

**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 20<sup>th</sup> 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 2<sup>nd</sup> 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 1<sup>st</sup> Street, to allow them to install conduit for future fiber.

Mr. Billingsley stated that the 1<sup>st</sup> 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 Deputy Town Clerk

I certify that the following is a true and correct copy of the minutes of the Florence Town Council meeting held on June 3, 2019, and that the meeting was duly called to order and that a quorum was present.

  
Lisa Garcia, Town Clerk Deputy Town Clerk