

Mr. Larsen referenced the Supreme Court Case against the Town of Gilbert and stated that the signs cannot be restricted solely to Town businesses.

Councilmember Cordes stated that bandit signs are generally removed after the event has taken place and those signs do not concern her. She believes they should be allowed for a limited time to advertise for the event. She prefers that a stipulation be added that signs must be picked up after "x" amount of time after the event has ended. She asked that contact information be included on the back of the signs.

Discussion occurred on the following:

- Various signs
 - Signs by subject rather than listing individual businesses
 - Preferences
 - Mural of map with key destinations on side of wall
 - Worthy of further research
 - Agreement with property owner
 - Graffiti proof the mural
 - Gaining popularity
 - "Follow the Yellow Brick Road" on roadways
 - Painted pathways to various destinations
- What can or will be allowed re: signage
- What cannot or will not be allowed re: signage

- Nailing up signs on utility poles
- Temporary set signs
- Post mounted signs
- Kiosk signs and signs on lamp posts
- Signage for businesses outside of Main Street
- Town sectional maps that outline the location of various businesses
 - QR Codes – not used so much anymore
- Real Estate Signs
 - Unwritten policy of when they can be set out and when they must be removed
- Digital signs

Councilmember Wall stated that there is a lot of interest on this subject and suggested an Ad Hoc Committee be formed to discuss this further.

Mayor Walter appointed Councilmember Larsen, Councilmember Cordes, Larry Harmer, Brent Billingsley and herself to the Ad Hoc Committee for the sign code. Mr. Harmer will provide the names of the business owners who are willing to serve on the committee.

Ms. Garcia stated that since this is a Mayoral appointed committee all meetings must take place in accordance with the Open Meeting Law. Meetings have to be posted a minimum of 24 hours prior to the meeting being held and minutes must be completed and approved by the Ad Hoc Committee.

On motion of Councilmember Hawkins, seconded by Councilmember Wall, and carried (7-0) to table the selecting options regarding changes to Sign Code as it relates to off-premise or off-site signs to the next Council meeting.

NEW BUSINESS

Discussion/Approval/Disapproval of adopting the 2019-2020 Capital Improvement Plan.

Mr. Rey Sanchez, Finance Director explained how the Capital Improvement Plan (CIP) is a five-year plan and explained how the CIP is outlined. He stated that they have updated the numbers as well as refined the format.

Vice-Mayor Anderson asked that the recreational facility be removed from the Capital Improvement Plan and that staff provide a presentation and opportunity for further discussion.

Councilmember Hughes agreed with Vice-Mayor Anderson.

Mr. Billingsley stated that the CIP must be approved at this meeting in order to approve the budget and remain on schedule. His recommendation is to delete the item from the CIP if Council so chooses. He explained that monies have been set aside for the plan design and not the facility itself. They first need to seek out a partner as this is a private/public partnership.

Discussion occurred on tabling this item to a future meeting. He stated that there is nothing to present as no work has been done on the project aside from speaking with an interested party.

Mr. Billingsley explained that the Tentative Budget is scheduled to be approved at this meeting and tabling the CIP would delay the approval of the budget. There are certain deadlines in which the budget must be approved and tabling the CIP approval would significantly alter the tight schedule set. He would rather Council remove the recreational facility from the CIP so it does not delay the approval of the budget.

Discussion occurred on the approval process for CIP projects and the steps needed for proceeding with a recreational facility. Each CIP project must come before Council on an individual basis for approval. The CIP does not approve the project itself but rather funding should the Council approve the individual project.

Discussion has also occurred regarding the possibility of payback of the facility within 20 to 30 years if the Town were to do a private/public partnership.

Councilmember Cordes stated that there are several historic buildings that do not have markers. She inquired where the markers are funded from.

Mr. Billingsley stated there is \$200,000 for the investment in historic Main Street in which the plaques can be funded.

Councilmember Cordes inquired how much do plaques cost.

Mr. Billingsley stated that the cost can vary from \$300 - \$1,000.

The consensus was to leave the recreational facility funding within the CIP.

On motion of Councilmember Wall, seconded by Councilmember Hawkins, and carried (Yes – 6: Walter, Hawkins, Wall, Larsen, Cordes, Hughes; No: 1 - Anderson) to adopt the 2019-2020 Capital Improvement Plan.

Resolution No. 1699-19:

Mayor Walter read Resolution No. 1699-19 by title only.

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 2019-2020; 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.

Ms. Garcia clarified that the total budget is \$45,251,331 which is comprised of the permanent base adjustment of \$28,938,392 plus the exclusions of \$16,312,939. The Town is within its permanent base expenditure limitation. Ms. Garcia explained that there were errors within the

Request for Council Action form and she wanted to read the correct totals into the record. Secondly, a vote of yes will mean that the Town will have a public hearing on July 1, 2019, as well as the final adoption of the budget.

On motion of Councilmember Hawkins, seconded by Vice-Mayor Anderson, and carried (7-0) to adopt Resolution No. 1699-19.

Discussion/Approval/Disapproval to purchase an A747-FR2000 ECO trailer mounted high pressure sewer cleaner, with a Kubota 114HP Engine, using the National Joint Powers Alliance Cooperative Contract #122017, in an amount not to exceed \$100,412.98. (Chris Salas)

Mr. Chris Salas, Public Works Director, stated that the current equipment is dilapidated and has passed its useful life. Staff has made several attempts to repair the equipment; however, it can no longer be repaired.

Mr. Salas stated that most emergencies occur after hours and it is not possible to rent the equipment after hours which would delay the repair and may negatively impact the residents.

Councilmember Walls inquired about the \$120,000 that is budgeted in the CIP.

Mr. Salas stated that it is the same equipment. It will be ordered in one fiscal year and received in another.

On motion of Councilmember Wall, seconded by Councilmember Hughes, and carried (7-0) to approve the purchase an A747-FR2000 ECO trailer mounted high pressure sewer cleaner, with a Kubota 114HP Engine, using the National Joint Powers Alliance Cooperative Contract #122017, in an amount not to exceed \$100,412.98.

Discussion/Approval/Disapproval of scheduling a joint work session with the Florence Youth Commission on August 5, 2019 at 5:00 p.m.

Ms. Garcia stated that the Florence Youth Commission is requesting approval to have a joint work session with the Council on August 5, 2019 at 5:00 pm. This work session would be held before the regularly scheduled Council meeting. Councilmember Larsen is their liaison and will be working on the talking points for the meeting.

Ms. Garcia stated that the youth will be invited to stay for the Council meeting and sit alongside the Council during the Council meeting.

Councilmember Larsen commended the Commission for the foresight to think long term and what they can improve on. She is excited to have the Commission present their ideas to the Council.

On motion of Councilmember Larsen, seconded by Vice-Mayor Anderson, and carried (7-0) to schedule a joint work session with the Florence Youth Commission on August 5, 2019, at 5:00 pm.

LEGISLATIVE UPDATE

Mr. Benjamin Bitter, Assistant to the Town Manager, stated the budget has been approved and the session has closed. He will be meeting with Senator Pratt and Representative Cook and inquired if Council had anything for him to present on their behalf.

Councilmember Wall stated that the legislature approved the re-establishment of the Heritage Fund; however, they are not funding it for the next ten years. She is hopeful that they will fund it before 2029.

MANAGER'S REPORT

Mr. Billingsley stated that the Town received a \$2,000 grant from the Dollar General Literacy Foundation that will be used for the Summer Reading Program and supplies for the STEM program.

Mr. Billingsley stated that the focus of the written Manager's Report is on Community Vitality and all of the events pertaining to summer activities. The Town is hosting an Internet of Things and Cyber Security Event on June 19, 2019. This will be the 2nd Annual Economic Development Event. Speakers have been set and Pinal County will also assist with the program.

Mr. Billingsley stated that the Town is discussing the Internet of Things (IOT) Lab in Florence with Subex. They are working on the curriculum and training individuals for the symposium on June 19, 2019. The supplies have been purchased and received for the event and there will also be a ribbon cutting for the IOT Lab on June 19, 2019.

Mr. Billingsley stated with regards to Leadership and Governance, future agenda items that will go before Council will be listed in this section. Zayo Group Holdings LLC. Is one of the largest fiber providers in the nation. Staff is working with them to install a fiber loop to assist with future technology for Florence. Their first agreement with them was for 1st Street, to allow them to install conduit for future fiber.

Mr. Billingsley stated that the 1st Street project should be completed in July. The delay is due to the results of soils testing and the needed special treatment along with additional engineering that is needed for the structural section of that road.

Mr. Billingsley stated that he has also included the annual accomplishments for the Town, which includes 103 items.

Councilmember Anderson questioned the State Shared revenues total and inquired if the figures were for Florence.

Mr. Billingsley explained that the figures are the totals for the State and will clarify so in future reports.

Councilmember Hughes is interested in the Comic Con and inquired what it entails.

Mr. Billingsley stated that this will be the third year that the Library has hosted the event. He attended the first year and there were approximately 10 to 20 people who attended; and there

were approximately 75 people who attended last year. People dress in character and it is a fun family event.

DEPARTMENT REPORTS

Community Development
Community Services
Courts
Finance
Fire
Police
Public Works

The Department Reports were received and filed.

CALL TO THE PUBLIC

There were no public comments.

CALL TO THE COUNCIL – CURRENT EVENTS ONLY

Councilmember Wall congratulated the Library for receiving \$12,000 from the County Library District and will use the funds for a 3-D printer, STEAM equipment, t-shirt press and a large number of books and videos. She hopes the items fit in with the IOT Lab. She invited everyone to the Chamber Mixer at the River Bottom. She stated that there are several roadway projects that are starting this week. She asked everyone to stay alert and be careful. She commended the Team Council for the bullying video; it was moving.

Councilmember Larsen thanked the Smith family for taking on the Cuen Building Project. She stated that she is proud of the Florence Teen Council and all of their hard work.

Councilmember Cordes asked the public to take notice of the Florence Unified School District's budget as it affects the Town residents. She stated that an unsuccessful school district means an unsuccessful town because people will not want to move here. She stated that bus service will no longer be available for after school sports and activities. She asked the public to attend the school board meetings and voice their opinion regarding, music, arts, sports and other activities.

Councilmember Cordes commended the students for the bullying video. She shared a personal story regarding bullying and it touches her that people are taking notice of this issue and are working hard to include everyone. She stated that she reads all emails and texts that are sent to her and takes the comments seriously. She stated that she fights for the community.

Councilmember Hughes stated that she attended the Veteran's Memorial Dedication and that it was a beautiful event.

Vice-Mayor Anderson thanked everyone who attended the Veteran's Memorial Dedication. He stated that there were approximately 40 – 50 people in attendance. He stated that they need to continue to raise funds for the memorial and asked that anyone interested in donating contact either himself, the American Legion or Mr. Bryan Hughes, Community Services Director.

Vice-Mayor Anderson stated that the Florence Fire and Police Department participated in a mock shootout at the Florence High School along with Pinal County and other municipalities.

Mayor Walter stated that she appreciates all those involved with the planning of community events. There are several great summer events for the family. She invited everyone to attend the Fourth of July event. She also thanked everyone involved in the various projects involved with Florence's economic development.

ADJOURNMENT TO EXECUTIVE SESSION

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. Association of Florence Fire Fighters, International Association of Fire Fighters Local 4512, Its Members, and ABC Plaintiffs 1-100 v. Town of Florence, Case No. CV2015-00235 litigation update.**
- b. Discussion or consultations regarding a Notice of Claim filed by Merrill Ranch Owner's Agent, L.L.C., CMR/Casa Grande, L.L.C., Roadrunner Resorts, L.L.C. and Florence Copper, Inc. against Merrill Ranch Community Facilities Districts No. 1 and No. 2 and the Town of Florence.**
- 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, including counterclaims.**
- d. 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.**
- e. Town's position and instruct its attorneys regarding permitting, constructing and accepting of irrigation wells and National Environmental Policy Act 26 ("NEPA") and the Administrative Procedure Act ("APA").**
- f. Discussion or consultations regarding the Town of Florence intervention in the matter of the Arizona Corporation Commission's evaluation of the certificate of convenience and necessity ("CCN") of Johnson Utilities, L.L.C. ("JU"), extension of the JU CCN, investigation into the billing practices and water quality issues of Johnson Utilities, LLC before the Commission or in regard to any matters involving the Commission's review, public participation, investigations into the operations of Johnson Utilities, LLC and its affiliates, including but not limited to Southwest Environmental Utilities.**
- g. Possible discussions with government agencies/entities and private entities involving the acquisition, 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.

- h. Town's position and instruct its attorneys regarding pending litigation in Pinal County Superior Court: George H. Johnson and Johnson Utilities, LLC v. Town of Florence, Brent Billingsley and Lisa Garcia (No. S-1100-CV-201900383).

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

ADJOURNMENT FROM EXECUTIVE SESSION

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

ADJOURNMENT

On motion of Councilmember Wall, seconded by Councilmember Larsen, and carried (7-0) to adjourn the meeting at 9:53 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 June 3, 2019, 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 SPECIAL MEETING HELD ON MONDAY, JUNE 17, 2019, AT 4:30 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 4:30 pm.

ROLL CALL:

Present: Walter, Anderson, ***Hawkins, Walls, Larsen, ***Cordes, Hughes

Absent: ***Hawkins, ***Cordes

(***appeared telephonically for the Executive Session and were absent for the remainder of the Council Meeting)

ADJOURNMENT TO EXECUTIVE SESSION

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 pending litigation in Maricopa County Superior Court: Town of Florence v. Florence Copper, Inc. CV2015-000325, including counterclaims.**
- 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 permitting, constructing and accepting of irrigation wells and National Environmental Policy Act 26 ("NEPA") and the Administrative Procedure Act ("APA").**

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

ADJOURNMENT FROM EXECUTIVE SESSION

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

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

Florence Town Council Meeting Minutes

June 17, 2019

Page 1 of 27

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.

Ms. Chris Reid, Florence Resident, stated that she, along with other Historic District Advisory Commission Members (HDAC), recently attended a conference in Prescott, Arizona. She thanked the Council for their support in sending the HDAC members to attend along with Councilmember Cordes. She stated that it was nice to have a Councilmember attend to gain a better understanding of historic preservation. In her opinion, this was the best conference thus far. She commended Mr. Larry Harmer, Community Development Director, on his presentation. She stated that the theme was "Historic preservation is everybody's business". She explained how business is an economic driver for the community.

Ms. Reid provided a synopsis of the keynote speaker's discussion regarding how much preservation and heritage tourism does for a community.

Mayor Walter allowed for each speaker to discuss their topic for two minutes, in respect for the several presentations that are on the agenda.

Mr. Fritz Pfeiffer, Florence Resident, stated that he has been a Florence resident for ten years and he has several concerns regarding the entire issue with Florence Copper and what it will cost the Town and how the fees will be paid. It is his understanding that it will cost approximately \$1.7 billion and inquire if the citizens will be required to pay for it.

Mr. Pfeiffer would prefer that the Town and Florence Copper meet and come up with some type of understanding to resolve the issue. Florence Copper is producing copper and there have been no issues. He does not see any reason why Florence should continue to fight against Florence Copper and spend the citizen's hard-earned money.

Ms. Natasha Schmidt, Florence Resident, stated that she is against the mine and has been so for the last ten years. She is concerned about the water quality, having a mine in the middle of a residential area, and property values.

Ms. Maja Zorba, Florence Resident, stated that she is new to the area and had a variety of questions, including:

- Where can she get more information so that she may form her own opinion and make her own decision?
- What are the benefits of having the copper mine doing what it does?
- What are the benefits compared to the harm that the mine might be causing?
- What is/are the reason(s) that the Town is suing them?
- Does the Council have enough support, specifically because it is her understanding that the citizens may need to pay for the costs?
- Where can she find the Councilmember's opinions?
- Is it worth the millions that are being spent on lawsuits that are yielding no results?

Mr. Tim Winger, Florence Resident, stated that he supports Florence Copper. He recited a quote from the Ancient Art of War, which states “*Regardless of how good the fight is, if you have a war that you cannot win, quit fighting it*”. He stated that the Town has spent approximately \$2 million thus far, with additional money to be paid back to Florence Copper for defending themselves against the lawsuit. The local newspaper states that the potential cost can exceed \$5 million. He stated that the taxpayers are having to pay this cost.

Mr. Winger watch the last Council meeting in which Councilmember Cordes stated the school budget needs to be reviewed as well. He stated that the money could go a long way for the schools. He stated that in his dealings with the community he does hear of a lot of support in continuing with the litigations pertaining to Florence Copper. He does not know if the Council is moving forward without concern for the economics of the Town, the will of the people or some sort of third-party motivation.

Ms. K. Natasha Smidt, Florence Resident, read an email from Mr. & Mrs. Armend Young to the Council:

“We are leaving for the summer on June 15, 2019. You seem to plan these meetings when most of us are gone. I’m against the mine. I believe it will contaminate our drinking water. I think our future is in residential growth and not mining. You may use this as a reference at the meeting. Thank you.”

Mr. Brian Chipman, Florence Resident, stated that he is neither for the mine or opposed to the mine. He believes it is time to stop, and to stop the bleeding of money to pay for this. He posed the following questions:

- How many lawsuits has the Council, or the Town of Florence, employees working for or with the Town, filed against Florence Copper?
- How many have they won?
- How many have they lost?
- How many have they appealed?
- How many appeals have been won?
- How much money has the Town spent using internal staff in this litigation?
- How much has the Town spent on external counsel in the series of litigations?

Mr. Chipman stated that much of the time is spent in Executive Session, and the public does not know what transpires during the Executive Sessions. He stated that all they hear are rumors and that is what they have to go on or what is written in the newspaper. He posed the following questions:

- In Executive Session, who is in the Executive Session?
- What attorneys are in there?
- What staff is in there?
- Are there attorneys and staff in there from Southwest Value Partners?
- Are there attorneys and staff in there from Johnson Utilities and/or Johnson companies?

Mr. Chipman stated that he will leave his list of questions for the Council.

Mr. Charles Watson, Florence Resident, stated that it is time to bury the hatchet. There are other things happening that affect the Town that Council should be preparing for. Factories are getting

ready to come to the area and it will affect Florence. He stated that everyone needs to come to an agreement. The Council needs to ask itself what the mine can do for Florence. The mine is town-oriented and they contribute to the communities. They will create more jobs.

Ms. Cathy Adam, Florence Resident, stated that she was impressed with the Florence Teen Council's (FTC) presentation at the last Council meeting. She thanked the Council for their support of the FTC. She also acknowledged Mr. David Lewis. He is a positive role model for our youth. She has seen many of the Town's youth go to him for advice, counseling, and mentoring. She stated that the youth get so much out of the program, specifically because of his leadership.

Ms. Adam stated that she is positive about everything that the Parks and Recreation department is doing. She participated in the focus studies for the Active Transportation Plan. She stated that this will be the 11th study done. She does not believe that you have pedestrians on Ruggles Street or Bailey Street because there are phone poles, water meters and fire hydrants in the middle of the sidewalks that impede foot traffic. She asked that these areas be looked at when applying for grants money. This makes the post office and town hall not accessible.

Ms. Barbara Manning, Florence Resident, stated that the Council needs to make a critical decision on whether to appeal the zoning on the private land that Florence Copper owns. If the Council decides not to appeal, for 20 years, this company will be using over 1,000 acres and will be injecting a sulfuric acid solution into the ground. This ground is adjacent to the Town's aquifer. There are two facts that have been learned over the ten years of discussion on this topic.

1. Tracking the sulfuric acid solution and where it is going in the ground is very difficult to control. The Town's ground is naturally fragmented, and it is easier for the solution to escape.
2. No in-situ mine has been able to control the leakage. We know this because each of them has contaminated the groundwater.

Ms. Manning stated that the financial implications to the Town should the water be contaminated will be much more than the legal fees that the Town is paying now.

Mr. Robert Pottinger, Florence Resident, stated that he is a new resident. It appears to him that a significant amount of money has been awarded and adjudicated for the Town of Florence to pay Florence Copper. He stated that additional funds will be accumulated for the ongoing battle and current and future legal fees. He inquired if the Town has a third-party entity (non-governmental) that is supporting the Town to help with the costs. He stated that if this is so, he asked that the Town disclose who this party or parties are.

Mr. Douglas Carlson, Florence Resident, stated that he spoke to the Council two years ago in which he predicted that the Town would be paying for Florence Copper's legal fees in two years, and here we are. He predicts that in two years, the Town will be paying for their legal fees again. He stated it is now time for this to end. He stated that he was shocked to see that Florence Copper is producing and that there are none of the bad effects that everyone thought would happen.

Mr. Carlson stated that there have been many experts who have testified that none of the leakage, etc. would happen and their predictions came true, nothing has happened. He is also concerned about the budget expenses to fight Florence Copper. He voted for some of the Council believing

that they would stand up and support Florence Copper and stop the endless bleeding of the Town budget. He is disappointed in some of the Council that is representing the Town of Florence. He would like to see a recall.

Ms. Karen Shoppell, Florence Resident, thanked the Town and the Council for this battle they are fighting to protect the Town's water. She supports the Council's decision. She hears a lot of chatter from her neighbors regarding the cost. She stated that as long as there are no guarantees from Florence Copper that the Town's water will be safe the Town should continue to fight. Water is very precious and is going to become more so in the future. They are currently paying the local taxing district, CAGR, through Johnson Utilities. They pay \$2.50 for every 1,000 gallons used to replace the water that she uses. She stated that water is a precious commodity.

Becky Peterson, Florence Resident, stated that she cannot speak to the safety or wisdom of in-situ mining; however, it appears that in-situ mining has the legal right to do it whether they agree or disagree, and fighting will not change that. She is concerned about the \$650,000-line item for professional services will continue to be that expensive if it were not for the litigation with Florence Copper.

Ms. Peterson stated that there are other things that affect the Town's water supply such as pesticides, fertilizers, the drought, etc.

Mayor Walter stated that the \$650,000 is not earmarked specifically for the Florence Copper. There are other items that are budgeted.

Mr. Seraphine Larsen, Florence Resident, stated that a European study looked at 84 in-situ mines that were situated on aquifers in the late 1990s to assess the impacts to water quality and has created irreparable damage to the aquifer. There have been no exceptions in the United States or Germany.

Mr. Larsen stated that it was determined that all of them leaked acid into the aquifer as well as radio-active nucleotides into the water, without exception. He stated this is why BHP gave up on this very mine in Florence. The EPA found very high levels of leachable radio-active nucleotides that could leak into the aquifer from the rock. He stated that he does not want radiation in the drinking water. He stated that never has anyone who has done in-situ mining returned the mine area to its original condition. He is thankful that Florence has stood firm on protecting Florence's aquifer.

Mr. Robert Shoppell, Florence Resident, thanked the Mayor and Council for standing up for the residents who are against the mine. Many have suggested that people attend the tour, which is safe. He stated there will be an accident at some future date, which everyone will regret. He stated that the land that they purchased is zoned for light industrial and residential and if the zoning authority is overturned, it should be appealed up to the Supreme Court because it is taking away the authority of the Council. The Council should have zoning capability.

Mr. Bill Tanner, Florence Resident, stated that Council has heard a number of legitimate concerns from taxpayers about the direction the Council has taken the Town with regards to the lawsuits. The Town has lost all of its lawsuits and appeals; which has led to a hard decision on many of the residents to create a citizen's commission. They will be calling themselves Citizens for

Responsible Government. The purpose of the committee will be to explore options regards to the recall of Mayor Walter, Vice-Mayor Anderson and Councilmember Larsen. He stated that they cannot afford for them to be in office any longer and to watch their tax dollars be thrown out the window. Ultimately, the residents will have to pay for the Council's faulty decisions. They will not stand for this any longer.

PRESENTATIONS

Presentation to introduce the Town of Florence's inaugural Community Emergency Response Team.

Mr. David Strayer, Fire Chief, stated that The Community Emergency Response Team (CERT) program educates volunteers about disaster preparedness for the hazards that may impact their area and trains them in basic disaster response skills, such as fire safety, light search and rescue, team organization, and disaster medical operations. CERT offers a consistent, nationwide approach to volunteer training and organization that professional responders can rely on during disaster situations, which allows them to focus on more complex tasks. Through CERT, the capabilities to prepare for, respond to and recover from major emergencies and disasters is built and enhanced.

Chief Strayer stated that this team will provide public safety assistance to Florence Fire and Police Departments during major emergencies. Some examples include: managing utilities, putting out small fires, providing basic medical aid, performing basic search and rescue, help organize sales and spontaneous volunteers during emergencies, collect disaster intelligence to support first responder efforts and public safety education.

Chief Strayer stated that the program came about due to a huge fire in August that burnt down a 4,000 square foot garage in Florence. They had no ability to provide rehab for the Fire crews. Out of this fire, several things came into place:

- Pinal County Emergency Management Partners communicated with the Town that they now had certified instructors for the CERT program.
- The Florence Police Department had an Evidence Box Truck that became available.
 - Will re-purpose the vehicle for a rehab vehicle
- Florence Fire Personnel were ready to get involved.

Chief Strayer stated that the CERT inaugural class has gone through drills and have done extremely well. Maricopa CERT trainers have also come down to assist with the inaugural class.

Chief Strayer presented each of the members with a certificate, which included:

- Vice-Mayor John Anderson
- Mike Scherm, Florence Fire Department
- Donaven Adamczyk, Florence Fire Department
- Jack Wineman
- Bruce Odegaard
- Don Baerreson
- Brian Griffeth
- Cathi Yates
- Maha Zorba

- Jamie Pechtl
- Ron Trom
- Judy Nelson
- Ed Penttila
- Glenda Hochstetler
- Cheryl Whelply
- Diane Moise
- Mary Daniels
- Cheri Cheney
- Instructors:
- John Mokley
- Bill Robertson

Pinal County was presented with a plaque with the picture of the class.

Chief Strayer was presented with a plaque in appreciation for all that he has done.

All of the class members were presented with challenge coins and their official ID cards.

Ms. Barb Elliott, Pinal County, stated that the class has dedicated a lot of personal time to attend the classes.

Mayor Walter congratulated each of the students.

Presentation on the Active Transportation Plan.

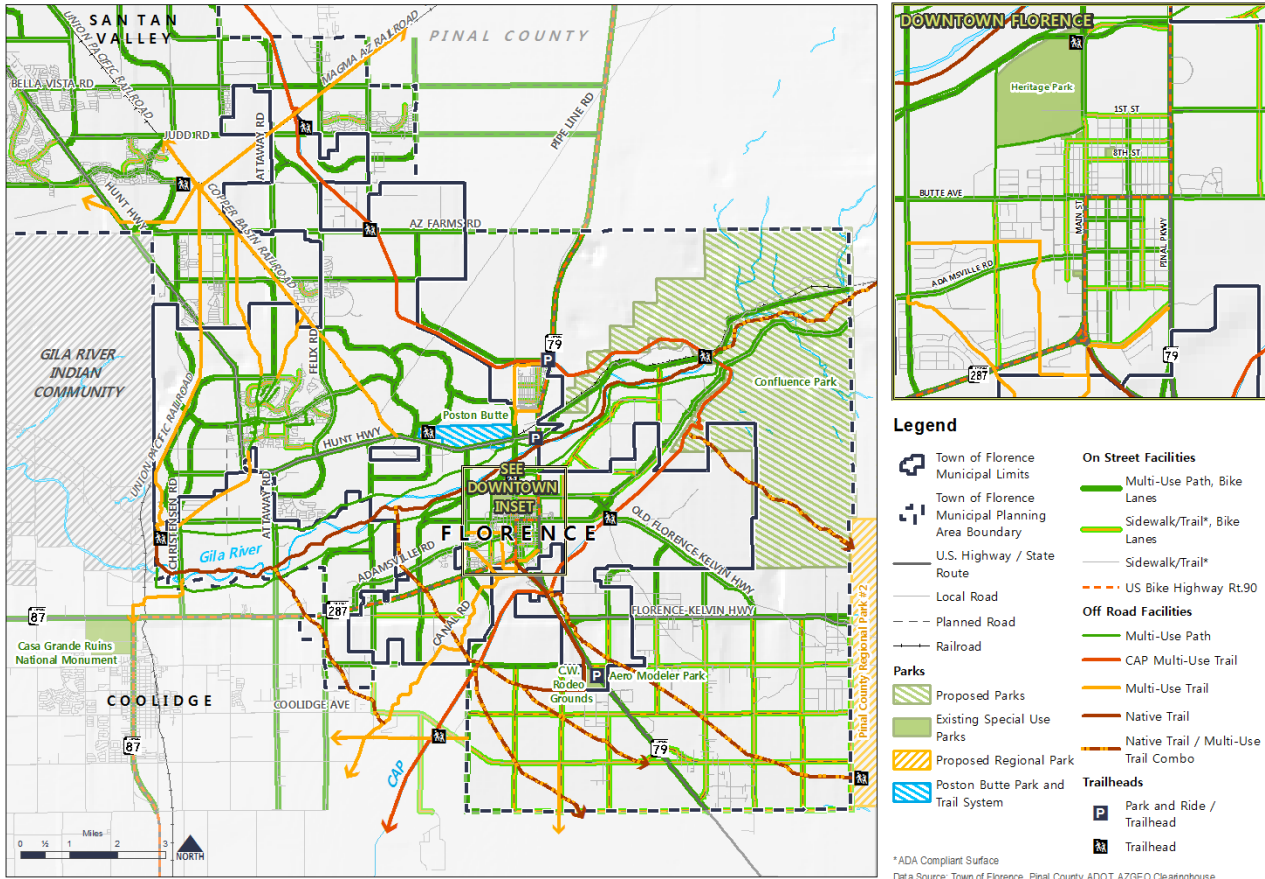
Mr. Bryan Hughes, Community Services Director, provided a presentation in which he outlined the following:

- What was previously discussed
 - Active Transportation Plan (ATP) Plan Objectives
 - Trends and safety concerns
 - Florence survey results/trends
 - Public open house meetings
 - Preliminary findings and recommendations
 - Received Council's input
- Trail Hierarchy

Existing Hierarchy	Proposed Hierarchy	Approx. Miles in Town Limits
Neighborhood Trail (8')	Multi-Use Path-Paved (8'-10')	29
Town Trail (8'-10')		
Shared Use Paved Path (10'-12')		
Existing/ Planned County Multi-Use Trail Corridor	Multi-Use Trail-Unpaved Decomposed Granite (8'-10')	21
Proposed County Multi- Use Trail Corridor		

Equestrian Trail (8')		
Town Trail (8'-10')		
Neighborhood Trail (8')		
Back Country Trail (3')	Poston Butte Open Space & Trails Development Plan	TBD
Adopted County Trail Corridor	CAP Trail (Unpaved)	6
Town Trail (8'-10')		
Equestrian Trail (3'-4')	Native Trail Natural Surface (3'-5')	13
Town Trail (8'-10')		
4' Shoulder (4')	New Roadway Cross Sections (Florence Transportation Planning Study)	Reference Florence Transportation Planning Study
Shared Use Paved Path (10'-12')		
Neighborhood Trail (8')		

- Proposed On & Off-Street Paths and Trails



- Facility Cross-Section Example

2. Multi-Use Trail

Multi-Use Trails are planned with low impact design to minimize disturbance of the natural environment. Proposed Multi-Use Trails total approximately 21 miles within the Town's existing boundary (the most of any trail type), seven miles of which includes the Native Trail/ Multi-Use Trail combination type. The goal is to create a seamless network of off-street, unpaved trails that link neighborhoods to other community destinations including *The Florence Gila River Path* and *CAP Canal Trail*. These trails are anticipated to be ADA compliant in surface type and grade and should be maintained as such. Examples of a Multi-Use Trail shown in Figure 54 include the Albuquerque Bosque Trail in Albuquerque, NM (left) and The Arizona Canal Trail in Phoenix, AZ (right).

Figure 53: Multi-Use Trail Cross Section

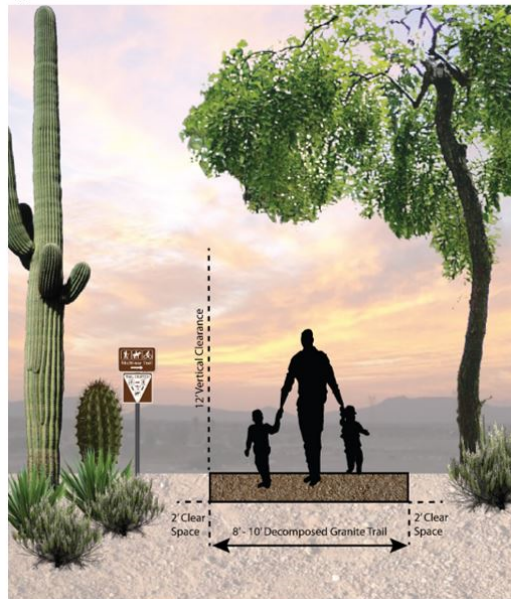


Table II: Multi-Use Trail Standards

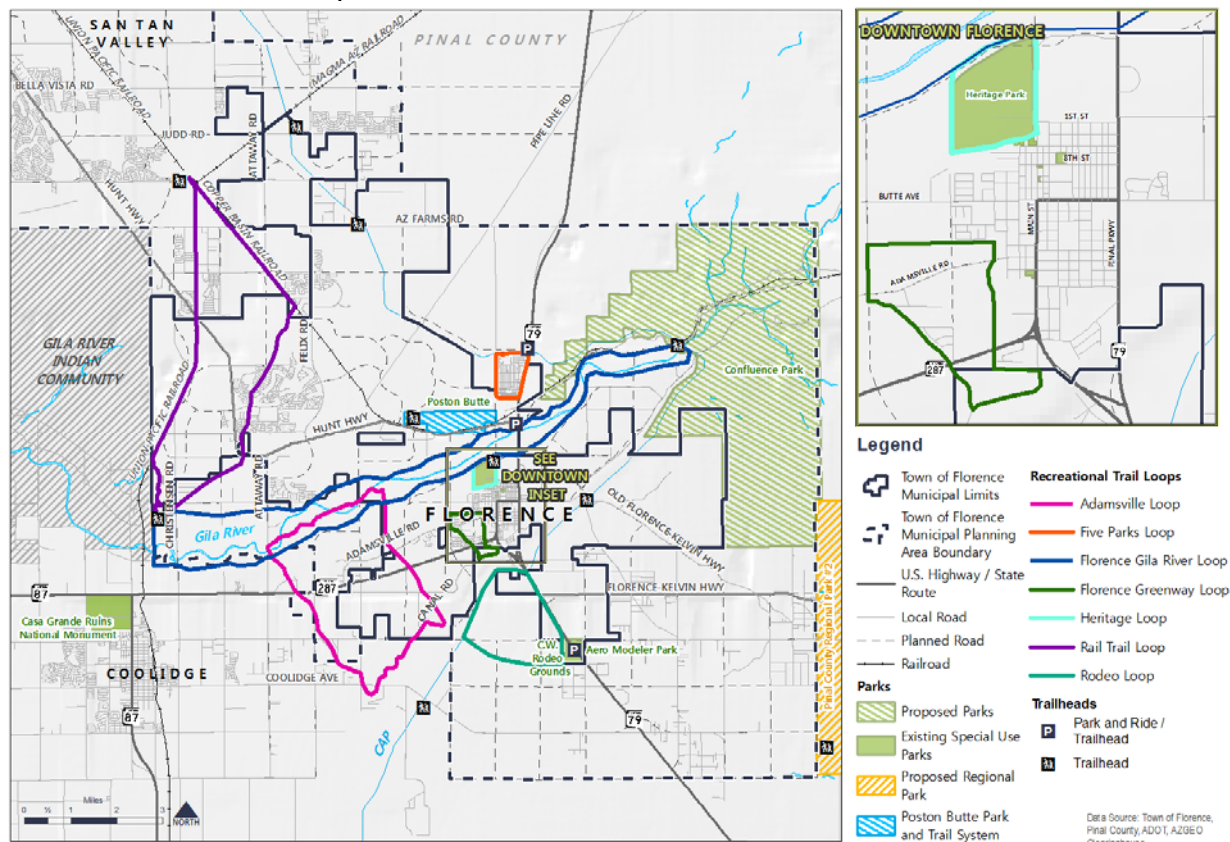
Facility Type	Use	Width	Surface	Horizontal Clearance	Vertical Clearance	Cost/Linear Foot
Unpaved Trail	Multi	8-10', 12' where use is high or terrain limits visibility.	Stabilized Decomposed Granite	2', 3' near signage or other furnishings*	12'	\$70- \$140**

* MUTCD standards **Pricing variation causes can include terrain, construction challenges, etc.

Figure 54: Multi-Use Trail Examples



- Recreation Trail Loops



- Design Standards

Facility/ Feature	FHWA Manual of Uniform Traffic Control Devices (2009)	AASHTO Guide for the Development of Bicycle Facilities (2012)	NACTO Urban Bikeway Design Guide (2012)
Signed Shared Roadway	X	X	X
Marked Shared Roadway	X	X	X
Bicycle Boulevard	-	X	X
Paved Shoulder	X	X	-
Bike Lane	X	X	X
Buffered Bike Lane	-	X	X
Colored Bike Lanes	X ¹	X	X
Combined Bike Lane/ Turn Lane	X	X	X
Bicyclists at Roundabouts	X ²	X	-
Multi-Use Paths (On-Street)	X	X	-
Multi-Use Paths (Off-Street)	X	X	-
Wayfinding Sign Types	X	X	X
Wayfinding Sign Placements	X	X	X
Bike Parking	-	X	-
Roadway Crossings (At-Grade)	X	X	X
Roadway Crossings (Grade Separated)	X	X	-

- Action Plan (Sample)

Table 13: Action Plan

On-Street Facility Actions			
Actions	Notes	Lead Agency	Term
Construct on-street facilities (multi-use paths, sidewalks, bike lanes, and trails) in concurrence with roadway improvements per the Florence Transportation Planning Study.	As roadways and segments or roadways are necessary to be improved, Town and/or property owner shall construct bicycle and pedestrian facilities per approved roadway cross sections.	Town, ADOT, Property Owner	Short Medium Long
Incorporate ADA compliant bike and pedestrian facilities upon both sides of any bridge crossing of the Gila River to connect to the north and south banks of the Florence Gila River Path. The following grade separated crossings of the Gila River are identified in the Florence Transportation Planning Study: Plant Road, Attaway Road, Christensen Road, Valley Farms Road, Main Street and SR 79.	As bridge crossings of the Gila River become prioritized for construction, ensure that bicycle and pedestrian facilities are incorporated into the bridge design on at least one side, with both sides being preferred.	Town, county, state and/or Federal partners	Short Medium Long
Relocate the existing yellow ladder school crosswalk of Main Street at Aguilar Street south to Brady Street.	Modify location of this important crossing to enhance pedestrian and vehicular safety and reduce congestion at the intersection of Butte Avenue and Main Street (79B) in accordance with the 2019 Florence K-8 SRTS study.	Town, ADOT	Short
Move the white striped crosswalk across Main Street south of Stewart Street at the High School to the north side of the intersection with Stewart Street. Increase pedestrian warning signage.	Modify location of this crosswalk to reduce potential conflict with vehicular turning movements and enhance pedestrian safety.	Town, ADOT	Short
Conduct warrant study for RRFB at the existing school crossing on Butte Avenue at Orlando Street.	A mid-block crossing at this location is recommended to enhance pedestrian safety at this busy pedestrian location connecting businesses, elementary school, residents and large government employers in the area. Conduct required warrant study to confirm appropriate mitigation measures and RRFB crossing apparatus. This recommendation also furthers and is consistent with the SRTS study recommendation for same.	Town, ADOT	Medium
Reconfigure Orlando Street between Florence Heights Drive and Butte Avenue to include two 11-foot travel lanes, 6-foot bike lanes with a 3-foot buffer and 10-foot multi-use paths, restrict on-street parking in accordance with the 2019 Florence K-8 SRTS study. (Existing 80-foot ROW; potential to be reduced to 60-foot ROW).	Leverage surplus right-of-way and excessive pavement width by repurposing roadway to enhance multimodal function, reduce vehicular speeding and improve function and safety for people walking and biking.	Town	Short
Conduct warrant study for RRFB at the school crossing on Florence Heights Drive at Orlando Street.	An enhanced mid-block crossing at this location is recommended primarily to enhance student pedestrian safety and deter students from crossing at DeSoto Lane. This recommendation also furthers and is consistent with the SRTS study recommendation for same. Conduct required warrant study to confirm appropriate mitigation measures and crossing apparatus.	Town	Long

- Action Plan (Summary)

Type of Action	# of Actions
On-Street Facilities	14
Off-Street Facilities	18
Transit	3
Programming	4
Tourism & Events	10
Policies	12
TOTAL	61

- Funding Matrix

Funding Source	Design/ Build	Planning	Programming
Local			
MAG Safe Routes to School		X	X
MAG Transportation Improvement Program	X	X	X
MAG Design Assistance	X		
State			
AZ Governor's Office of Highway Safety			X
Arizona State Parks and Trails	X	X	X
Federal			
Federal Highway Administration	X	X	X
Federal Transit Administration	X	X	X
National Parks Service	X	X	
Land and Water Conservation Fund	X	X	
Other			
American Association of Retired Persons	X		
Active Living Research		X	X
Trust for Public Land		X	
People for Bikes	X		
Rails to Trails Conservancy	X		

Mr. Hughes stated that the ATP will come before Council on July 1, 2019 for approval. The guidelines from MAG indicated that the ATP needed to be completed by June 30, 2019, which they are in alignment with. They will be able to adopt it in the next fiscal year.

Mr. Hughes addressed Ms. Adams comments in which she stated that there are impediments in the sidewalks. He stated that ADA is covered in the plan; however, the utility poles may need to be relocated when they do utility improvements in the Town.

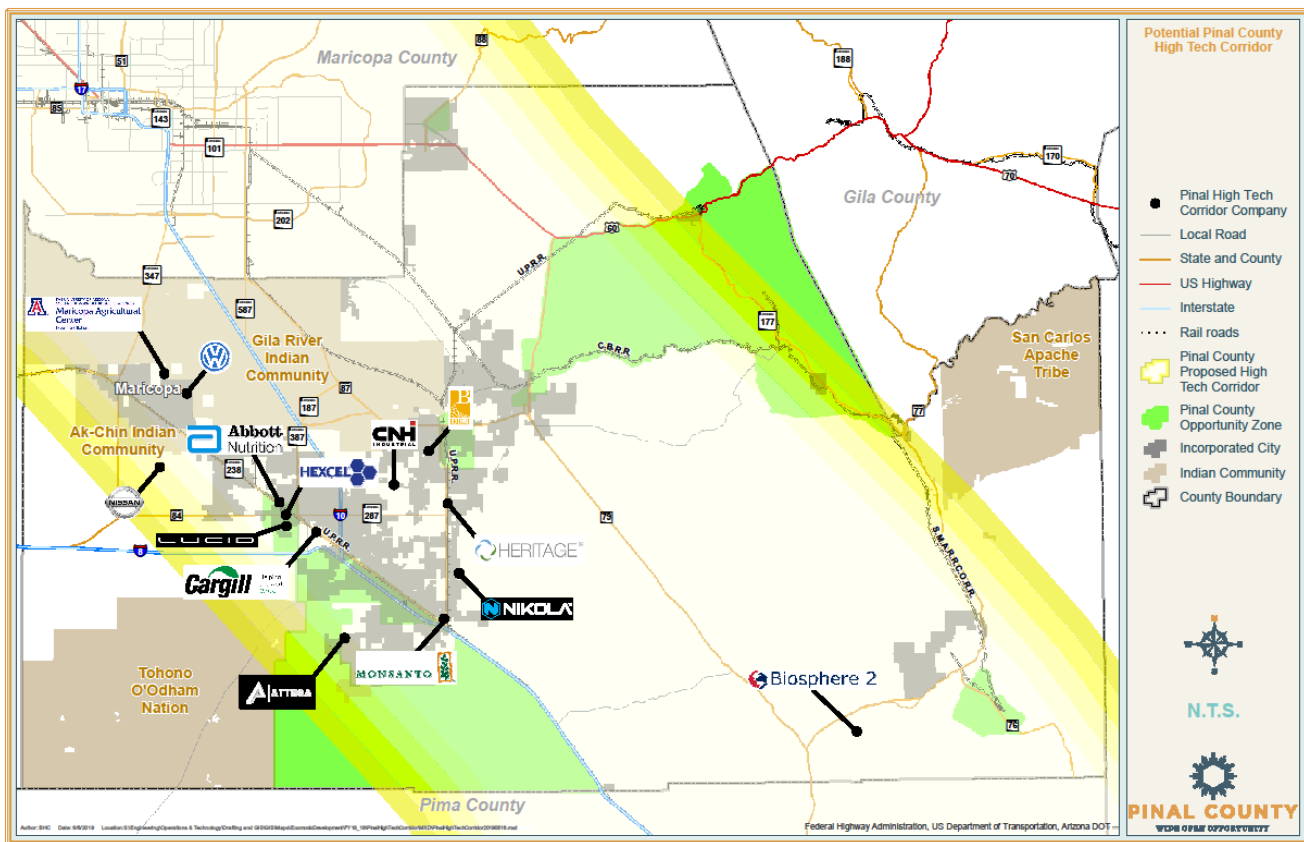
Councilmember Larsen stated that she likes the map that depicts the connectivity and determine if it is a path or trail.

Mr. Billingsley stated that the Town did two Safe Routes to School Studies which are incorporated into the ATP. Staff is coming before Council on July 1, 2019 to request that the CDBG funding be used for barrier removal on sidewalks in the areas identified in the Safe Routes to School Plan.

Presentation by Tim Kanavel, Pinal County Economic Development Program Manager, on the Pinal County High Technology Corridor.

Mr. Tim Kanavel, Pinal County Economic Development Program Manager for Pinal County, provided a presentation, in which he outlined the following:

- Pinal County Mission Statement
 - Pinal County Government protects and enhances its citizens’ quality of life by driving economic development and providing efficient, effective, needed services through talented, motivated employees.
- Pinal County Vision Statement
 - Pinal County Government leads through innovation and collaboration, which results in vibrant, safe, sustainable communities.
- Current Pinal County Economic Data
 - Current estimated population 457,000 (2050-estimate of 1.5 million)
 - Third most populated County in Arizona – 3.6% growth rate
 - Current workforce 183,764 (April 2019)
 - Current unemployment rate (April 2019) - 4.5%
 - Unemployment rate in September 2009 – 13.2% (historical high)
 - Current Poverty Rate at 12.6% - lowest in Arizona



- Proposed Arizona Tech Corridor
 - This initial proposal includes Pinal, Pima and Maricopa counties
 - I-10 South and east anchored at the U of A Science & Tech Park
 - I-10 North & west anchored at ASU in Tempe/Buckeye*
 - I-8 to Yuma/Maricopa County boundary line*
 - Follows the old federally designated Intermountain West/Sun Corridor thru Pinal County
 - Pinal County rests in the middle of the Corridor
- Arizona Tech Corridor – Pinal County Economic Assets
 - Union Pacific Railroad, Phoenix Spur, Copper Basin RR, SMARCO, Magma Line
 - Interstate 10, Interstate 8 and proposed Interstate 11
 - Proposed Pinal North/South Parkway
 - El Paso high pressure natural gas line
 - Kinder-Morgan high pressure natural gas line
 - Five major electrical producers: Arizona Public Service (APS), Salt River Project (SRP), San Carlos Irrigation Project (SCIP), Trico Electric Cooperative Inc. (TRICO), Tucson Electric Power (TEP)
 - Four electrical districts
 - Four electrical generation peak plants: APS (2), SRP (2)
 - Thousands of acres of affordable/developable land
 - Pro-economic development leadership at all levels
 - Aggressive and award-winning marketing program: regional, national and international
 - Location
 - Very high degree of success attracting high tech companies
 - Award winning workforce development program
 - Various and effective incentive programs
 - Foreign Trade Zone
 - Opportunity Zones
 - New Market Tax Credit Zones
 - Florence Smart Cities Initiative
 - Lucid Motors
 - Nikola Motors
 - Attesa
 - Green energy: solar projects, bio-gas, ethanol
 - Spherium
 - Hexcel
 - Abbott Labs
 - Frito Lay
 - Bright Industries
 - Bio-ag Monsanto/Cargill
 - Subex
- Arizona Tech Corridor – 3 County Assets
 - 2.5 million-person workforce
 - University of Arizona (U of A), Arizona State University (ASU), Grand Canyon College, county community colleges
 - 60 million people within a 450-mile radius of the intersection of I-8 and I-10

- Three major international airports
 - Union Pacific and Burlington Northern Santa Fe Rail lines
 - Direct access to California via plane, car, truck and rail
 - Dozens of existing high-tech companies already in place creating a “cluster of like industries:” automotive, bio-ag, renewable energy, aerospace, defense, autonomous vehicles, etc.
- Changed Pinal County Logo and branding
 - What’s Next
 - Land use study conducted by the U of A Science and Innovation College – for Pinal and Pima counties
 - What companies are best suited for our current assets?
 - What are our current infrastructure’s capabilities?
 - What assets do we need to enhance?
 - Public and private buy-in of the proposal – especially local communities
 - Develop a (co)marketing program
 - Seek State and Federal assistance
 - All three County Boards of Supervisors support

Councilmember Hughes inquired what factors have contributed to Pinal County’s growth in the last six years.

Mr. Kanaval stated that they made internal changes in 2008-2009 by streamlining the Economic Development Department, provided leadership and revised the Pinal County rules to be less restrictive. There were also elections that have changed the dynamics of the County. He stated that there has been a huge change over in elected officials as well.

Councilmember Hughes inquired how their success is measured and if he could provide tangible results.

Mr. Kavanal stated that it is easy to see it in the revenues; however, there are other factors. Some companies do not provide several jobs or bring in a lot of tax dollars, but there are an integral part of the overall economic development of Pinal Count and fits Pinal County’s concept of Live, Work, and Play. Pinal County has become more diverse and are more selective of businesses that can come here. They want companies that provide good salaries and benefits.

Councilmember Hughes inquired if Mr. Kavanal would assist with the economic development section of the Town’s Strategic Plan.

Mr. Kavanal stated that he would be happy to assist the Town.

Mr. Billingsley stated that the Town will host an economic summit title “Internet of Things and Cyber Security” on June 19, 2019. This summit pertains to partnerships that the Town has regarding technology. Pinal County is the Town’s primary sponsor for this event and they receive a lot of support from Pinal County.

Mr. Billingsley stated that some of the attendees include: Verizon, T-Mobile, Spherium, Mueller, Arizona Public Service, Cox, Microsoft, AT & T, Zao, Millandr, Berkley Risk, Pinal County, Marana,

Paradise Valley, Cottonwood, Florence Unified School, Pinal County ESA, Alliance, CAG, U of A, MAG, City of Globe, and several others. He stated that the Town appreciates Pinal County's support.

Mr. Kanaval stated Pinal County is marketing a great product and the corridor will be great for Pinal County. Several companies are looking to come to Pinal County. Florence is the Pinal County seat and it is important to Florence.

Councilmember Wall stated that she is supportive of the partnerships that are formed between Pinal County and Town of Florence as well as other municipalities.

Vice-Mayor Anderson likes the support that is shared between Pinal County and the Town.

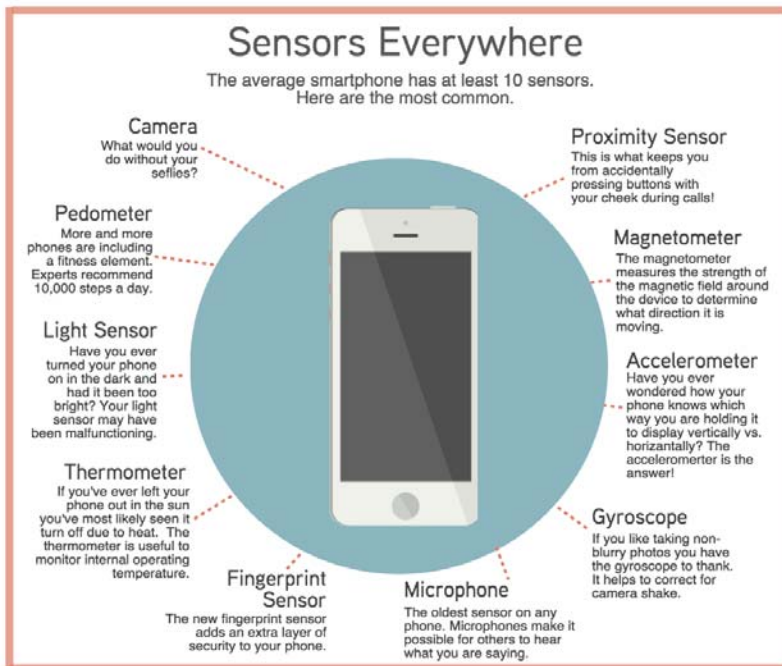
Councilmember Larsen is pleased that they are working to bring good paying jobs to Florence.

Presentation on the Internet of Things

Mr. Trent Shaffer, Information Technology Manager, provided a presentation in which he outlined the following:

- What is the Internet of Things (IoT)
 - The IoT is influencing our lifestyle from the way we react to the way we behave, from air conditioners that you can control with your smartphone, to smart cars providing the shortest route, or your smart watch which is tracking your daily activity.
 - The IoT links objects to the internet, enabling data and insights never available before. (Cisco)
 - The network of physical objects that contain embedded technology to communicate and sense or interact with their internal states or the external environment. (Gartner)
 - A global infrastructure for the information society, enabling advanced services by interconnecting (physical and virtual) things based on existing and evolving interoperable information and communication technologies. (IoT-GSI)
 - IoT describes a world where just about anything can be connected and communicate in an intelligent fashion. In other words, with the Internet of Things, the physical world is becoming one big information system. (Techopedia)
 - It is a concept of everyday objects – from industrial machines to wearable devices - using built-in sensors to gather data and take action on that data across a network. (SAS Institute)
- Human "Sensor"
 - Brain
 - Taste, vision, touch, hearing and smell
- Things with sensors
 - Camera, thermostat, lighting, smoke detector, automobile

- Sensors everywhere



- Smart House

- Able to lock/unlock door remotely, turn on/off television, lights, thermostat, etc.

- The Internet of Things

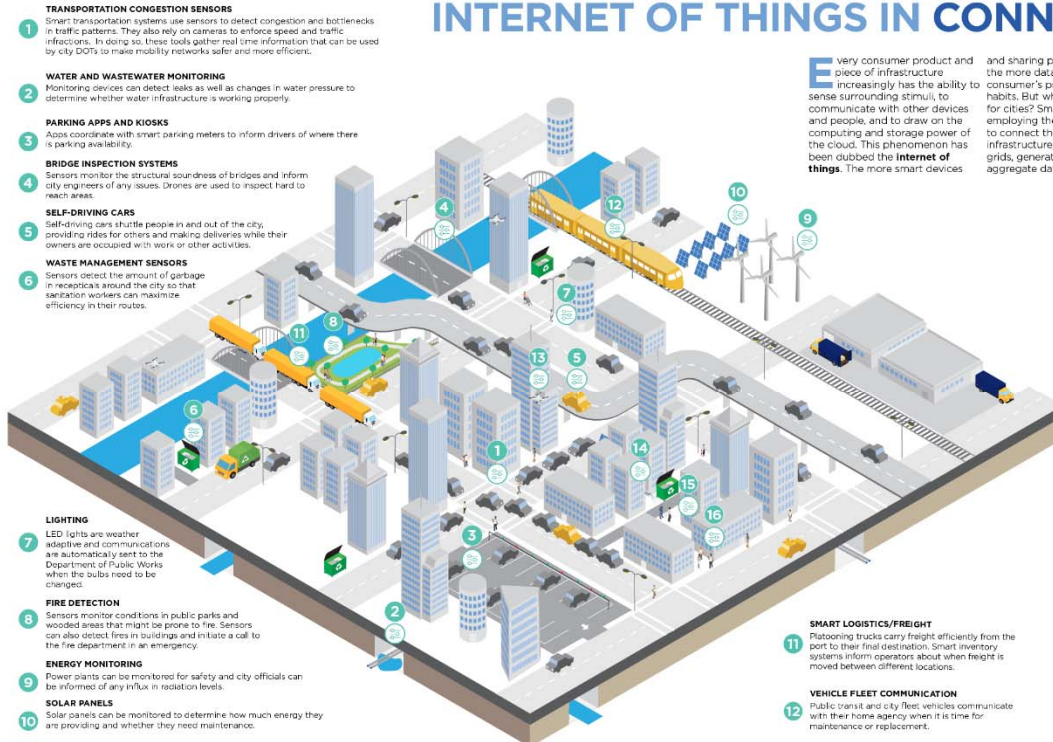
- 1999 - Kevin Ashton introduces the term "Internet of Things"
- 2012 - Google starts testing self-driving cars. There are 1 billion devices on the Internet.
- 2012 - 8.7 billion devices: Phones, thermostats, cameras, even refrigerators are connected to the Internet and sharing data
- 2015 – 18.2 billion devices: The number of connected devices more than doubled in a three-year period and the introduction of the smart toothbrush

- The Internet of Things timeline

- 2017 – IoT Security: Governments start to think about IoT security. There are roughly 28 billion devices
- 2019 – 42.1 billion devices: 2019 was a pivotal year for the Internet of Things. Alexa, Ring, and Nest are all household names.
- 2020 – 50.1 billion devices: This is a conservative number, in 2017 the estimated number of IoT devices for the year 2021 was only 36 billion.
- IoT Annual Revenue: IoT market value is expected to reach \$8.9 trillion by 2020. IoT security spending will reach \$3.1 billion by 2021.

- IoT connected cities

INTERNET OF THINGS IN CONNECTED CITIES



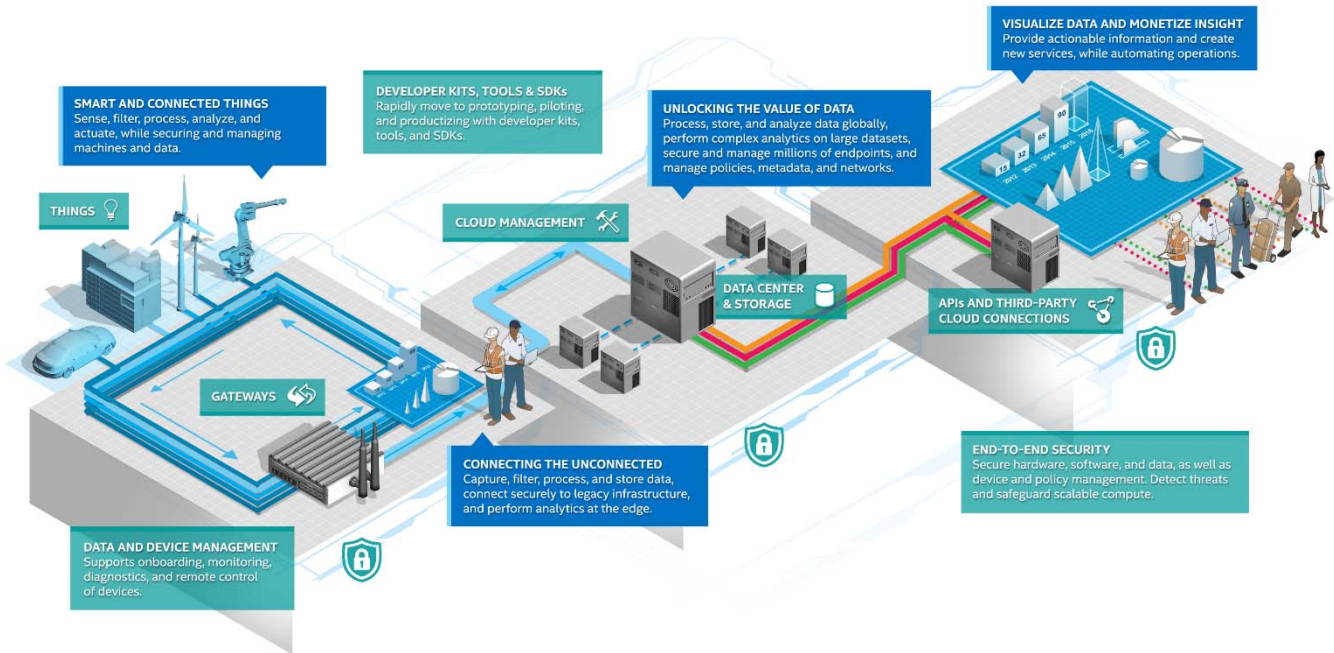
Every consumer product and piece of infrastructure increasingly has the ability to sense surrounding stimuli, to communicate with other devices and people, and to draw on the computing and storage power of the cloud. This phenomenon has been dubbed the **Internet of Things**. The more smart devices

and sharing platforms there are, the more data is generated about consumer's preferences and habits. But what does this mean for cities? Smart cities are employing the same technology to connect their disparate utility, infrastructure, and public service grids, generating real-time aggregate data. This, in turn, can

help cities manage their programs and services more effectively and gauge their impact immediately. The city of the future is an interconnected one, where devices communicate with one another in a constant stream of data that provides real-time information to the public and to the municipality.

- 13 DRONES**
Drones can be used for law enforcement and firefighting, as rural ambulances, for infrastructure inspections, and for environmental monitoring. Commercial uses include precision farming, aerial photography, and in the near future, package delivery.
- 14 SURVEILLANCE CAMERAS**
Cameras ensure security by monitoring activity in areas that are not frequented by public safety officers. Areas that are not open to public access can be monitored to keep unauthorized personnel out.
- 15 BODY CAMERAS**
Public safety officers can wear body cameras that capture footage of interactions between themselves and city residents to ensure safety for both parties.
- 16 WEARABLE DETECTION**
Cities can build in smartphone and wearable detection sensors so that people can be an active part of the internet ecosystem, communicating with the city, and with each other.
- 17 BROADBAND INFRASTRUCTURE**
A reliable internet ecosystem is the glue that holds the internet of things together.

- A smart city is an innovative city that incorporates information and communication technologies (ICT) to enhance the quality and performance of urban services such as energy, transportation and utilities in order to reduce resource consumption, wastage and overall costs
- The overarching aim of a smart city is to enhance the quality of living for its citizens through smart technology.
- Florence Smart City Platform
 - End-to-end security
 - View
 - Data from all sensors are viewable from a single dashboard where reports and alerts can be generated.
 - Storage Analysis
 - Collected data is stored, analyzed, and processed for later viewing.
 - Data Collection
 - Data from sensors is collected via LoRaWAN gateways, parsed, and sent to storage.
 - Sensors
 - Thermostats, water meters, fleet, lighting, motion, alarms, etc.
- Detailed Smart City Platform



- Smart Streets

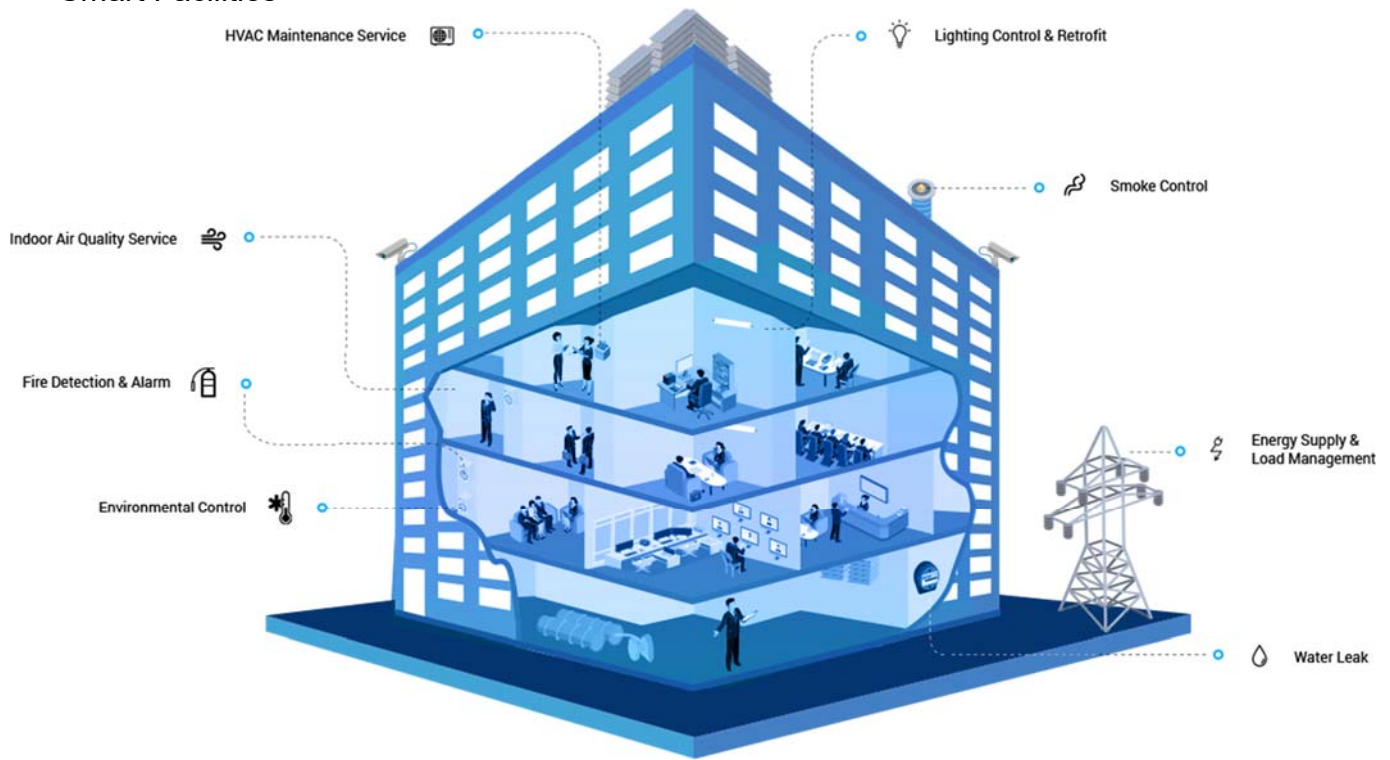
- Sensors detect weather
- Wireless Wi-Fi access
- Electronic vehicle chargers
- Traffic monitoring
- Security infrastructure
- Near zero street
- Energy cost lighting
- Lights turn on only when someone is present
- Lights turn off only when there is no one is present
- Light can change color to signify events programmatically
- Can send warning when lights are out



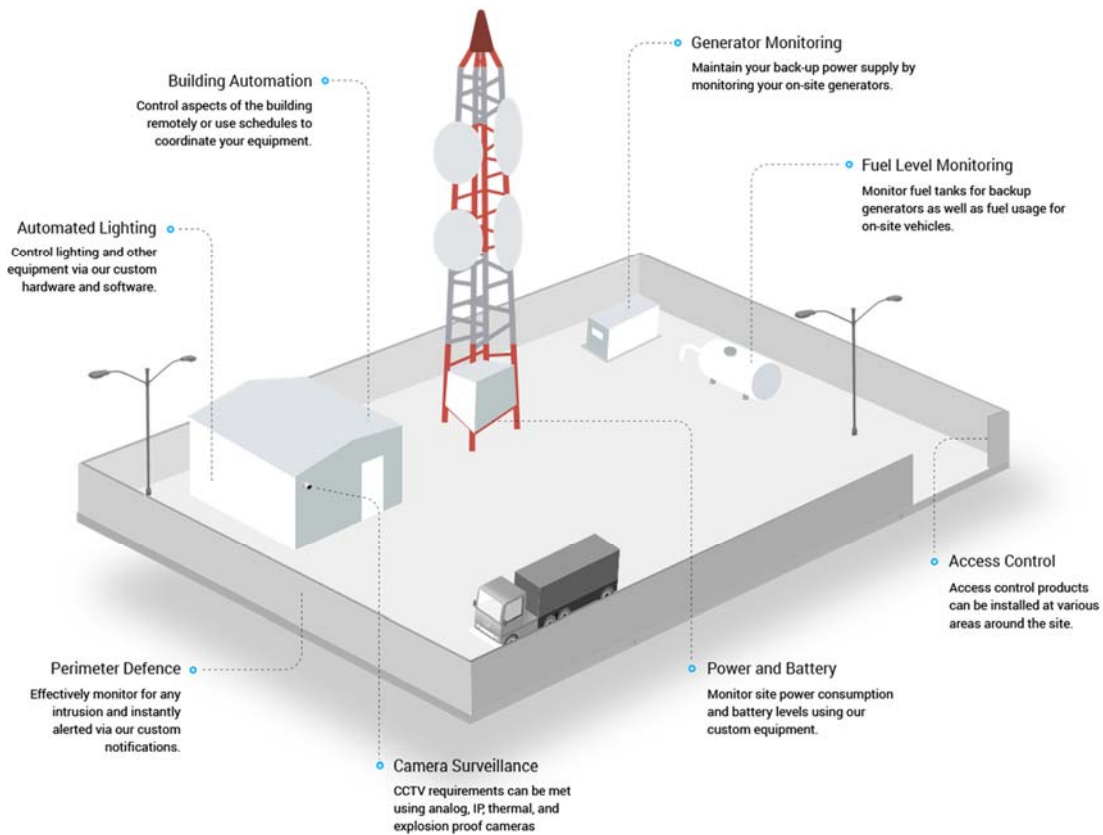
- Sensor sits in Florence Gardens and was able to be picked up at the US 60.
- Smart Fleet Management



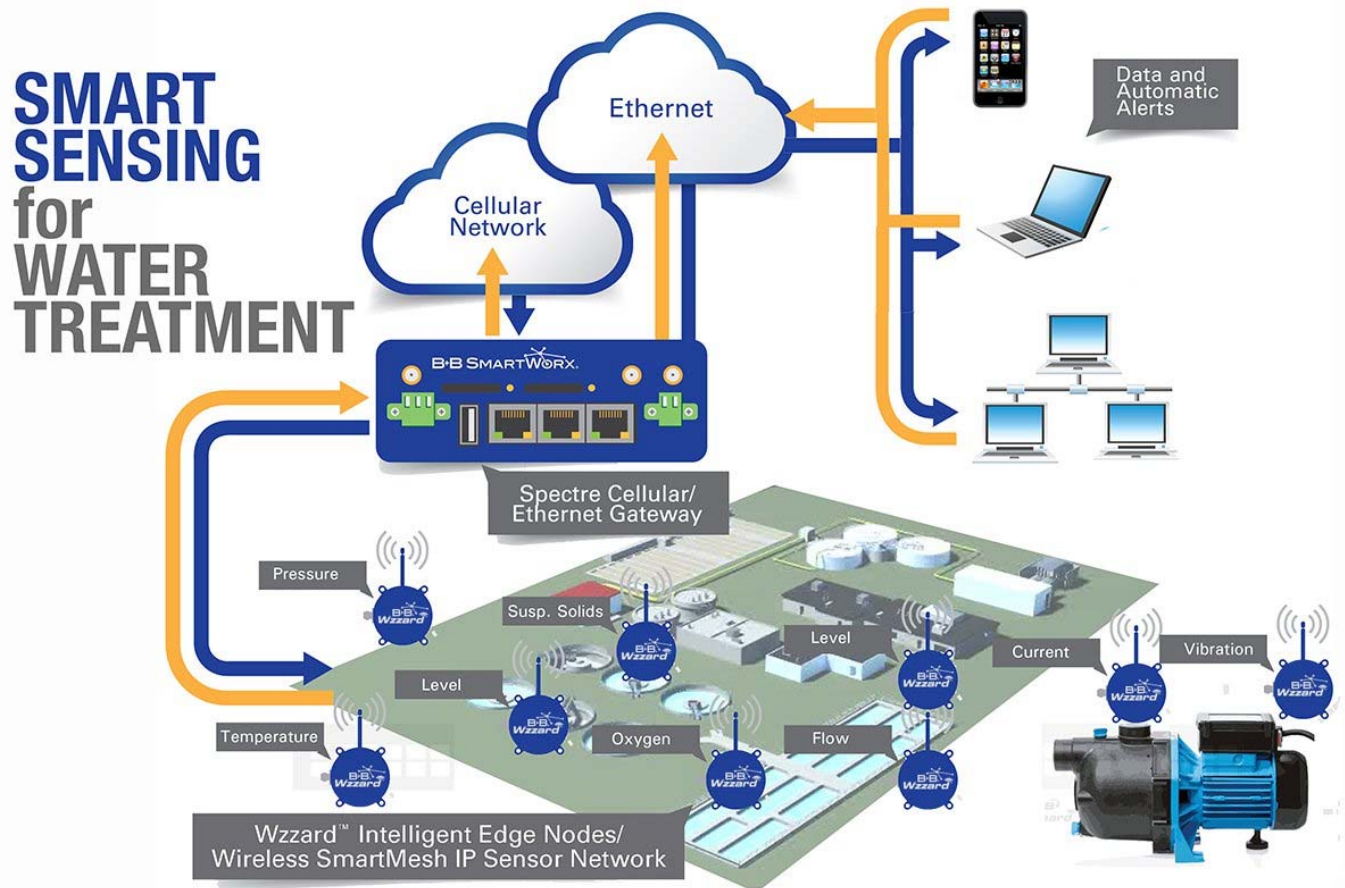
- Smart Facilities



- Smart Towering Monitoring



- Smart Sensing for Water Treatment



- IoT devices can be used to replace aging 900MHz radio system and integrate with existing waste water sensors and PLCs.
- Florence Smart City Platform
 - Systems need to be able to talk to each other and interact
 - Open architecture
 - Open source
 - Industry leading security
 - Best in class cloud storing machine learning platform
 - All projects will be built on the Town's platform
 - Automatic interface
 - One dashboard for all data to interact with each other
 - Each point has a security layer
 - Protects privacy and only transmits necessary data
 - Transfers to data center for storage
 - Information is analyzed and processed
 - Third party connections will tie it into dashboards which will then allow for information to be shared or transferred into various systems
- System is very robust
- Economical and can be expanded

Mayor Walter inquired what wearable detection is.

Mr. Shaffer explained that advertisements will appear on your smart devices depended on where you are, such as in a mall. It can tell you what events are taking place near you and where there is additional parking.

Mayor Walter inquired if the Town has surveillance cameras.

Mr. Shaffer stated that there are cameras at Heritage Park, outside of the Council Chambers, wherever money is collected, and at the Police Station.

Mayor Walter inquired if the Town has a drone.

Mr. Shaffer stated that the Town does not have a drone. They are effective and there is proper certification and training that is required.

Presentation on the Strategic Plan Update.

Mr. Ben Bitter, Assistant to the Town Manager, provided a presentation in which he outlined the following:

- Review of the 2017 Plan
 - Community Vitality
 - Quality of Life (enhancements)
 - Additional Concerts in the Park, Car Show, etc.
 - Programming partnerships in the Community Center
 - Robles Fight Club
 - Yoga
 - 2012 Code Updates and Residential Permit Manual
 - Enhance efficiency of organization
 - Parks/Recreation Master Plan (survey to evaluate current and desired offerings)
 - Reduced blight following a fire in a downtown commercial building
 - Was not able to save the structure, the lot was returned to a condition where it can be developed again
 - Home Tour used student actors for historical dramatization
 - Give-a-Lift Program and Durable Medical Equipment Loan Program
 - Economic Prosperity
 - Modernizing and diversifying the local economy
 - Small-business development workshops
 - Economic development symposiums
 - Worked with Pinal County on videos from Moses Inc.
 - Automated Meter Reading – streamlining government functions
 - Downtown Redevelopment Plan underway
 - New and renovated medical facilities in Florence
 - Wireless Fire Alarms in Historic Downtown
 - Leadership and Governance
 - Creating leaders and doing noteworthy things to enhance the Town
 - Safest City in Arizona

- Veteran's Memorial Fundraiser
- Senate Bill 1086 signed into law by Governor Ducey
- Florence Teen Council and Florence Youth Commission
- Noteworthy graduations and leadership positions
 - First invitee from Florence to FBI National Academy (Sgt. Klix)
 - Northwestern Center for Public Safety Certification (Sgt. Riccomini)
 - Graduates of U.S. Fire Administration's National Fire Academy (Chief Strayer, BC Walter, Cpt. Bruin)
 - Scholarships to national conferences (e.g., GFOA, National Floodplain Mgmt.)
 - Board of Directors for International Institute of Municipal Clerks (Lisa Garcia)
- Partnerships and Relationships
 - Working together to build a better Florence/region
 - Partnered with Pinal County for "Florence Alerts" (PENS)
 - Hosted the State Transportation Board for quarterly ADOT meeting
 - 2020 Census Complete Count Committee consists of clerical, civic, Chamber, and business leaders
 - Council sits as liaison on various regional boards and commissions
 - CAG, MAG (Mayor); Pinal County Water Augmentation Authority (Vice Mayor); Greater Florence Chamber of Commerce (Councilmember Wall); Florence Unified School District (Councilmember Cordes); Pinal Partnership (Councilmember Hughes)
 - Staff chairs the Pinal Partnership Government Relations Committee
 - Town Staff brought together County, Communities to create a North-South Corridor coalition, and push for resolutions from entities across the County.
- Transportation and Infrastructure
 - Ensuring connectivity and a basic framework for economic growth
 - CART connects Florence to the region
 - HURF sweeps have been reduced at the Legislature, and \$200,000 in additional one-time revenues were given as part of the state's FY2020 budget
 - Permits received for Water Recharge Facility
 - Water credits purchased to ensure future water rights
 - Proactive involvement at the Arizona Corporation Commission to ensure adequate water and wastewater service delivery for residents
 - Regional Transportation Plan is being updated
- Moving Forward
 - Developing the Town Council's Strategic Plan (2020 Vision)
 - One-on-one interviews with members of the Town Council
 - Review content from each interview
 - Group discussions (Council, Management, Directors)
 - Review of Citizen Survey results (Summer 2019)
 - Received 320 responses
 - Develop document
 - Create themes/designs/layouts for new Plan
 - Obtain photographs and design elements
 - Present draft
 - Anticipated completion: Late Fall 2019
 - 2020 Vision

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 an Ad Hoc Sign Committee of the following members: Mayor Walter, Councilmember Larsen, Councilmember Cordes, Larry Johnson from the Greater Florence Chamber of Commerce, Harold Christ from the Windmill Winery, Becca Doughty from Bailey Street Bed and Breakfast, Manuel Perez-Cerros from Lidia's Cocina @ Old Pueblo Restaurant and staff liaison Larry Harmer. (Lisa Garcia)

Table discussion regarding the Sign Code until the Ad Hoc Sign Committee issues a report and makes recommendations to the Town Council. (Lisa Garcia)

Approval of entering into a Professional Services Agreement with the Greater Florence Chamber of Commerce for the term of July 1, 2019 through December 31, 2020. (Jennifer Evans)

Approval of the April 15, May 6, and May 20, 2019 Town Council Meeting minutes.

Receive and file the following board and commission minutes:

April 11, 2019 Arts and Culture Commission Meeting minutes

April 18, 2019 Florence Youth Commission Meeting minutes

March 27, 2019 Historic District Advisory Commission Meeting minutes

March 7, April 18, and May 16, 2019 Planning and Zoning Commission Meeting minutes

On motion of Vice-Mayor Anderson, seconded by Councilmember Hughes, and carried (5-0) to approve the Consent Agenda, as written.

NEW BUSINESS

Discussion/Approval/Disapproval of accepting a \$2,000 donation from the Michelle Gallagher Foundation.

Ms. Denise Smith, Michelle Gallagher's sister, stated that she is the President of the Michelle Gallagher Memorial Foundation Inc. and they recently received their 501(c)3 status.

Ms. Smith stated that Michelle was born and raised in Florence. She was 40 years old and passed away in January 2014. She always had a passion for the youth of our community and brought out the best in kids. She always had hope for all the kids.

Ms. Smith stated that she has worked for Pinal County Juvenile Courts for 33 years, and what they are learning is that you must have hope for kids and believe all kids are capable of success. She stated that she always thinks of her sister when talking about bringing in that piece of culture into their workplace and the organization.

Ms. Smith stated that Michelle was a Little League Coach for ten years. She was a great coach and very well respected. She was also very generous and always provided for the kids to ensure

their success. It was not uncommon for Michelle to buy a kid in need shoes, gloves, etc. Her motto was that kids should never be without. The family decided to continue with Michelle's legacy after she passed and created the foundation.

Ms. Smith stated that the Foundation provided a donation of \$2,000 to the Town last year to assist with children who could not afford to participate so they could. The Foundation does a tournament every year to help raise funds and is coming up on their sixth year.

Ms. Smith stated that she is pleased that the tournament did very well, and they will be donating \$2,000 this year again to continue to assist the kids. Their goal is to continue to donate on an annual basis.

Mayor Walter thanked Ms. Smith for keeping Michelle's memory alive and for helping the kids.

Ms. Smith thanked the Town for assisting with the Tournament and for helping with its success.

Mr. Bryan Hughes, Community Services Director, stated that once they got the scholarship program up and running after the initial donation, they awarded 17 youth scholarships, which representing nine different households, totalling \$1,200 in a six-month period. He stated that he looks forward to the continual partnership and thanked them for their generosity.

On motion of Councilmember Wall, seconded by Councilmember Larsen, and carried (5-0) to approve the acceptance of a \$2,000 donation from the Michelle Gallagher Memorial Foundation.

Ordinance No. 678-19: Discussion/Approval/Disapproval of AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, ADOPTING A LOCAL ALTERNATIVE EXPENDITURE LIMITATION FOR THE TOWN FOR THE FISCAL YEAR 2019-2020 AND DECLARING AN EMERGENCY.

Mr. Rey Sanchez, Finance Director, stated that the expenditure limitation is \$28,938,392 for Fiscal Year 2019/2020. Once adopted, the budget amount cannot increase.

Vice-Mayor Anderson inquired if the alternative expenditure limitation needs to be approved on an annual basis.

Mr. Sanchez stated that the alternative expenditure limitation needs to be approved on an annual basis.

On motion of Councilmember Wall, seconded by Councilmember Larsen, and carried (5-0) to adopt Ordinance No. 678-19.

Resolution No. 1701-19: Discussion/Approval/Disapproval of A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, ADOPTING THE RECOMMENDED TOWN OF FLORENCE FISCAL YEAR 2019-2020 EMPLOYEE COMPENSATION AND CLASSIFICATION PLANS.

Mr. Scott Barber, Human Resources Director, stated that there are no changes to the Employee Classification and Compensation Plans for the upcoming fiscal year. Staff is asking for approval for an up to 5% merit based on the annual performance of the employee.

On motion of Councilmember Wall, seconded by Councilmember Hughes, and carried (5-0) to adopt Resolution No. 1701-19.

Resolution No. 1703-19: Discussion/Approval/Disapproval of A RESOLUTION OF TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING AND AUTHORIZING MAYOR TARA WALTER, TOWN MANAGER BRENT BILLINGSLEY, AND FINANCE DIRECTOR REY SANCHEZ, TO ACT AS SIGNATORIES FOR THE TRANSACTION OF BUSINESS ON THE TOWN OF FLORENCE BANKING ACCOUNTS, AND DECLARING AN EMERGENCY.

Ms. Lisa Garcia, Deputy Town Manager/Town Clerk, stated that the previously adopted resolution adding Mr. Rey Sanchez as a signatory to the Town's financial accounts did not include one account; therefore, this resolution is a housekeeping item to include Mr. Sanchez to all of the Town's accounts.

On motion of Councilmember Larsen, seconded by Vice-Mayor Anderson, and carried (5-0) to adopt Resolution No. 1703-19.

MANAGER'S REPORT

Mr. Billingsley stated that the Town received media coverage from News Channels 3 and 15. He will present the video at an upcoming meeting. He stated that the Town received another FTA 5310 grant award for \$28,000 for preventative maintenance and Give-A-Lift program.

CALL TO THE PUBLIC

There were no public comments.

CALL TO THE COUNCIL – CURRENT EVENTS ONLY

Councilmember Hughes stated that she attended the active shooter training and participated as a victim. She stated that it was an eye-opener as to what happens during an emergency. She was pleased at how well the exercise went.

Councilmember Wall stated that she watched the interview with the Florence Teen Council on Channel 3 and the teens did very well. The youth spoke very well on camera and she is pleased with how far the youth have grown.

Vice-Mayor Anderson stated that the active shooter drill was sponsored by Pinal County. It was a well-coordinated effort and a great learning process for everyone. The victims played their parts very well.

Vice-Mayor Anderson stated that wastewater was being sent to Pinal County from Section 11. The Pinal County Supervisors discussed and are reluctant in having more wastewater. He would

like staff to make the Town's concerns known. Section 11 needs to be fixed. The plant in Anthem will be overtasked.

Mayor Walter appreciated all of the presentations. The Council continues to move forward with regards to economic development. She congratulated the CERT members and stated it takes community involvement for all of the programs to be successful. She thanked everyone who came out to speak at the Council meeting. She stated that the Council heard the public comments regarding communication. The Council will communicate with the public and will coordinate with staff to provide information.

ADJOURNMENT TO EXECUTIVE SESSION

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)(1) to conduct the annual review of the Town Manager.

On motion of Vice-Mayor Anderson, seconded by Councilmember Hughes, and carried 5-0) to adjourn to Executive Session.

ADJOURNMENT FROM EXECUTIVE SESSION

On motion of Councilmember Larsen, seconded by Councilmember Hughes, and carried (5-0) to adjourn from Executive Session.

ADJOURNMENT

On motion of Councilmember Wall, seconded by Councilmember Hughes, and carried (5-0) to adjourn the meeting at 9:25 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 June 17, 2019, 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 SPECIAL MEETING HELD ON WEDNESDAY, JUNE 19, 2019, AT 4:30 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 4:30 p.m.

ROLL CALL:

Present: Walter, Anderson, Hawkins***, Wall, Larsen, Cordes, Hughes

***Councilmember Hawkins appeared telephonically.

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.

ADJOURNMENT TO EXECUTIVE SESSION

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) to consider its position and instruct its representatives and/or attorneys regarding:

- a. **Town's position and instruct its attorneys regarding pending litigation in Maricopa County Superior Court: Town of Florence v. Florence Copper, Inc. CV2015-000325, including counterclaims.**
- 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.**

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

ADJOURNMENT FROM EXECUTIVE SESSION

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

CALL TO THE COUNCIL – CURRENT EVENTS ONLY

There were no comments.

ADJOURNMENT

On motion of Councilmember Hughes, seconded by Councilmember Wall, and carried (7-0) to adjourn the meeting at 6:17 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 June 19, 2019, 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 SPECIAL MEETING HELD ON FRIDAY, JUNE 21, 2019, AT 4:30 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 4:31 p.m.

ROLL CALL:

Present: Walter, Anderson, ***Hawkins, Wall, Larsen, ***Cordes, Hughes.

***Councilmember Hawkins and Councilmember Cordes appeared telephonically.

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.

Ms. Doris Goveia, Florence Resident, stated that she and her husband support the Council as the Council has fought for its residents. They do not want their water or land contaminated by the in-situ mining that Florence Copper Corporation wants to do. She stated that it goes bad, water will become contaminated and they will not pay or try to rectify their mistakes.

Ms. Goveia stated that she does not want Florence to look like Globe, Miami or Hayden. She realizes that they do a different type of mining; however, the towns will look similar. She made the following statement: "To all that are for the Florence Copper Corporation, maybe they will pay for you to buy some land and a home in Canada for you on their dollar". She stated that she does not want to recall the Council; without them, the Town would not have a leg to stand on.

Mr. Bob Dobarra, Florence Resident, stated that he asked the Council and Town Attorney who would be financially responsible if the water were to be contaminated and the value of the homes became zero when the in-situ mining discussion first began. He is asking again who is liable and how liable is the Town if contamination occurs. He understands that there is an offer on the table, but it is his opinion that this is why there is the Supreme Court in Washington. He stated that it is the Council's job to protect its citizens. He stated that the mine is not the Town's best interest.

Mr. Bill Tanner, Florence Resident, inquired why the Council is rushing on tonight's action items listed on the agenda. He stated that there was no discussion regarding a settlement at the last meeting. He stated that the Town only provided the public 24 hours notice which does not provide enough time for the public to engage in this issue. Many residents are out of town or predisposed. He requested Council to postpone these agenda items until such time that sufficient notice can be provided to the residents.

NEW BUSINESS

Discussion/Approval/Disapproval of a proposed Settlement Agreement among the Town of Florence, Florence Copper Inc. and TASEKO Mines, LTD. with the condition that this offer to settle on these terms will terminate in 45 days of the date the Agreement is executed by the Town, unless on or before the forty-fifth day, TASEKO Mines, LTD. and Florence Copper Inc. accept, approve and execute the Settlement Agreement.

Mayor Walter read the following statement into the record:

Statement on the Town's Relationship with Florence Copper

At the Town's regular Town Council Meeting on Monday, June 17th, more than a dozen residents stood to voice their concerns regarding Florence Copper mining operations. Some of these residents spoke in favor of the project, and others spoke opposed to the project. There is no easy answer when balancing the concerns of both positions.

Nonetheless, this is the difficult task that the Town Council faces today. The Council understands the strong and wide range of opinions about mining that exist in the community and has long sought various appropriate solutions to the lengthy litigation with Florence Copper (and its associated costs), while also ensuring the health and welfare of the citizens, as well as protection of the unique water resources that exist in the area.

While parties often conduct settlement negotiations under rules of confidentiality, based on the citizen comments expressed on Monday night, the Council has chosen to publicly propose a Settlement Agreement to Florence Copper that seeks to best satisfy the concerns of all our residents. Our offer provides for and facilitates communication. It fosters relationships to ensure that we are part of the process in the future, to work together as partners to safeguard the aquifer, the environment, and our citizens, and to ultimately drop our pending appeals and authorize the extension that Taseko has requested under our existing development agreement. The Town offers this olive branch despite the judge's recent observation that the documents contain "ambiguities allowing reasonable people to differ in their interpretations."

We hope executives with Taseko and Florence Copper view this proposal favorably, and as a means to begin regular and productive conversations with the Town of Florence. To that end, we are also authorizing our executive and legal team to make any necessary arrangements or provisions to reach a positive solution for both entities.

Councilmember Cordes (inaudible due to audio errors)

Councilmember Hawkins (inaudible due to audio errors)

Councilmember Larsen stated that she is comfortable with the settlement offer but would prefer that Councilmember Cordes' questions be answered and inquired if Council can adjourn into Executive Session.

Councilmember Wall stated that this issue was too sensitive for her to discuss.

Councilmember Hughes stated that she sees the settlement agreement as a starting point for negotiations only.

On motion of Vice-Mayor Anderson, seconded by Councilmember Hawkins, for the approval of a proposed Settlement Agreement among the Town of Florence, Florence Copper Inc. and TASEKO Mines, LTD. with the condition that this offer to settle on these terms will terminate in 45 days of the date the Agreement is executed by the Town, unless on or before the forty-fifth day, TASEKO Mines, LTD. and Florence Copper Inc. accept, approve and execute the Settlement Agreement.

Roll Call Vote:

Vice-Mayor Anderson: Yes
Councilmember Hawkins: Yes
Councilmember Wall: Yes
Councilmember Larsen: Yes
Councilmember Cordes: No
Councilmember Hughes: No
Mayor Walter: Yes

Motion carried: Yes: 5; No: 2

Resolution No. 1704-19:

Mayor Walter read Resolution No. 1704-19 in its entirety, which read:

RESOLUTION NO. 1704-19

RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING AND AUTHORIZING THE TOWN OF FLORENCE'S APPEAL CHALLENGING THE VALIDITY AND ISSUANCE OF THE RULE 54(b) JUDGMENT ENTERED ON JUNE 7, 2019 BY JUDGE BRODMAN IN CASE NO. CV2015-000325 ADDRESSING DECLARATORY RELIEF, DECLARATORY JUDGMENT AND EMINENT DOMAIN ("LAWSUIT"); AUTHORIZING THE FULL PROSECUTION/LITIGATION OF THE APPEAL, AND THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION AND DECLARING AN EMERGENCY.

WHEREAS, at issue in the Lawsuit (Case no. CV2015-000325) is whether Florence Copper, Inc. ("FCI") has a right to maintain and expand nonconforming uses or structures related to mining on the subject property (the "Property"). The Town of Florence asserts that a 2007 Zoning Ordinance for the Property adopted at the request of the previous property owner replaced, superseded, and rescinded the 2003 Planned Unit Development Plan for the Property and, as a result, the right to mine the Property is lost; and

WHEREAS, a trial to the Court was conducted December 5th through the 13th, 2018. The trial judge heard live witness testimony, videotaped depositions and reviewed exhibits; and

WHEREAS, the trial judge also considered two sets of cross motions for summary judgment in the Lawsuit; and

WHEREAS, the trial judge determined that the actions of a prior owner of the Property and the Town's rezoning actions in 2007 did not eliminate or abandon in-situ mining rights of the owner established by the 2003 Development Agreement and the Town is not entitled to an order finding the 2007 rezoning effective and enforceable by the Town to prevent in-situ mining within the mine overlay area; and

WHEREAS, the trial judge concluded that merely amending the zoning did not change rights in the development agreement, even when the zoning amendment was requested by the property owner; and

WHEREAS, the trial judge awarded attorneys' fees to Florence Copper Inc. in the amount of \$1,700,000 and costs in the amount of \$32,365.55; and

WHEREAS, the trial judge entered final judgment in this matter on June 7, 2019, which becomes final if not appealed by July 6, 2019; and

WHEREAS, Counterclaims filed by Florence Copper Inc. against the Town of Florence are still pending in CV2015-000325, and failure to appeal the Rule 54(b) Judgment will impair the Town's ability to defend itself against the Counterclaims.

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

Section 1. The execution, filing, delivery, and the full prosecution/litigation of the Town's appeal challenging the validity and issuance of the Rule 54(b) Judgment in the Lawsuit, and notices, filings, certificates, pleadings, correspondence, proceedings, agreements and other documents as may be necessary or convenient related thereto is approved and authorized, including but not limited to the Notice of Appeal attached hereto as **Exhibit "A"**.

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 full prosecution/litigation of the appeal, 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.

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 appeal 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 appeal of the Rule 54(b) Judgment in the Lawsuit, and an emergency is hereby declared to exist, and this Resolution shall 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.

Councilmember Hawkins (inaudible due to audio errors)

Mr. Clifford L. Mattice, Town Attorney, stated that this item is a resolution which means it is an official act of the Town Council, if approved, authorizes the lawyers working on the case, on behalf of the Town, to file an appeal. The appeal is because of the recent decision by the trial court. The trial court, in their decision said that he interpreted the development agreement in favor of the mining interest to allow mining there as a non-conforming right under the 2003 Development Agreement.

Mr. Mattice stated this resolution appeals the decision by the trial judge. When that is appealed, it goes to the Arizona Court of Appeals for a panel to make a decision and look at what the trial judge did. The Town is required to take action on an appeal within 30 days of the judge's decision. The judge entered his decision on the zoning issue on June 7, 2019. The Town needs to file their appeal, if Council so chooses, no later than July 6, 2019 with the Court.

Mr. Mattice stated that the resolution authorizes the lawyers to file the appeal. It is also an emergency provision which means that this resolution is not subject to referendum or challenge.

Councilmember Hawkins (inaudible due to audio errors)

Mr. Brent Billingsley, Town Manager, stated that the Town has a limited time frame in which to do the appeal. The time frames do not align in terms of the settlement offer providing for 45 days. There is not enough time to wait for a positive answer. The Town is in a position if they are going to act in this capacity, they need to act now. The third portion is the fact that if the Town does not act in this manner, the Town will have difficulty defending themselves against the counter claims that the copper company has filed against the Town.

Councilmember Hawkins (inaudible due to audio errors)

Mr. Billingsley stated that if the offer is accepted, the Town would immediately rescind their appeal.

Councilmember Hawkins (inaudible due to audio errors)

Councilmember Cordes (inaudible due to audio errors)

Mayor Walter stated that they can adjourn to Executive Session if need be.

Councilmember Cordes (inaudible due to audio errors)

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

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

Ms. Cathy Bowman, Attorney for Simms Murray, which represents the Arizona Municipal Risk Pool and the Town, when the Town is sued. She stated that with respect to the copper case, there are two parts:

- One is the claim that the Town brought against Florence Copper
- Seven counterclaims where Florence Copper is suing the Town

Ms. Bowman stated that when the case first started, Florence Copper asked that judge separate the cases and that the case go forward on the zoning matter, which was described in the resolution, and that the counter claim be stayed. They would wait for the results of the claim that the Town brought against Florence Copper before they go forward with the claims that Florence Copper filed against the Town.

Ms. Bowman stated that she was the lawyer that came last year on the counterclaims. These claims are still pending. Florence Copper is still suing the Town in those seven counterclaims. The Town hopes to resolve that as part of the settlement agreement, but right now the Town has whatever exposures that may exist with those seven counterclaims.

Ms. Bowman stated that if they do not file the Notice of Appeal everything that the judge decided in the first case will pass over, all of the legal decisions and factual findings will pass over and be the same in the counterclaims as the Town tries to defend themselves against that. There are aspects, legally and factually that the Town does not agree with that impact these counterclaims, which is part of the reason that the Notice of Appeal is necessary.

Ms. Bowman stated that in the Settlement Agreement itself, if the parties reach a settlement, and as part of the settlement, the counterclaims are dismissed; then the Notice of Appeal will be dismissed. The settlement terms lay that out. Also, should the Council for any reason, regardless of settlement, regardless of the position of the parties decide in the future that the Council wants to rescind the Notice of Appeal, the Notice of Appeal can be withdrawn. The Town only has until July 6, 2019 to file the Notice of Appeal and the court has ruled that if the Town files the appeal there will be no trial on the counterclaims until the Court of Appeals decides the legal issues that the Town raised in the first part of the case.

Ms. Bowman stated that in that case, when the counterclaims come, the Town will have a ruling from the Court of Appeals that tells us whether or not the judge was correct in his ruling.

Mayor Walter stated that once it comes down to settlement negotiations, Council will need to bring to the floor once an agreement is reached.

Ms. Bowman explained that any settlement would be voted on publicly, so the public can see the Town's position.

On motion of Councilmember Wall, seconded by Vice-Mayor Anderson, to adopt Resolution. No. 1704-19: a Resolution of the Town of Florence, Pinal County, Arizona, approving and authorizing the Town of Florence's appeal challenging the validity and issuance of the Rule 54(b) judgment entered on June 7, 2019 by Judge Brodman in Case No. CV2015-000325 addressing declaratory relief, declaratory judgment and eminent domain ("lawsuit"); authorizing the full prosecution/litigation of the appeal, and the taking of all other actions necessary to the consummation of the transactions contemplated by this resolution and declaring an emergency.

Roll Call Vote:

Councilmember Wall: Yes

Vice-Mayor Anderson: Yes

Councilmember Hawkins: Yes

Councilmember Larsen: Yes

Councilmember Cordes: Yes

Councilmember Hughes: Yes

Mayor Walter: Yes

Motion carried: Yes: 7; No: 0

CALL TO THE PUBLIC

Ms. Karen Shoppell, Florence Resident, inquired what the financial exposure may be with regards to the seven counterclaims.

Mayor Walter referred Ms. Shoppell to speak with the Town attorneys regarding financial exposure of the seven counterclaims.

Mr. Robert Shoppell, Florence Resident, inquired what will be discussed in the settlement negotiations.

Mayor Walter referred Mr. Shoppell to the Settlement Agreement within the agenda packet.

Mr. Bill Tanner, Florence Resident, stated that he is delighted that the Town is in discussions for a settlement with Florence Copper. He asked that the Town enter into those negotiations with good faith and the negotiations will resolve any differences that may exist. He stated that he hopes that she has heard the people's voices that they are tired of paying the legal bills. He stated that it is time to move on, unite and do what is right by the people of the Town of Florence.

Mr. Bob Heaber, Florence Resident, stated that he has been in a community where the water goes bad, and it is a travesty. He does not understand why Florence is negotiating. He does not know how to legally get them to leave. He does not know how the Town can get a stay in court so that enough public input can be put in. There is approximately 40% of the Florence residents gone. He had no clue this was going on until a neighbor told him. He understands that this affects the Anthem and Sun City communities as well as those that live north of those communities. He stated that there is a great responsibility on the Council's part to not roll over.

Mr. Heaber stated that the mine is a personal threat to him. He does not want it near him or his grandkids. He stated there is no fix if the water goes bad. They are a foreign company and they will leave when things go bad.

CALL TO THE COUNCIL – CURRENT EVENTS ONLY

Vice-Mayor Anderson stated that he attended the Planning and Zoning Commission Meeting and commended them for a job well done. He stated that they helped resolve an issue with homeowner and the property line. He stated that the staff does an excellent job in taking care of the community.

Mr. Hawkins (inaudible due to audio errors)

Councilmember Larsen thanked everyone who attended the Council meeting and voiced their opinion. She came onto the Council with a curiosity and open mind wanting to hear the public's opinion and wanting to take action once she was able to form her own opinion on that matter. She hopes that after tonight's Council meeting, there will be unification as a Town as they work the common sense approach to work together. She hopes to find a fair balance between the public's concerns and their safety and well-being. The Council is trying to look after the public's best interest.

Councilmember Cordes (inaudible due to audio errors)

Mayor Walter stated that she attended the Pinal Partnership Meeting in which a panel of Mayors presented to those in attendance what is happening in their respective areas.

Mayor Walter stated that tonight's meeting has been very personal and involved process. She did extensive research when she first found out about the copper mine, which was several years ago. She has the interest of everyone's health and safety and making sure that the Town's aquifer is able to continue to provide suitable drinking water for generations to come.

Mayor Walter stated that the Town has put a settlement on the table. They have talked about communication and she feels that the Town has communicated with the public. She stated that it is her goal to ensure that everyone knows what is being discussed. Her hopes in future negotiations is that they continue to discuss this on the floor.

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). One or more members of Council may appear for part or all of the meeting including Executive Session telephonically.

On motion of Councilmember Hawkins, seconded by Vice-Mayor Anderson, and carried (7-0) to adjourn the meeting at 5:42 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 June 21, 2019, and that the meeting was duly called to order and that a quorum was present.

Lisa Garcia, Town Clerk

REGULAR MEETING OF THE HISTORIC DISTRICT ADVISORY COMMISSION OF THE TOWN OF FLORENCE HELD WEDNESDAY, MAY 29, 2019, AT 6:00 PM, AT THE FLORENCE TOWN COUNCIL CHAMBERS, 775 N. MAIN STREET, FLORENCE, ARIZONA.

CALL TO ORDER

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

ROLL CALL

Present: Wheeler, Adam, Smith, Reid, Novotny, and Michael.

PLEDGE OF ALLEGIANCE

DISCUSSION/APPROVAL/DISAPPROVAL of the meeting minutes for the regular meeting conducted on March 27, 2019.

On motion by Commissioner Reid, seconded by Vice Chair Adam, and carried 6-0, to approve with changes the regular meeting minutes of March 27, 2019.

NEW BUSINESS

A. Presentation/Discussion/Possible Action

Larry Pfeiffer requests approval of a demolition application for the Donald and Pauline Young Outbuilding and the Ross/Cushman Accessory Building located at 361 N. Quartz Street and 65 W. 6th Street in Florence, Arizona 85132.

Community Development Director Larry Harmer introduced the demolition request and showed images of the sites. He stated the applicant provided a cost analysis and the Building Official concurred with the cost estimates. Mr. Harmer mentioned that the Arizona State Historic Preservation Office (SHPO) saw the properties during the scheduled tour and their response did not deny the application. Staff interpreted their email as an approval. Staff recommends approval of the demolition permit with any conditions from the Commission. Mr. Larry Pfeiffer was present for any questions.

Chairman Wheeler asked if there were two separate lots with two buildings on each lot. Mr. Harmer agreed and stated that there are two buildings on the north lot and two on the south lot. Vice-Chair Adam asked if Staff explicitly asked SHPO if they approved or disapproved the demolition permit. Mr. Harmer noted he sent the Staff report for the demolition permit to SHPO and SHPO's only response was to notify them if removed so they could be de-listed. Chairman Wheeler clarified SHPO toured the site but did not enter the buildings. Commissioner Reid found it interesting the buildings were considered contributing. Mr. Harmer agreed since they were strictly accessory buildings. Vice-Chair Adam said they are examples of movable buildings and part of the worker's housing. She

said if they were in better condition, they would be more significant. She is concerned about buildings with similar issues, and she is excited about future programs to help.

Commissioner Reid asked for the buildings' construction dates. Mr. Harmer mentioned the one on the southern lot is 1904 and the other one is 1941. Chairman Wheeler noted that a gentleman showed interest in the buildings on the day of the tour. Mr. Pfeiffer said the man met him at his shop, and Mr. Pfeiffer offered to give him the building but never heard back. Vice-Chair Adam thanked Mr. Pfeiffer for taking the project.

Commissioner Novotny asked if they planned to salvage any of the materials from the buildings. Mr. Pfeiffer said Harold Christ and he were going to walk through the property. Harold Christ has offered to salvage the windows on the 1904 property. He said depending on the condition, they may salvage the façade and the windows. He stated the Commissioners and anyone else is welcome to walk through or salvage parts. Commissioner Reid stated the 1904 building had a little more history to it and hoped to have pictures taken for future records. Commissioner Novotny commended Mr. Pfeiffer on taking the project after so much time and use. Mr. Harmer said, with Mr. Pfeiffer's consent, he could have a Staff member go out and take pictures of the buildings and property.

On motion by Vice Chair Adam, seconded by Commissioner Novotny, and carried 6-0, to approve the recommendation by Staff for the approval of a demolition application for the buildings located at 65 W. 6th Street and 361 N. Quartz Street in Florence, AZ.

COMMUNITY DEVELOPMENT REPORT/DISCUSSION

A. Florence Redevelopment Plan Update

Mr. Harmer introduced Redevelopment Plans. He said the current Redevelopment Plan was long and had obsolete data. The new plan will be short, concise, reader friendly and up to date. He showed the existing Redevelopment Area and stated that the area will stay the same. Mr. Harmer explained that the new plan will account for meaningful incentives and current State statutes. He introduced the consultant team, Plan/et and discussed how this plan will feed into the 2020 General Plan update. The Commission will be part of the major stakeholder group and be part of the review process.

Vice-Chair Adam asked what a Redevelopment Plan did. Mr. Harmer stated that the plan helps qualify for CDBG money and GPLET tax incentives. She asked how it acts with the opportunity zones. Mr. Harmer explained it does not work with the Opportunity Zones because there are none within the redevelopment area. Commissioner Michael asked if the Redevelopment Plan will have teeth for planning and zoning or future land use. Mr. Harmer said the Redevelopment Plan outlines places of slum and blight or requires redevelopment and opens up funding opportunities for these areas. Commissioner Michael asked when the plan needs to be done. Mr. Harmer stated that the current plan expires this year, but cities and towns have two years.

for better drainage. He will use either tile or standard seam metal. The owner is a leather, saddler and silver worker.

CALL TO THE PUBLIC/COMMISSION RESPONSE:

Ruth Harrison Florence, Arizona, requested that Mr. Harmer make his presentation for the historic preservation conference available to the public. She asked he also include the responses to the presentation or questions. She mentioned the Block Grant public hearing and she said any comments from the Commissioners would be helpful.

CALL TO THE COMMISSION-CURRENT EVENTS ONLY


Commissioner Smith asked if the Town could go through Belva's to enter the property next to the Smith's building. Mr. Harmer said Staff does not have the right of entry but if Belva's had a representative of the owner, then they could let Staff without trespassing. Commissioner Smith is concerned about future rain damage. Mr. Harmer said Staff can contact the realtor. Vice-Chair Adam asked if there was code compliance for this issue. Mr. Harmer said this is one of the properties undergoing the code compliance process. She also wanted to acknowledge Lynn and Tom Smith for their purchase of the Cuen building. Bonnie Barriola mentioned there was a lot of interest in the Cuen building on the historic tour and it was good to see the concern.

ADJOURNMENT

On motion by Chairman Wheeler, seconded by Commissioner Novotny, and carried 6-0, to adjourn the regular meeting at 7:01 pm.

Betty Wheeler for
Betty Wheeler

01/26/19
Date

	TOWN OF FLORENCE COUNCIL ACTION FORM	<u>AGENDA ITEM</u> 12a.
MEETING DATE: July 15, 2019 DEPARTMENT: Public Works Department STAFF PRESENTER: Christopher A. Salas, P.E. Public Works Director/Town Engineer SUBJECT: Presentation on CIP T-14 Roundabout Improvements SR 287 and SR 79B.		<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 type="checkbox"/> Economic Prosperity <input type="checkbox"/> Leadership and Governance <input type="checkbox"/> Partnerships and Relationships <input checked="" type="checkbox"/> Transportation and Infrastructure <input type="checkbox"/> Statutory <input type="checkbox"/> None		

RECOMMENDED MOTION/ACTION:

Discussion and possible action on the proposed improvements for the roundabout at State Route 287 and State Route 79B.

BACKGROUND/DISCUSSION:

The presentation will discuss the development of the Design Concept Report (DCR) and the findings, some of the alternatives that were removed for consideration due to fatal flaw analysis and the development of the criteria that was used to rank the alternatives.

This DCR documents the development, evaluation and recommendation of improvements to address the operational and safety needs for vehicles, bicyclists and pedestrians at the intersection of State Route (SR) 287 and SR 79B in Florence, Arizona. The project study area includes the functional limits of the SR 287/SR 79B/Main Street intersection. The intersections of SR 79B and Florence Heights Drive, and SR 79B and Keating Street are near the study intersection and, as such, will be analyzed as part of the system. Approach segments of SR 287, SR 79B, Main Street, Florence Heights Drive, and Keating Street will be included in the study area as well as adjacent properties that may be impacted by the potential improvements. These project limits include SR 287 from milepost (MP) 142.65 to MP 142.75 and SR79B from MP 132.65 to MP 132.85.

The SR 287/SR79B intersection provides access to the Town of Florence from communities located to the west and south including the cities of Phoenix, Coolidge, Casa

Grande and Eloy as well as Catalina, Oro Valley and Tucson. The study intersection currently operates as an at-grade intersection with channelized movements controlled with yield and stop traffic controls.

NEED FOR THE PROJECT

The SR 287/SR 79B intersection has been the southern entrance to Florence since the beginning of the 20th century. According to the 1932 Arizona Highway Map, SR 287 and SR 79B were intermediate type improved roadways that were part of the Arizona state highway system. The configuration of the study intersection is based on rural conditions with little development adjacent to the roadway and only serves vehicular traffic. Currently, the intersection is set in an urban environment surrounded by commercial development where all modes of transportation traverse the intersection. This creates the need for a modern type of intersection that can provide multimodal accommodations for all type of users and functions with the surrounding land use. The following key considerations contribute to the purpose and need for the improvements at this intersection.

Town staff will host an informational meeting on July 10, 2019. Public comment will be shared with Council at the July 15, 2019 meeting.

A VOTE OF NO WOULD MEAN:

The Town of Florence needs to provide feedback to the Arizona Department of Transportation on the project. If the Council determines that the Town should not proceed with current methods, the project could be delayed.

A VOTE OF YES WOULD MEAN:

If the Council agrees with the recommended alternative staff will inform Arizona Department of Transportation and request a project schedule be presented to the Council at a future meeting.

FINANCIAL IMPACT:

None

ATTACHMENTS:

Presentation

**CIP T-14
ROUNDAABOUT IMPROVEMENTS
SR 287 AND SR 79B**

**Town of Florence
Public Works Department**



ROUNDABOUT SR 287 & SR 79B

- Purpose and Need, Design Concept Report (DCR) / Environmental Document and Joint Project Agreement



ALTERNATIVES

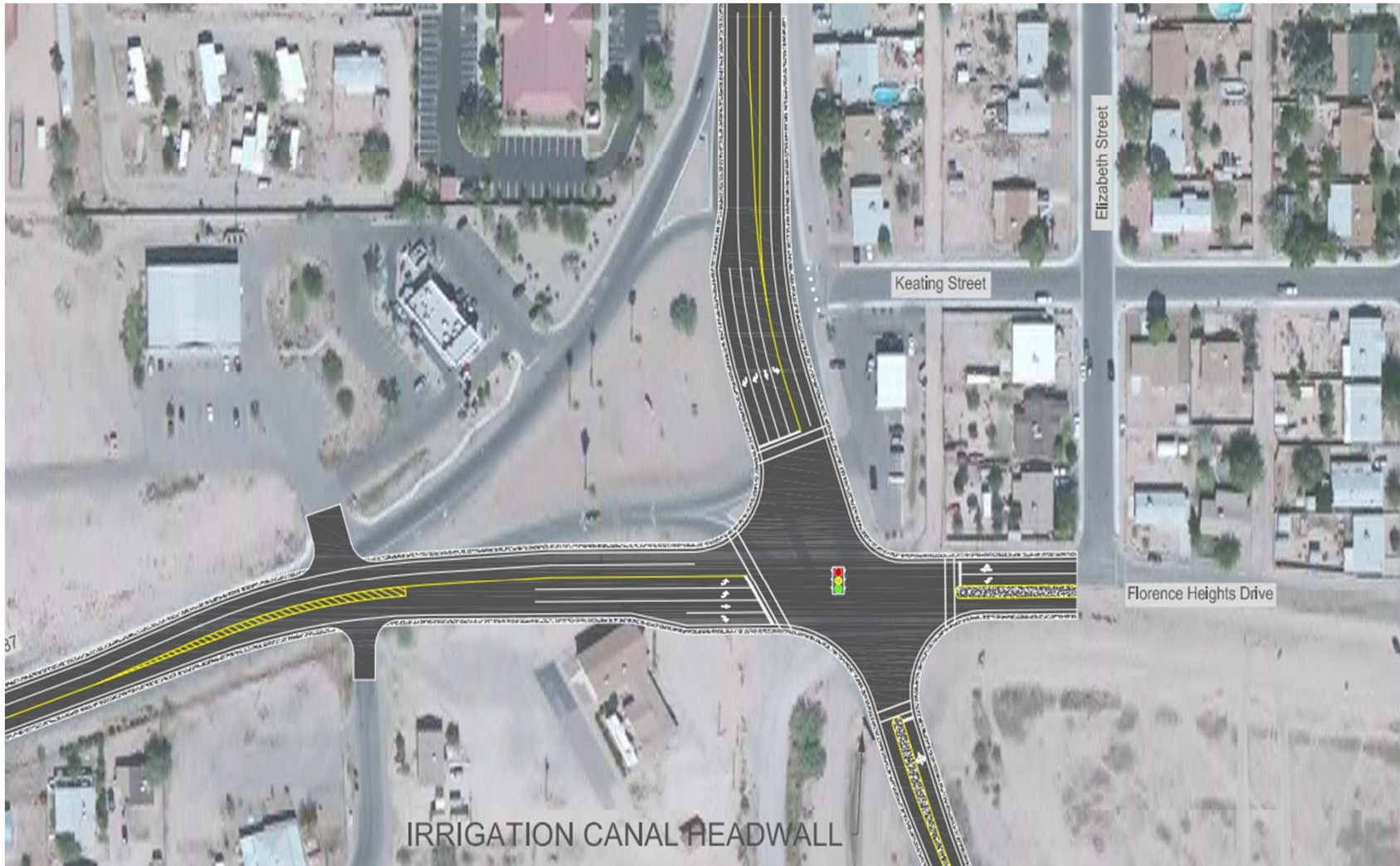
- The DCR evaluates five alternatives:
 - No-Build
 - Four build alternatives:
 - Three roundabouts in various configurations
 - One signalized T-intersection



DESIGN CONCEPT ALTERNATIVES CONSIDERED AND DISCONTINUED

- A single signalized intersection connecting SR287, SR79B, Main Street and Florence Heights Drive at a single point;
- Two signalized intersections, one at Main Street / SR287 / SR79B and a southern one at SR79B / Florence Heights Drive; and







DESIGN CONCEPT ALTERNATIVES DISCONTINUED

- These alternatives resulted in geometry and operations that were not optimal or desirable.
 - Thus, those alternatives were discontinued.
- The 4 new alternatives were developed for evaluation in this revised document, without the same geometric and right of way constraints



DESIGN CRITERIA

- Capacity / Level of Service;
- Queue lengths;
- Travel time;
- Access and circulation;
- Multimodal accommodations (i.e. pedestrians and bicycles);
- Safety;
- Right-of-way;
- Irrigation canal impacts;
- Drainage patterns;
- Environmental impact area
- Construction costs.



Alternative Analysis

Criteria	Alternative 1 One Multi-Lane Roundabout	Alternative 2 Multi-Lane Roundabout and T-Intersection	Alternative 3 Two Roundabouts	Alternative 4 Signalized Intersection and T-Intersection
Level of Service (2040 Volumes)	2	1	3	1
Queue Lengths	2	1	3	2
Travel Time (2040 Volumes)	3	2	3	2
Access & Circulation	2	2	2	3
Multimodal Accommodations	2	2	2	3
Safety	3	2	3	1
Right-of-way	1	2	1	2
Irrigation Canal Impacts	1	2	2	2
Drainage Patterns	3	2	2	2
Environmental Impact Area	1	1	1	1
Construction Costs	2	2	2	2
Totals	22	19	24	21

Rating Scale

1 - Least Desirable

2 - Neutral

3 - Most Desirable



PUBLIC INVOLVEMENT GENERAL CONCERNS

- **Everyone agreed that the intersection needs to be upgraded, regardless of the preferred solution**
- **Private property access – loss of access**
- **Private property of affected parties still having public involvement as the process continues**
- **Drainage – the existing intersection already has some drainage concerns**



PUBLIC INVOLVEMENT GENERAL CONCERNS

- Will this affect properties along Main Street from Keating St. to Celaya St.?
- Could there be more accidents in the first few weeks/months when the intersection is changed? (Specifically to roundabouts)



PUBLIC INVOLVEMENT ROUNABOUT SPECIFIC CONCERNS

- Roundabouts are dangerous
- Roundabouts are confusing
- Roundabouts are more difficult for older citizens to negotiate
- One resident would rather have longer delays versus the complexity of a roundabout



PUBLIC INVOLVEMENT ROUNDAABOUT SPECIFIC CONCERNS

- Will the curbs on the roundabout be mountable and/or damaged by semi-trucks?
- There are a lot of semi-trucks that travel through the intersection, will the semi-trucks be able to negotiate the roundabout?
- If the preferred alternative is implemented one person would recommend just a single lane roundabout for both roundabouts



PUBLIC INVOLVEMENT ROUNDAABOUT SPECIFIC CONCERNS

- **How do pedestrians cross the roundabout?**
- **Will the school buses be able to negotiate the roundabouts**



PUBLIC INVOLVEMENT VIDEOS

- Existing Conditions
- Alternative 4 – Traffic Signal with Stop Control at Florence Heights
- Alternative 3 – Double Roundabout



PUBLIC INVOLVEMENT POSITIVES

- **Everyone agreed that the intersection needs to be upgraded, regardless of the preferred solution**
- **There were no comments on the scoring criteria, rationale of the DCR, or anything mentioned regarding the DCR**



PUBLIC INVOLVEMENT POSITIVES

- A resident from Colorado said that while she and other residents didn't originally like roundabouts, after the installation the City/Town loved them – they were great
- Solution should facilitate economic growth and development of the Downtown




PREFERRED ALTERNATIVE ALTERNATIVE #3

- Two Roundabouts
 - One main multi-lane roundabout and a single lane roundabout at Florence Heights
 - Florence Heights shifted further south to provide additional separation



QUESTIONS



	TOWN OF FLORENCE COUNCIL ACTION FORM	<u>AGENDA ITEM</u> 12b.
MEETING DATE: July 15, 2019 DEPARTMENT: Finance STAFF PRESENTER: Rey Sanchez, Finance Director SUBJECT: Ordinance No. 676-19 Primary Property Tax Levy for FY 2019-2020		<input checked="" type="checkbox"/> Action <input type="checkbox"/> Information Only <input type="checkbox"/> Public Hearing <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance <input checked="" 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 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:

Adoption of Ordinance No. 676-19: 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 2020.

BACKGROUND/DISCUSSION:

The Town of Florence levies a primary property tax annually. The rate for last year was \$1.1060 per \$100 of Net Assessed Valuation (NAV). The proposed property tax rate is \$1.0738 per \$100/NAV. Within certain restrictions, the Town Council may choose the rate for FY 2019-2020.

As calculated by the Arizona Department of Revenue, the Truth-in-Taxation (TNT) rate is \$1.0528 per \$100/NAV, which is the maximum rate the Town can levy without having to hold a TNT hearing.

At the proposed rate of \$1.0738, the proposed property tax levy for the 2019-2020 Fiscal Year is \$1,166,611.

A VOTE OF NO WOULD MEAN:

Not applicable, pursuant to A.R.S. § 42-17151, the Town Council must adopt a property tax rate and levy for FY 2019- 2020.

A VOTE OF YES WOULD MEAN:

Adoption of Ordinance No. 676-19.

FINANCIAL IMPACT:

Primary taxes are calculated using Limited Property Value (LPV). A home with a \$100,000 LPV using the proposed rate of \$1.0738 per \$100/NAV would be \$107.38.

The levy would add to the General Fund revenue base and is essential to funding all departments within the General Fund that are necessary to maintain Town services.

ATTACHMENTS:

Ordinance No. 676-19
Notice of Intention to Increase Primary Property Tax
Truth in Taxation Press Release
Truth in Taxation Hearing Notice
Power Point Presentation

ORDINANCE NO. 676-19

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 ONE HUNDRED DOLLARS (\$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 2020.

WHEREAS, pursuant to A.R.S. §42-17151, the ordinance levying a primary property tax rate for the Fiscal Year 2019-2020 is required to be adopted no later than the third Monday in August; and

WHEREAS, the County of Pinal, is now the assessing and collecting authority for the Town of Florence. The Town Clerk is hereby directed to transmit a certified copy of the ordinance to the Assessor and Board of Supervisors of Pinal County, Arizona.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Florence, Arizona, as follows:

Section 1: There is hereby levied on each \$100 of the assessed value of all property, both real and personal, within the corporate limits of the Town of Florence, except such property as may by law be exempt from taxation, a primary property tax rate sufficient to raise the sum of \$1,166,611 for the purpose of providing a General Fund of the Town of Florence, for the Fiscal Year ending on the 30th day of June 2020, but if the said sum exceeds the maximum levy allowed by law, the Board of Supervisors of Pinal County, is hereby authorized to reduce the said sum to the maximum which is allowed by law.

Section 2: No failure by the officials of Pinal County, Arizona, to properly return the delinquent list and no irregularity in the assessment or commission in the same, or irregularity of any kind in any proceeding will invalidate such proceeding or invalidate any title conveyed by tax deed; nor will any failure or neglect of any officer or officers to perform any of the duties assigned to him or to them on the day within the time specified work an invalidation of any proceedings or of any such deed or sale or affect the validity of the assessment of a levy of taxes or of the judgment of sale by which the collection of the same may be enforced or in any manner affect the lien of the Town upon such property for the delinquent unpaid taxes; thereon, and no overcharge as to part of the taxes or of costs will invalidate any of the proceeding upon the lien, therefore, or a sale of the property under such foreclosure; and all acts of officers de facto will be valid as if performed by officer de jure.

Section 3: All ordinances and parts of ordinances in conflict herewith are hereby repealed.

PASSED AND ADOPTED by the Mayor and Council of the Town of Florence, Arizona, the 15th day of July 2019.

Tara Walter, Mayor

ATTEST:

APPROVED AS TO FORM:

Lisa Garcia, Town Clerk

Clifford L. Mattice, Town Attorney

Town of Florence, AZ
Revenues and Expenditures Related to Property Tax Levy
Fiscal Year 2019-2020

Revenue Source	2019-2020 Budget
*Taxes	3,133,083
Licenses and Permits	50,980
Franchise Fees and Taxes	651,681
Intergovernmental	7,849,929
Civil Engineering Inspection Fees	104,000
Civil Engineering Fees	100,000
Community Development	1,040,322
Charges-General Government	322,567
Cemetery Fees	15,000
Police Fees	29,500
Parks and Recreation Fees	164,050
Fines and Forfeits	179,800
Investment Earnings	235,000
Fire Fees	53,600
Library Fees	5,500
Miscellaneous Charges	131,615
Senior Fees	21,400
Total General Fund Revenue	\$ 14,088,027

* Does not include Property Tax Levy

Expenses Department	2019-2020 Budget
Town Council	155,985
Administration	659,647
Court	236,450
Legal	900,700
Finance	815,755
Human Resources	261,195
Information Technology	667,295
Economic Development	179,235
General Government	1,395,661
Total Administration	\$ 5,271,923
Police Administration	470,170
Police Support	910,825
Police Volunteer	9,950
Police Operations	2,804,646
Fire Administration	574,725
Fire Station 1	1,524,740
Fire Station 2	1,429,890
Total Public Safety	\$ 7,724,946
Fitness Center	94,855
Community Services	237,375
Parks	567,675
Community Center	72,200
Aquatics	289,875
Programs	509,069
Special Events	225,560
Senior Center	292,030
Library	340,665
Total Community Services	\$ 2,629,304
Community Development	612,390

Engineering	103,097
Facilities Maintenance	510,420
Cemetery	10,900
Fleet	149,570
Total Community Development and Services	\$ 1,386,377
Total General Fund	\$ 17,012,550

Information on the estimates of revenue and expenditures can be located in the proposed budget at the administrative offices of the Town of Florence at 775 N. Main Street, Florence, AZ and the Florence Public Library at 1000 S. Main Street, Florence AZ, Fire Station No. 2 at 2035 N. Hunt Highway, Florence, AZ,

Truth in Taxation Analysis for current year Proposed Levy

Prior Year's Primary property tax levy:(Last year's primary property tax levy)	\$1,104,481
Current Year Estimate of net assessed valuation:(Current year net assessed values) - C4	\$108,643,237
Current Year ESTIMATE OF VALUE OF NEW CONSTRUCTION:	\$3,732,580
Current year Net assessed value minus new construction: - B4 <small>(Current year net assessed value subject to taxation in prior year)</small>	\$104,910,657
MAXIMUM TAX RATE THAT CAN BE IMPOSED WITHOUT A TRUTH IN TAXATION HEARING:	\$ 1.0528
GROWTH IN PROPERTY TAX LEVY CAPACITY ASSOCIATED WITH NEW CONSTRUCTION:	\$39,296
MAXIMUM PRIMARY PROPERTY TAX LEVY FOR current year WITHOUT A TRUTH IN TAXATION HEARING:	\$1,143,777
Proposed current year primary property tax levy: (This year's proposed primary property tax levy)	\$1,166,611
PROPOSED current year INCREASE IN PRIMARY PROPERTY TAX LEVY OVER TNT LEVY, EXCLUSIVE OF NEW CONSTRUCTION:	\$22,834
PROPOSED % INCREASE IN current year PRIMARY PROPERTY TAX LEVY OVER TNT LEVY:	2.00%
PROPOSED current year PRIMARY PROPERTY TAX RATE:	1.074
PROPOSED INCREASE IN PRIMARY PROPERTY TAX RATE OVER THE TNT RATE:	2.10%
PROPOSED current year PRIMARY PROPERTY TAX LEVY ON A HOME VALUED AT \$100,000:	107.38
current year PRIMARY PROPERTY TAX LEVY ON A HOME VALUED AT \$100,000 IF THE TAX LEVY WAS NOT RAISED:	105.28
Amount of Increase for \$100,000 Home	\$2.10

Truth in Taxation Hearing

Notice of Tax Increase

In compliance with section 42-17107, Arizona Revised Statutes, The Town of Florence is notifying its property taxpayers of Florence's intention to raise its primary property taxes over last year's level. Florence is proposing an increase in primary property taxes of \$62,130 or 2%.

For example, the proposed tax increase will cause Florence's primary property taxes on a \$100,000 home to increase from \$110.60 to \$117.38 or \$6.78.

This proposed increase is inclusive of increased primary property taxes received from new construction. The increase is also exclusive of any changes that may occur from property tax levies for voter approved bonded indebtedness or budget and tax overrides.

All interested citizens are invited to attend the public hearing on the tax increase that is scheduled to be held July 1, 2019, 6:00 P.M. at Florence Town Hall at 775 N. Main Street, Florence AZ.

Publish June 13, 2019, Florence Reminder

Publish June 20, 2019, Florence Reminder

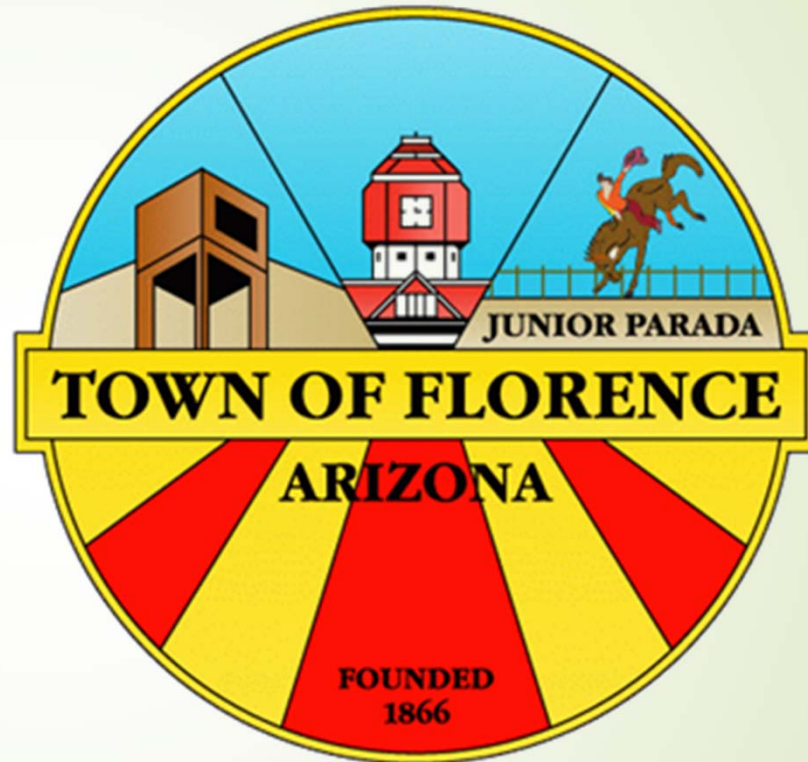
Please publish in a location other than the classified or legal advertising section of the newspaper.

Notice must be a least one-fourth page in size and shall be surrounded by a solid black border at least one-eighth inch in width.

The notice must read, "**Truth in Taxation Hearing - Notification of Tax Increase**" in at least 18 point type.

The schedule of revenue and expenses must be included.

2019/2020
Tax Levy
Adoption
Presentation



Tax Levy Adoption

- Arizona Revised Statutes §42-17107 requires that whenever there is a proposed primary property tax increase a truth in taxation hearing must be held.
- The Council held a Public Hearing on July 01, 2019.
- The recommended tax rate for FY 19/20 is \$1.0738 per \$100 of Net Assessed Valuation.
- The levy will collect \$1,166,611.
- For homeowners, the combined primary tax levy from all taxing jurisdictions may not exceed 1% assessed evaluation.

PINAL COUNTY 2018 PROPERTY TAX STATEMENT ARIZONA

PARCEL NUMBER	AREA CODE	PRIMARY TAX RATE PER \$100 ASSESSED VALUE	SECONDARY TAX RATE PER \$100 ASSESSED VALUE	SPECIAL DISTRICT \$ PER ACRE	2018 TAX SUMMARY	
211-XX-XXXXX	0151	11.8851	6.4514		PRIMARY PROPERTY TAX	1,647.39
					SECONDARY PROPERTY TAX	894.24
					SPECIAL DISTRICT TAX	0.00
					PRM/REDUCTION	(261.29)
					TOTAL TAX DUE FOR 2018	2,280.34

ASSESSMENT	VALUE IN DOLLARS	LEGAL CLASS	RATIO	EXEMPTIONS	NET ASSESSED
LIMITED	138,608	0301	.1000	0.00	13,861

SEE PAGE 2 FOR PAYMENT COUPON

SITUS ADDRESS	TAX AUTHORITY	LEVY	PURPOSE	TAX RATE	2017 TAX	2018 TAX	INCREASE / DECREASE
XXXXXXXX XXXXX XX FLORENCE AZ 85132	2000 Pinal County	PRM		3.7006	493.78	512.94	19.16
	2000 Pinal County	PRM	Schl Resr	0.1294	17.08	17.94	0.86
PROPERTY DESCRIPTION LOT XXX ANTHEM AT MERRILL RANCH PHASE XX - UNIT CAB F - SLD 154 SEC 19-04S-09E AND SEC 24-04S-08E AS RE-PLATTED IN CAB G-560	4154 Town of Florence	PRM		1.1060	149.78	153.30	3.52
	7001 Florence USD #001	SEC	"B" Bonds	1.3872	148.58	192.28	43.70
	8150 Pinal County Jr College	PRM		2.1766	294.78	301.70	6.92
	8150 Pinal County Jr College	SEC	Bonds	0.1857	40.90	25.74	-15.16
	11900 Fire Dist Assistance Tax	SEC		0.0643	8.50	8.90	0.40
	14613 Central AZ Water Conservation	SEC		0.1400	18.48	19.42	0.94
	14900 Pinal County Library	SEC		0.0965	12.74	13.38	0.64
	15625 Pinal County Flood	SEC		0.1693	22.34	23.48	1.14
	15629 Magma Flood	SEC		1.0784	71.18	149.48	78.30
	18007 Town of Florence/Anthem at Merrill Ranch CFD #2	SEC		0.3000	39.60	41.58	1.98
18007 Town of Florence/Anthem at Merrill Ranch CFD #2	SEC	Bonds	2.9800	429.04	413.06	-15.98	
30002 Cntrl AZ Vly Inst Tech(CAVIT)	SEC		0.0500	6.60	6.92	0.32	
TOTALS					2,376.20	2,541.64	165.44

BEGINNING 2015, TAX BILL DETAIL IS DISPLAYED AS GROSS TAXES BEFORE REDUCTIONS

211-XX-XXXXX THIS IS A CALENDAR YEAR TAX NOTICE	MAKE CHECKS PAYABLE TO: Pinal County Treasurer PO Box 729 Florence, AZ 85132	PAYMENT INFORMATION Nov. 01, 2018 First half 2018 taxes due, delinquent after 5:00 PM. Dec. 31, 2018 Final day to pay 2018 current full year taxes without interest. May. 01, 2019 Second half 2018 taxes due, delinquent after 5:00 PM.
THERE WILL BE A \$31.25 CHARGE FOR EACH RETURNED CHECK AND YOUR TAXES WILL REVERT TO AN UNPAID STATUS.	PLEASE INCLUDE YOUR PARCEL NUMBER ON YOUR CHECK.	

4

Percentage of Primary Property Tax



8.9%



PINAL COUNTY
WIDE OPEN OPPORTUNITY

31.6%



38.2%



**Central
Arizona
College**

17.4%

OTHER
(3.9%)



FY 19/20 Property Tax Rates

Jurisdiction	Primary Tax Rate	Secondary Tax Rate*	Total Property Tax Rate
TOWN OF FLORENCE	1.0740	0.0000	1.0740
City of Casa Grande	1.1244	0.2752	1.3996
City of Coolidge	1.8759	0.0000	1.8759
Town of Queen Creek	1.9500	0.0000	1.9500
City of Apache Junction*	0.0000	3.2500	3.2500
City of Eloy*	1.0867	2.4999	3.5866
City of Maricopa	4.7845	1.1220	5.9065

*Secondary Tax Rates include bond debts and taxes charged by fire districts for those jurisdictions that do not operate a fire department. They do NOT include tax rates charged by other entities, Boards, or other districts (e.g., Flood Control, Street Light Improvement, or Community Facilities Districts).

Primary Property Tax - Historical Rate

FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
1.1182	1.1182	1.1345	1.1060	1.0738
Example: \$100,000 home equals \$107.38				

Discussion and Questions???





TOWN OF FLORENCE COUNCIL ACTION FORM

AGENDA ITEM 12c.

MEETING DATE: July 15, 2019

DEPARTMENT: Finance

STAFF PRESENTER: Rey Sanchez, Finance Director

SUBJECT: Ordinance No. 677-19: Street Light Improvement
District Secondary Property Tax Levy for FY 2019-2020

- Action
- Information Only
- Public Hearing
- Resolution
- Ordinance
 - Regulatory
 - 1st Reading
 - 2nd Reading
- Other

STRATEGIC PLAN REFERENCE:

- Community Vitality
- Economic Prosperity
- Leadership and Governance
- Partnership and Relationships
- Transportation and Infrastructure
- Statutory
- None

RECOMMENDED MOTION/ACTION:

Adoption of Ordinance No. 677-19: 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 STREET LIGHT IMPROVEMENT DISTRICTS FOR THE FISCAL YEAR ENDING THE 30th DAY OF JUNE 2020.

BACKGROUND/DISCUSSION:

The Town of Florence levies a secondary property tax for the three Street Light Improvements Districts located in the Merrill Ranch Development.

A secondary tax rate has not been levied in the Districts since 2012. Ample funds were collected to pay for the electrical costs in each of the Street Light Districts. The Town will not need to levy in Street Light Improvement District 1 nor 2, however, Street Light Improvement District No. 3 has diminished its funds and we must levy a secondary tax to provide continued service for the District.

The proposed rate for Street Light Improvement District Number 3 is \$.1207 per \$100 of Net Assessed Valuation. This will result in a charge of \$12.07 on a \$100,000 home.

A VOTE OF NO WOULD MEAN:

The Street Light Improvement District would deplete all of their funds to provide streetlight services.

A VOTE OF YES WOULD MEAN:

Adoption of Ordinance No. 677-19.

FINANCIAL IMPACT:

The proposed property tax levy for the 2019-2020 Fiscal Year will generate \$22,000.

The levy is the only funding source for Street Light District revenue base and is essential to funding all the services within the District that are necessary to maintain streetlight service.

ATTACHMENTS:

Ordinance No. 677-19
Analysis
Public Hearing Notice
Power Point Presentation

ORDINANCE NO. 677-19

AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, LEVYING THE ASSESSED VALUATION OF THE PROPERTY WITHIN THE STREET LIGHT IMPROVEMENT DISTRICTS (1, 2, & 3) SUBJECT TO TAXATION OF CERTAIN SUM UPON EACH \$100 OF VALUATION SUFFICIENT TO RAISE THE AMOUNT ESTIMATED TO BE RECEIVED FROM FUNDS FOR STREET LIGHT OPERATIONS FOR THE FISCAL YEAR ENDING THE 30TH DAY OF JUNE 2020.

WHEREAS, pursuant to A.R.S. § 42-17151, the ordinance levying a primary property tax rate for the Fiscal Year 2019-2020 is required to be adopted no later than the third Monday in August; and

WHEREAS, the County of Pinal, is now the assessing and collecting authority for the Town of Florence. The Town Clerk is hereby directed to transmit a certified copy of the ordinance to the Assessor and Board of Supervisors of Pinal County, Arizona.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Florence, Arizona, as follows:

Section 1: There is hereby levied on each one hundred dollars (\$100.00) of the assessed value of all property, both real and personal, within the corporate limits of the Anthem at Merrill Ranch Street Lighting District No.1, Town of Florence, except such property as may by law be exempt from taxation, a secondary property tax rate of **\$0.00** per \$100 of NAV for the purpose of providing operations and maintenance for the Anthem at Merrill Ranch Street Light Improvement District No. 1 for the fiscal year ending on the 30th day of June 2020, but if the said sum exceeds the maximum levy allowed by law, the Board of Supervisors of Pinal County, is hereby authorized to reduce the said sum to the maximum which is allowed by law.

Section 2: There is hereby levied on each one hundred dollars (\$100.00) of the assessed value of all property, both real and personal, within the corporate limits of the Anthem at Merrill Ranch Street Lighting District No. 2, Town of Florence, except such property as may by law be exempt from taxation, a secondary property tax rate of **\$0.00** per \$100 of NAV for the purpose of providing operations and maintenance for the Street Light Improvement District No. 2 for the fiscal year ending on the 30th day of June 2020, but if the said sum exceeds the maximum levy allowed by law, the Board of Supervisors of Pinal County, is hereby authorized to reduce the said sum to the maximum which is allowed by law.

Section 3: There is hereby levied on each one hundred dollars (\$100.00) of the assessed value of all property, both real and personal, within the corporate limits of the Anthem at Merrill Ranch Street Lighting District No. 3, Town of Florence, except such property as may by law be exempt from taxation, a secondary

property tax rate of **\$.1207** per \$100 of NAV OR **\$22,000**, for the purpose of providing operations and maintenance for the Street Light Improvement District No. 3 for the fiscal year ending on the 30th day of June 2020, but if the said sum exceeds the maximum levy allowed by law, the Board of Supervisors of Pinal County, is hereby authorized to reduce the said sum to the maximum which is allowed by law.

Section 4: No failure by the officials of Pinal County, Arizona, to properly return the delinquent list and no irregularity in the assessment or commission in the same, or irregularity of any kind in any proceeding will invalidate such proceeding or invalidate any title conveyed by tax deed; nor will any failure or neglect of any officer or officers to perform any of the duties assigned to him or to them on the day within the time specified work an invalidation of any proceedings or of any such deed or sale or affect the validity of the assessment of a levy of taxes or of the judgment of sale by which the collection of the same may be enforced or in any manner affect the lien of the Town upon such property for the delinquent unpaid taxes; thereon, and no overcharge as to part of the taxes or of costs will invalidate any of the proceeding upon the lien, therefore, or a sale of the property under such foreclosure; and all acts of officers de facto will be valid as if performed by officer de jure.

Section 5: All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

PASSED AND ADOPTED by the Mayor and Council of the Town of Florence, Arizona, the 15th day of July 2019.

Tara Walter, Mayor

ATTEST:

APPROVED AS TO FORM:

Lisa Garcia, Town Clerk

Clifford L. Mattice, Town Attorney

Streetlight Improvement District No. 3

Prior Year's Secondary property tax levy:(Last year's secondary property tax levy)	\$0
Current Year Estimate of net assessed valuation:(Current year net assessed values) - C4	\$18,221,593
	\$0
Current year Net Assessed (Current year net assessed value subject to taxation in prior year)	\$18,221,593
MAXIMUM TAX RATE THAT CAN BE IMPOSED WITHOUT A TRUTH IN TAXATION HEARING: NOT APPLICABLE	\$ -
GROWTH IN PROPERTY TAX LEVY CAPACITY ASSOCIATED WITH NEW CONSTRUCTION: NOT APPLICABLE	\$0
MAXIMUM SECONDARY PROPERTY TAX LEVY FOR current year WITHOUT A TRUTH IN TAXATION HEARING:	\$0
Proposed current year secondary property tax levy:	\$22,000
PROPOSED current year INCREASE IN SECONDARY PROPERTY TAX	\$ 22,000
PROPOSED current year SECONDARY PROPERTY TAX RATE:	0.1207

Town of Florence Notice of Public Hearing

The Town of Florence will hold a public hearing to discuss Ordinance No. 677-19, an Ordinance of the Town of Florence, Arizona, adopting a secondary property tax for the Fiscal Year 2019-2020 for Anthem at Merrill Ranch Street Light Improvement District #1, Anthem at Merrill Ranch Street Light Improvement District #2 and Anthem at Merrill Ranch Street Light Improvement District #3.

The proposed rates are as follows:

Streetlight Improvement District No. 1	\$0.00 per \$100 of Net Assessed Valuation
Streetlight Improvement District No. 2	\$0.00 per \$100 of Net Assessed Valuation
Streetlight Improvement District No. 3	\$0.1207 per \$100 of Net Assessed Valuation

The Public Hearing will be held on and July 1, 2019, during the Council Meeting beginning at 6:00 P.M. The hearings will take place in the Council Chamber at Town Hall, 775 N. Main Street.

***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 ACCOMODATION. ***

Legal Ad (Surrounded by border)

1/8 page

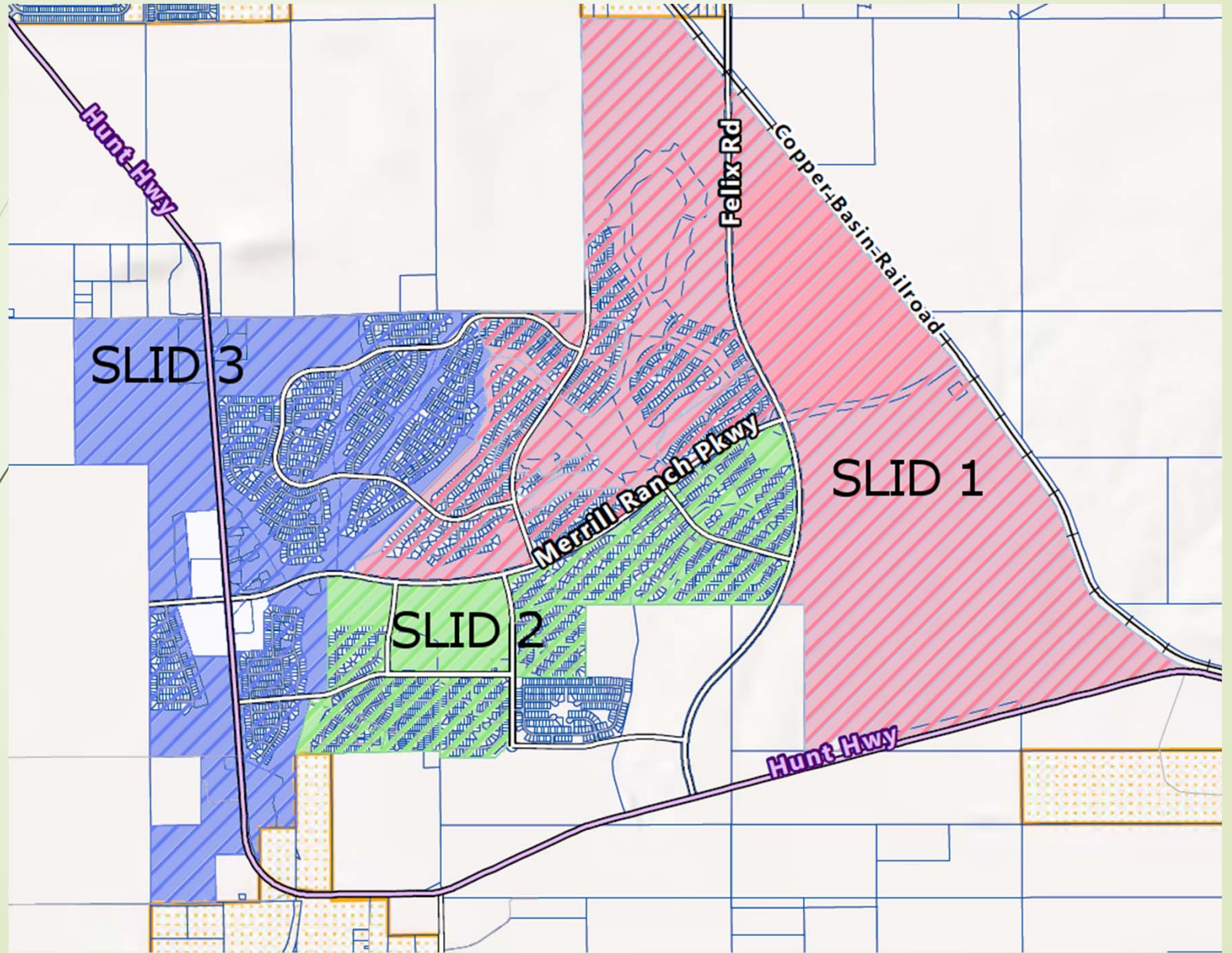
No. of publications 2; Dates of publication:

June 13, 2019, Florence Reminder

June 20, 2019. Florence Reminder

2019/2020
SLID Tax Levy
Adoption
Presentation





SLID Tax Levy Adoption

- Arizona Revised Statutes §48-616 requires that the governing body make annual statements and estimates of expenses of the District that shall be provided for by the levy and collection of ad valorem taxes on the assessed value of all the property real and personal in the District.
- The Town advertised the levy increase in the newspaper and Town website.
- Council held a Public Hearing on July 01, 2019.

SLID History

- ▶ SLID Creation Dates
 - ▶ SLID 1 created by Resolution No. 965-05 on 10/24/05
 - ▶ SLID 2 created by Resolution No. 985-06 on 02/06/06
 - ▶ SLID 3 created by Resolution No. 1053-07 on 04/16/07
- ▶ SLID 1 and 2 have levied enough taxes between the creation years and 2012 to pay 2019/2020 electrical cost and maintenance fees. For these Districts, a levy has not been assessed since 2012.
- ▶ SLID 3 has not required a levy since 2012, but there are not enough funds to cover the projected expenses for 2019/2020.

PINAL COUNTY 2011 PROPERTY TAX STATEMENT ARIZONA

PARCEL NUMBER	AREA CODE	PRIMARY TAX RATE PER \$100 ASSESSED VALUE	SECONDARY TAX RATE PER \$100 ASSESSED VALUE	SPECIAL DISTRICT \$ PER ACRE	2011 TAX SUMMARY	
211-XX-XXXXX	0131	10.2210	9.6322		PRIMARY PROPERTY TAX	1,718.85
					SECONDARY PROPERTY TAX	1,619.80
					SPECIAL DISTRICT TAX	0.00
					PRM/REDUCTION	(211.69)
					TOTAL TAX DUE *	0.00

ASSESSMENT	VALUE IN DOLLARS	LEGAL CLASS	RATIO	EXEMPTIONS	NET ASSESSED
LIMITED	168,169	03	.1000	0.00	16,817

* INCLUDES INTEREST & FEES ON 2011 DELINQUENT TAX

SITUS ADDRESS	TAX AUTHORITY	LEVY	PURPOSE	TAX RATE	2010 TAX	2011 TAX	INCREASE / DECREASE
XXXX XXXXXXXX FLORENCE AZ 85132	2000 Pinal County	PRM		3.8582	660.20	648.82	-11.38
	2000 Pinal County	PRM	AZ Cst Sh	0.2784	51.38	0.00	-51.38
PROPERTY DESCRIPTION LOT XX ANTHEM AT MERRILL RANCH UNIT X CAB G - SLD 044 SEC 19 4S-9E	2000 Pinal County	PRM	Schl Resr	0.1417	26.56	23.84	-2.72
	2010 School Equalization	PRM		0.4259	65.78	71.62	5.84
	4154 Town of Florence	PRM		1.0413	173.90	175.12	1.22
	7001 Florence USD #001	PRM		3.1469	304.50	317.52	13.02
	7001 Florence USD #001	PRM	Adj Ways	0.0011	0.20	0.00	-0.20
REDUCTION RATE 1.2588	7001 Florence USD #001	SEC	"B" Bonds	1.4471	251.96	243.36	-8.60
	7001 Florence USD #001	SEC	Override	2.7087	370.06	455.52	85.46
Michael P. McCord Pinal County Treasurer PO Box 729 Florence, AZ 85132	8150 Pinal County Jr College	PRM		1.6070	271.28	270.24	-1.04
	8150 Pinal County Jr College	SEC	Bonds	0.2459	21.30	41.36	20.06
	13718 Town of Florence/Anthem at Merrill Ranch SLID #2	SEC		1.2000	221.46	201.80	-19.66
	14900 Pinal County Library	SEC		0.0970	17.90	16.30	-1.60
	15625 Pinal County Flood	SEC		0.1700	31.38	28.58	-2.80
	18006 Town of Florence/Anthem at Merrill Ranch CFD #1	SEC		0.3000	655.12	50.44	-604.68
	18006 Town of Florence/Anthem at Merrill Ranch CFD #1	SEC	Bonds	3.2500	0.00	546.54	546.54
	30002 Cntrl AZ Vly Inst Tech(CAVIT)	SEC		0.0500	9.24	8.40	-0.84
	TOTALS				3,160.70	3,126.96	-33.74

BEGINNING 2015, TAX BILL DETAIL IS DISPLAYED AS GROSS TAXES BEFORE REDUCTIONS

211-XX-XXXXX THIS IS A CALENDAR YEAR TAX NOTICE

MAKE CHECKS PAYABLE TO:
Pinal County Treasurer
PO Box 729
Florence, AZ 85132

PAYMENT INFORMATION

- Nov. 01, 2011 First half 2011 taxes due, delinquent after 5:00 PM.
- Dec. 31, 2011 Final day to pay 2011 current full year taxes without interest.
- May. 01, 2012 Second half 2011 taxes due, delinquent after 5:00 PM.

THERE WILL BE A \$31.25 CHARGE FOR EACH RETURNED CHECK AND YOUR TAXES WILL REVERT TO AN UNPAID STATUS.

PLEASE INCLUDE YOUR PARCEL NUMBER ON YOUR CHECK.

SLID 3 Tax Levy

- SLID 3 is the only District seeking a levy increase.
- SLID 3 recommended tax rate for FY19/20 is \$.1207 per \$100 of Net Assessed Valuation.
 - A \$100,000 home would pay \$12.07.
- The levy will collect \$22,000.


Discussion and Questions???



SLID Tax Levy Adoption

- Electrical cost comparison between SLIDS & NON SLIDS

TOWN OF FLORENCE AZ-STREET LIGHTS AS OF JUNE 30, 2019	
SLID #1	30,037.14
SLID # 2	29,734.35
SLID # 3	28,069.71
TOTAL SLIDS	87,841.20
NON SLID-FLORENCE & Maintenance/operations	68,796.52
NON SLID-DUSK TO DAWN	3,110.75
NON SLID-BIA	4,564.48
NON SLID-ELECTRICAL DISTRICT#2	3,777.03
TOTAL NON SLIDS	80,248.78

	TOWN OF FLORENCE COUNCIL ACTION FORM	<u>AGENDA ITEM</u> 13a.
MEETING DATE: July 15, 2019 DEPARTMENT: Community Development STAFF PRESENTER: Larry Harmer Community Development Director SUBJECT: Resolution No. 1711-19: Infill Incentive: 155 W. 11 th St. and 110 N. Willow St. (PZID-19-01)		<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 type="checkbox"/> Economic Prosperity <input type="checkbox"/> Leadership and Governance <input type="checkbox"/> Partnerships and Relationships <input type="checkbox"/> Transportation and Infrastructure <input type="checkbox"/> Statutory <input type="checkbox"/> None		

RECOMMENDED MOTION/ACTION:

Resolution No. 1711-19: Discussion/Approval/Disapproval of A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING A TOWN CORE INCENTIVE DISTRICT PLAN REQUEST FOR PINAL COUNTY APN 200-44-0690 AND APN 200-44-0700 (CASE PZID-19-01).

BACKGROUND/DISCUSSION:

Owners:

Leslie Darling
APN 200-44-0690
155 West 11th Street

SCT Investment Properties Hobson, LLC
APN 200-44-0700
110 North Willow Street

The Town has many tools to facilitate redevelopment and encourage new development within the core area of Town where smaller lots, older structures and various nonconforming situations can present challenges. These tools help to merge the need to preserve the past while understanding the necessity of moving forward and adapting to ongoing market changes. These tools include, but are not limited to, the: Downtown Redevelopment Plan; Town Core Infill Incentive Plan; and Adaptive Reuse Program.

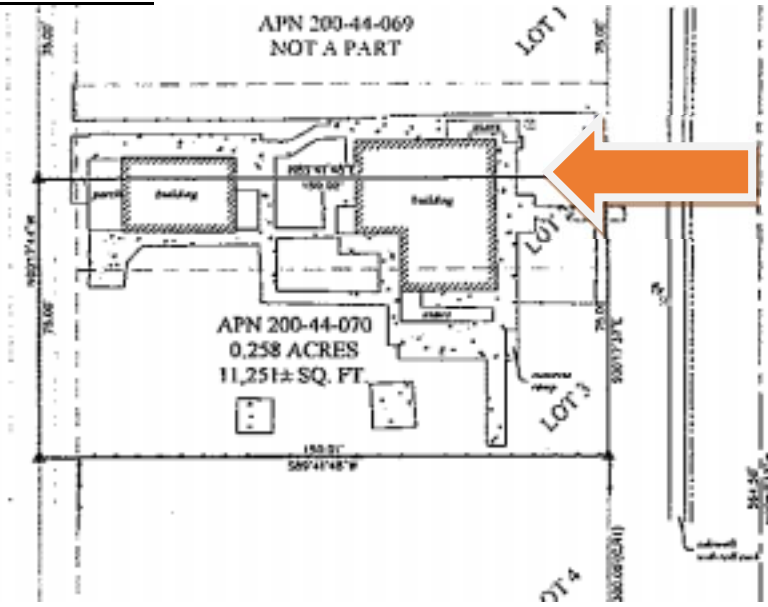
When an existing situation was recently brought-to-light on a downtown property within the Historic District, staff recognized the need to use Town resources to facilitate useful improvements to the site, and to remedy existing private improvements and other site nonconformities.

While attempting to market the historic property located at 110 North Willow, it was discovered that the existing structure encroaches approximately 11 feet into the subject property located at 55 West 11th Street. Currently, both properties have a lot width of 75 feet facing Willow Street. The request is to allow the adjustment of their common lot line in a manner that places 110 North Willow Street entirely on its own individual lot. The owner of 55 East 11th Street has agreed to sell enough of their property to accomplish this. The resulting adjustments would be as follows:

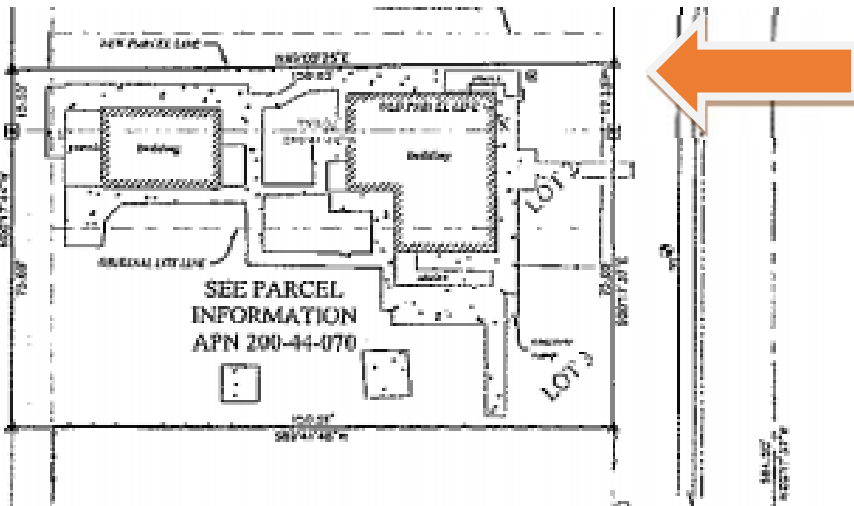
- 55 West 11th Street
 - Reduction of lot width from 75' to 57.67'
 - Reduction of required front yard setback from 20' to 5' (this is the existing condition)
- 110 North Willow Street
 - Reduction of the required side yard setback from 12' to 6' (currently sits approximately 11' on 55 North 11th Street property)



Existing Condition



Existing Condition



Proposed Solution

Recommendation:

The Planning and Zoning Commission recommends approval to case PZID-19-01 with the condition that the property 110 N. Willow be void of trash, garbage, weeds, etc. and brought into compliance with the Town's property maintenance requirements before presented to Town Council.

A VOTE OF NO WOULD MEAN:

The Town Core Infill Incentive District would not be applied to 155 West 11th Street and 110 North Willow Street.

A VOTE OF YES WOULD MEAN:

The Town Core Infill Incentive District would be applied to 155 West 11th Street and 110 North Willow Street.

FINANCIAL IMPACT:

None

ATTACHMENTS:

Resolution No. 1711-19
Exhibit A and B
Application and Surveys

When Recorded Return to:

Town Clerk, Town of Florence
PO Box 2670
775 North Main Street
Florence, AZ 85132

RESOLUTION NO. 1711-19

A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING A TOWN CORE INCENTIVE DISTRICT PLAN REQUEST FOR PINAL COUNTY APN 200-44-0690 AND APN 200-44-0700 (CASE PZID-19-01).

WHEREAS, a request has been made to use the Town Core Infill Incentive Plan to approve certain deviations from Town Codes for Pinal County APN 200-44-0690 and APN 200-44-0700, with each parcel containing existing structures located at 155 West 11th Street and 110 North Willow Street, Florence, AZ described in Exhibit "A" (the "Property"); and

WHEREAS, this incentive request for the Property accompanies the adjustment of a shared property line; and

WHEREAS, approval of this request allows for a mutual lot-line adjustment and deems resulting nonconformities related to front and side yard setbacks to be conforming; and

WHEREAS, approval of this request allows for the sale of real property of the historic structure located at 110 North Willow Street; and

WHEREAS, the Planning and Zoning Commission of the Town of Florence reviewed this case and sent a unanimous favorable recommendation to the Town Council on this request; and

WHEREAS, the Town Council having found the request to be in proper form, the request to add to the quality of life and the overall social, economic, and general well-being of the community, the request creates an environment that encourages investment within the district; and

WHEREAS, said proposal has been considered by the Council and the request has been found to: be consistent with the intent of the Town Core Infill Incentive Plan; be supported by findings and the favorable recommendation of the Planning and

Zoning Commission; and be favorable to the general welfare, health and safety of the public. Thus, a determination has been made that this Town Core Incentive District Plan request (PZID-19-01) should be granted to the subject property, owners, and successors.

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

Section 1. Approval. The Mayor and Council of the Town of Florence hereby approve this resolution for the Property described in **Exhibits “A” and “B”** attached hereto and incorporated herein. The following limited deviations from the development standards on the Property located at 155 West 11th Street, Florence, AZ (Pinal County Assessor Parcel Number 200-44-0690) and 110 North Willow Street, Florence, AZ (Pinal County Assessor Number 200-44-0700) are approved:

A. 55 West 11th Street

- Reduction of lot width from 75' to 57.67'
- Reduction of required front yard setback from 20' to 5'

B. 110 North Willow Street

- Reduction of the required north side yard setback from 12' to 6'

Section 2. Findings. The Mayor and Town Council find that:

- a) The Town Core Infill Incentive Plan was lawfully adopted, and the District created under the rules and guidelines established by the State of Arizona;
- b) The Town Core Infill Incentive Plan seeks to remedy situations within the Infill Incentive District pertaining to undeveloped lots, vacant structures, obsolete/inappropriate parcel configurations, and relatively lower investment activity;
- c) The Property is within the Infill Incentive District and the conditions and circumstances applicable to this Property support the request; and
- d) The request supports the Town of Florence 2020 General Plan Housing Element Objectives to: promote proper maintenance of both private and public properties and educate and assist property owners whose properties do not meet existing standards and encourage the redevelopment and/or substantial revitalization of existing residential areas.

Section 3. Effective Date. This Resolution shall take effect when it is recorded in the office of the Pinal County Recorder.

PASSED AND ADOPTED by the Mayor and Council of the Town of Florence, Arizona, this 15th day of July 2019.

Tara Walter, Mayor

ATTEST:

APPROVED AS TO FORM:

Lisa Garcia, Town Clerk

Clifford L. Mattice, Town Attorney

RECORD OF SURVEY

THE SOUTHERN HALF OF LOT 2 AND ALL OF LOT 3, BLOCK 4 OF WESTERN ADDITION OF THE TOWN OF FLORENCE (MAY, BOOK 16 OF MAPS, PAGE 541)
LOCATED WITHIN SECTION 35, TOWNSHIP 4 SOUTH, RANGE 9 EAST OF THE OMA AND SALT RIVER BASE AND MERIDIAN, FRESNO COUNTY, ARIZONA

STATE OF ARIZONA }
COUNTY OF FRESNO }
I, the undersigned, being a duly qualified and licensed Surveyor of this County in the State of Arizona, do hereby certify that the within instrument is a true and correct copy of the original records of this County as the same are on file in my office.
Witness my hand and official seal, this 15th day of August, 2018.

Surveyor



- LEGEND**
- Found monument on record
 - △ Set 1/2" value with log 15.4733 or actual distance
 - Calculated point (see note)
 - Contour line
 - Original Lot Area per "PL"
 - Fence line
 - Block wall line
 - Edge of pavement
 - Edge of driveway
 - Fire hydrant
 - Storm manhole
 - Concrete curb
 - Found County Boundary
 - Calculated distance
 - Reference document distance
- RESEARCH INVESTIGATION**
- P.C.R., Book 26 of Maps, Page 541, 81
 - P.C.R., Book 2 of Surveys, Page 128, 82
 - P.C.R., Book 2 of Surveys, Page 132, 83
- PARCEL INFORMATION**
- APN 200-44-070
0.258 Acres
11,251 ± SQ. FT.



SURVEYOR'S NOTES

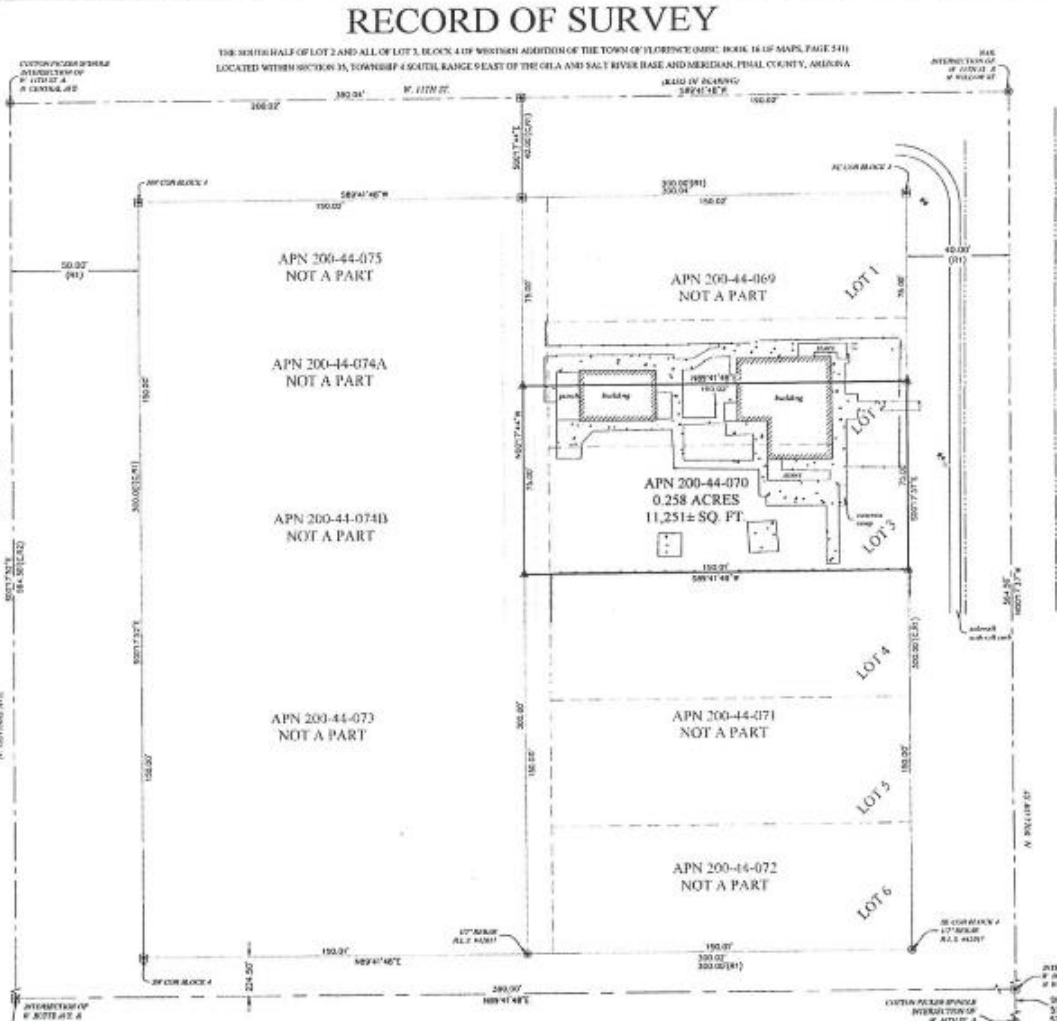
- This survey was done without the benefit of a title report.
- The "Change of Record" information is from the Public County Assessor's website. This may be out of date.
- Found monument to be affected due to the conditions of the adjacent survey as the monument was not accepted for record with a proper block survey.

OWNER OF RECORD

JCT Investment Properties (Holdco), LLC
P.O. Box 6026
Fresno, AZ 85304

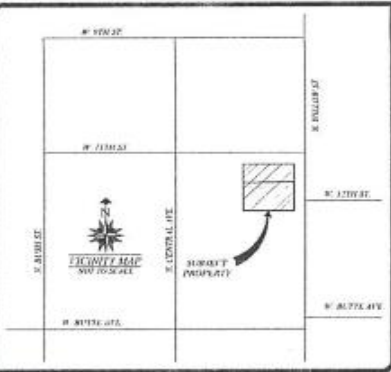
SURVEY CERTIFICATE

THIS IS TO CERTIFY THAT THE SURVEY DESCRIBED HEREON OF THE PROPERTY DESCRIBED AND PLATTED HEREON WERE MADE UNDER MY IMMEDIATE SUPERVISION AND THAT THE SURVEY WAS MADE IN ACCORDANCE WITH THE PROVISIONS OF THE SURVEYING ACT AND THAT THE SURVEY WAS MADE IN ACCORDANCE WITH THE PROVISIONS OF THE SURVEYING ACT AND THAT THE SURVEY WAS MADE IN ACCORDANCE WITH THE PROVISIONS OF THE SURVEYING ACT.



RECORD OF SURVEY LOT LINE ADJUSTMENT

LOTS 1-6, BLOCK 4 OF WESTERN ALLEYS OF THE THIRTIETH BLOCKS & 1966C BLOCK IN MAP 2002-541 LOCATED WITHIN SECTION 15, TOWNSHIP 4 SOUTH, RANGE 9 EAST OF THE GILA AND SALTI RIVER BASIN AND MERRIMAN, PINAL COUNTY, ARIZONA
 BEARS OF BEARING 298°41'48"W



RESEARCH INFORMATION	PARCEL INFORMATION
P.C.B., Book 10 of Maps, Page 111 "Maricopa Map"	APN 200-44-074 APN 200-44-075 APN 200-44-076 APN 200-44-077 APN 200-44-078 APN 200-44-079
P.C.B., Book 1 of Surveys, Page 121	APN 200-44-074A APN 200-44-074B APN 200-44-074C APN 200-44-074D APN 200-44-074E APN 200-44-074F APN 200-44-074G APN 200-44-074H APN 200-44-074I APN 200-44-074J APN 200-44-074K APN 200-44-074L APN 200-44-074M APN 200-44-074N APN 200-44-074O APN 200-44-074P APN 200-44-074Q APN 200-44-074R APN 200-44-074S APN 200-44-074T APN 200-44-074U APN 200-44-074V APN 200-44-074W APN 200-44-074X APN 200-44-074Y APN 200-44-074Z

- SURVEYOR'S NOTES**
- This survey was done without the benefit of a title report. Therefore, client may have other encumbrances of record not shown on this survey.
 - The "Owner of Record" information is from the Pinal County Assessor's website. This may not be current.
 - Final field notes shall be filed with the county recorder. Multiple surveys in other areas within the same project may require field notes.

OWNER OF RECORD

APN 200-44-074
 3075 Westgate, Phoenix, AZ 85029
 P.O. Box 2488
 Phoenix, AZ 85004

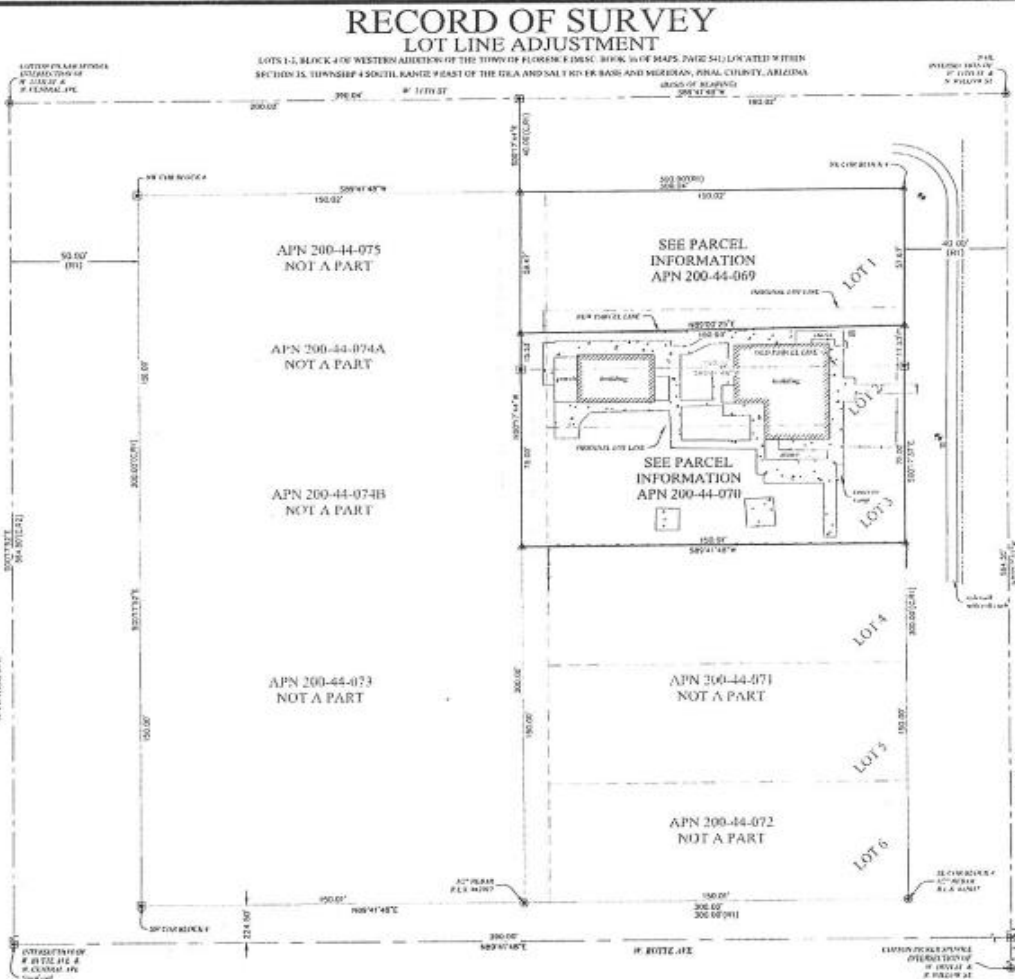
APN 200-44-075
 3075 Westgate, LLC
 3075 Westgate, LLC
 P.O. Box 2488
 Phoenix, AZ 85004

APN 200-44-076
 3075 Westgate, LLC
 3075 Westgate, LLC
 P.O. Box 2488
 Phoenix, AZ 85004



SURVEY CERTIFICATE

I, the undersigned, being a duly licensed and sworn Surveyor of the State of Arizona, do hereby certify that the foregoing is a true and correct copy of the original field notes and plat of the above described survey, and that the same were made and filed in accordance with the laws of the State of Arizona.



- LEGEND**
- ⊙ - Final monument as noted
 - ⊙ - Not to be used with any other monuments
 - ⊙ - Location of point, not set
 - - Construction
 - - Original lot line per '07'
 - - Old parcel line
 - - Fence line
 - - Block wall line
 - - Edge of pavement
 - - Edge of driveway
 - - Fire hydrant
 - - Electric meter
 - - Access way
 - - Final owner boundary
 - - Lot line of interest
 - (N) - Natural boundary or feature

PARCEL COMPARISON

APN 200-44-069	ORIGINAL
APN 200-44-070	ORIGINAL
APN 200-44-071	ORIGINAL
APN 200-44-072	ORIGINAL
APN 200-44-073	ORIGINAL
APN 200-44-074	ORIGINAL

Scale: 1" = 20'

UTAH SURVEYING
 TERRY R. COOK, S.
 PHOENIX, AZ 85018
 602.955.1111
 www.utsurveying.com

DORRIS TORRES

LOT LINE ADJUSTMENT

Date: January 2025	Survey: Final	Block: 4
Traverse: 2025-111	Lot: 1-6	Page: 1 of 1
Drawn: E.L.	Checked: D.T.	

Exhibit B

Belva's Real Estate

*150 N. Main St. - P.O. Box 1188 - Florence, AZ 85132
(520) 868-3520*

May 13, 2019

Town of Florence
Larry Harmer
Community Development Services
224 W. 20th Street
Florence, AZ 85132

Re: Darling 11th, LLC – Leslie Darling
155 W. 11th Street, 200-44-069

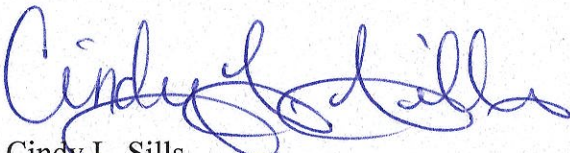
Mr. Harmer:

On behalf of the above-referenced property owner, I would like to request utilization of the Town Core Infill Incentive Plan. The current zoning is Neighborhood Multi-Family (R-2) requiring a minimum lot width of 75' and setbacks of 20' front, 10' rear, 12' interior side and 15' street side.

This request is to reduce the required Zoning Code lot width from 75' to 57.67' as well as reduce any setbacks that will not meet the Zoning Code for the above-referenced property. I have attached the proposed survey correcting the property line marked Exhibit 2.

This request is being made to rectify a property line issue with the contiguous property to the South, 110 S. Willow Street, 200-44-070. The current property line runs through the existing structures of the contiguous property rendering the property unusable/unsalable by the current owner as shown on the current survey marked Exhibit 1.

Should you need further information, please let me know.


Cindy L. Sills
Broker

OWNER'S PERMISSION FORM

This sheet must be completed if the applicant for a Variance, is not the owner of the property.

I/we, the Undersigned, do hereby grant permission to: Cindy L. Sills, Belva's Real Estate LLC.

to act on my/our behalf for the purpose of obtaining a Variance on the following described property:

155 W. 14th St, Florence, AZ

Owner(s)

Signature

[Handwritten Signature]

Leslie Darling
Print or Type Name

Address

5451 E. Billings St.
Mesa, AZ 85205

Telephone

520 414-7263

STATE OF ARIZONA)
County of Maricopa) ss

On this 26th day of April, 2019, before me, the undersigned Notary Public, personally appeared Leslie Darling, known to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged that Leslie Darling executed the same.

IN WITNESS WHEREOF, I hereto set my hand and official seal.

My commission expires:

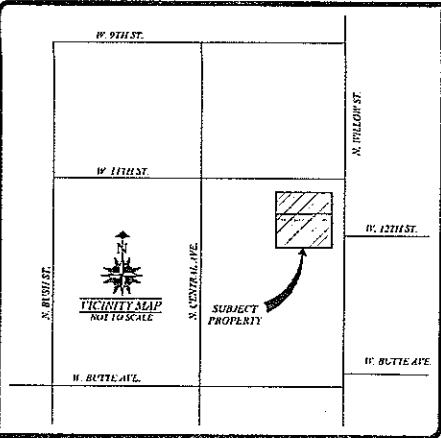
06/27/2020

[Handwritten Signature]
Notary Public



RECORD OF SURVEY LOT LINE ADJUSTMENT

LOTS 1-3, BLOCK 4 OF WESTERN ADDITION OF THE TOWN OF FLORENCE (MISC. BOOK 16 OF MAPS, PAGE 541) LOCATED WITHIN SECTION 35, TOWNSHIP 4 SOUTH, RANGE 9 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, PINAL COUNTY, ARIZONA
(MAGNETIC BEARING) 200145.7°



RESEARCH INFORMATION

P.C.R., Book 16 of Maps, Page 541 R1
"Main Historic Map"

P.C.R., Book 1 of Surveys, Page 127 R2

P.C.R., Book 1 of Surveys, Page 132 R3

P.C.R., "Curves North" File No: 2013-002633
(APN 200-44-069)

P.C.R., "Unit Clause Error" File No: 2008-040700
(APN 200-44-070)

PARCEL INFORMATION

ADJUSTED AREA
APN 200-44-070
0.213 Acres
18,716 Sq. Ft.

ADJUSTED AREA
APN 200-44-070
0.202 Acres
17,766 Sq. Ft.

SURVEYOR'S NOTES

- This survey was done without the benefit of a title report. Therefore, there may exist other encumbrances of record not shown on this survey.
- The "Owner of Record" information is from the Pinal County Assessor's website; this may be out of date.
- Found well to be believed to be disturbed due to its condition as found. Multiple surveys on this area also do not accept this monument as a major block survey.

OWNER OF RECORD

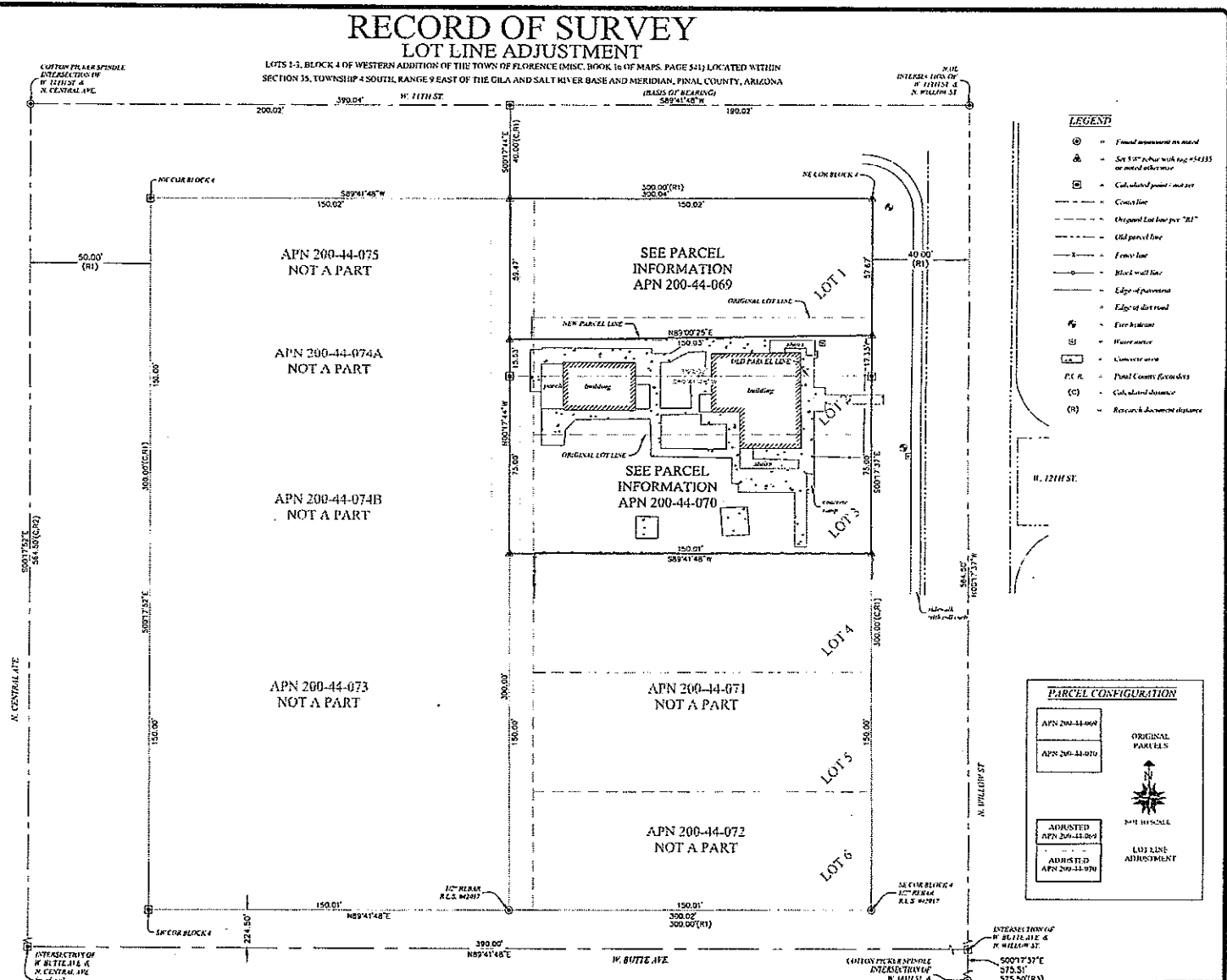
APN 200-44-070
SCT Investments Properties Hubsum, LLC
P.O. Box 40816
Phoenix, AZ 85064

APN 200-44-049
Inching 110, LLC
5431 E. 61st St.
Scottsdale, AZ 85251



SURVEY CERTIFICATE

THIS IS TO CERTIFY THAT THE SURVEY, AND ON SUBSTITUTION OF THE PREMISES WHEN RENEWED AND PLATTED HEREON WERE MADE UNDER MY DIRECTION DURING THE MONTH OF JANUARY, 2019, THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN, THAT MONUMENTS SHOWN, ACTUALLY EXIST OR WILL BE SET AS SHOWN, THAT THEIR POSITIONS ARE CORRECTLY SHOWN, AND THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRIEVED.



DORRIS TORRES

LOT LINE ADJUSTMENT

DORRIS TORRES
2440 N. GARDEN
FLORENCE, AZ 85131
(602) 221-1344
D.TORRES@DORRIS.COM



Date: January 2019	County: Pinal	Town: Florence
Scale: 1" = 20'	Case: 2019-001	Project: 19428
Drawn: D.T.	Reviewed: J.D.	Page: 1 of 1

Exhibit 2