

MINUTES OF THE TOWN OF FLORENCE COUNCIL SPECIAL MEETING HELD ON MONDAY, OCTOBER 21, 2019, AT 5:00 P.M., IN THE FLORENCE TOWN COUNCIL CHAMBERS, LOCATED AT 775 N. MAIN STREET, FLORENCE, ARIZONA.

CALL TO ORDER

Vice-Mayor Anderson called the meeting to order at 5:00 p.m.

ROLL CALL:

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

**Mayor Walter arrived at 5:44 pm.

***Councilmember Larsen arrived at 6:42 p.m.

WORK SESSION

Discussion on the North-South Corridor.

Mr. Brent Billingsley, Town Manager, explained that the North-South Corridor process began in 2010 to evaluate alternatives for regional non-south connectivity through central Pinal County. The high capacity route would be in the vicinity of Picacho and Eloy to US 60 and the vicinity of Queen Creek and Apache Junction. This would entail a route going through a lot of unincorporated Pinal County and municipalities such as Florence, Eloy, Coolidge, Queen Creek and Apache Junction.

Mr. Billingsley explained that an Environmental Impact Statement (EIS) is a decision document under the National Policy Act. An environmental study must be completed in order for the federal government to utilize funds or permitting and to determine if there are significant impacts to individual resources. If significant impacts are determined to likely occur, it must be determined how those impacts will be mitigated. As part of this process, there is a federal sponsoring agency (Federal Highway Administration for this project), a local management agency (Arizona Department of Transportation for this project) and cooperating agencies that will go through the study and analyze the various resources and the impacts on those resources. Neither Pinal County nor any of the other communities in Pinal County were utilized as cooperating agencies in the study.

Mr. Billingsley stated that this study used the tiered EIS process, which is a phased approach. The first phase is a generalized outlook and identification of a corridor. The second phase is a more refined analysis in terms of defining the Records of Decision (ROD). The ROD is the final decision on the federal government, in terms of how a project will be funded, permitted and the final mitigation measures for all of the different resources that are evaluated. This is an overall look at the corridor. Because there is no available funding, the intent of the federal government will evaluate each individual piece of the project independently and the ROD will be made, phase by phase, in terms of implementation.

Mr. Billingsley stated that the EIS was released on September 6, 2019 and has been available online and in hard copy at several locations throughout Pinal County. Comments are due by October 29, 2019. There have been several public meetings throughout Pinal County. Four Councilmembers, along with several other people attended the October 1, 2019 meeting held in Florence and have provided comments.

Mr. Billingsley stated that the Town received the document and did a technical review. He stated that it is a regimented process which is governed by law. The process begins with a Purpose in Need Statement, which is developed by the project team and ratified by the cooperating agencies and then the sponsoring agency. The Purpose in Need Statement for this project was established in 2010.

Mr. Billingsley stated that there are multiple alternatives to be considered as part of the evaluation process and have evolved over time. Initially, there were seven alternatives and has been dwindled down to an east alternative and west alternative. It was further dwindled down to just segments of the east alternative. He stated that 24 months ago, ADOT elected to add back in a western alternative.

Mr. Billingsley stated that the local government entities involved did a series of resolutions and ratifications as to what those entities preferred in terms of the alignment.

Mr. Billingsley stated that Florence sat down with the development community to help define a corridor for the potential North-South Corridor that could result in right-of-way dedications or right-of-way purchases. Furthermore, the Town Council has approved a few pre-plats and final plats that have set aside future right-of-way for the North-South Corridor.

Mr. Andy Smith, Regional Transportation Authority General Manager, stated that when they sent the identification number, the North-South Corridor was identified through the PRDA, was voted, ratified and approved by the Pinal County voters and to be determined by the ADOT study process. They do not have a preferred alignment but have earmarked \$360 million of the ½ cent sales tax to go towards the North-South Corridor for the next 20 years.

Mr. Billingsley stated that Florence has advocated for the eastern alignments. He explained where each of the boundaries go through and how they will/will not impact Florence. He explained that Florence is opposed to the western alignments. Alternative 7 from the report, with all the segments, goes through the center of Florence, which in on the west side of Poston Butte. This is not the alignment identified in the resolutions that Council passed or as shown on the map that went before the voters. The key issues as they look at the preferred alignment is set to get Florence three access locations: at State Highway 287, Hunt Highway near Poston Butte, and Arizona Farms Boulevard on the Town boundary with Pinal County. This would be great for Florence's economic development.

Mr. Billingsley explained the various alternatives, each of the segments and where they are located. He provided visual maps which depict each alignment. One of the concerns that the Federal Highway Administration has is the spacing between high capacity facilities. He stated that Pinal County has spent \$9 million for purchasing the right-of-way through a portion of Segment 4 where the Arizona Inland Port is.

Mr. Billingsley stated that public hearings have been held and now they must do reviews and provide comments which are due October 29, 2019. Following Council's directive, staff will provide two sets of comments.

Mr. Billingsley discussed the general comments about the study, concerns, things that can be addressed or things that need to be addressed as part of the process. The technical comments address things that may need further study or need to be addressed.

1. Florence Anthem Hospital was not included as part of the study; however, other health care facilities were included.
 - a. Requesting that they be added.
2. Casa Grande Ruins Expansion needs to be addressed.
 - a. Can impact western alignment
 - b. Needs to be addressed as part of EIS
3. Take a closer look at the Central Arizona Regional Transit (CART)
 - a. needs to be studied to the level it deserves as a regional enterprise and its ability to expand in the future.
4. Allow for an 8th alignment that represents an alignment that local governments have worked on.
 - a. Voters approved
 - b. The seven alignments did not include the alignment that was voted and approved on.
 - c. Does not include any of the resolutions that the municipalities have adopted.
5. Went through process of excise tax to fund project
 - a. It can take 20 – 30 years to build if done only with federal funds
 - b. Pinal County has worked on routes of regional significance for the last 20 years
6. Come up with funding mechanisms to implement the early phases of the project such as purchase of right-of-way, build a parkway facility on the alignment or an arterial facility that can be turned into a highway cross section in the future.
 - a. Would like this studied further
7. The 2014 resolutions have been referred to in the EIS; however, the 2019 resolutions have not been referred to.
 - a. Want the resolutions acknowledged
8. Florence and Queen Creek were not referred to as participating agencies in the study nor included in the tables.
 - a. Have attended meetings and provided comments
 - b. Florence has been involved since 2010.
9. MAG Commuter Rail Study was not included in the EIS; multi modal discussion points needs to occur.
 - a. Florence participated in MAG Commuter Rail Study in approximately two and a half years ago.
 - b. Identified commuter rail link for the entire Phoenix Metroplex
 - c. Florence would be the end-of-line station. This is where the switchyard would occur.
 - d. Would be located South of Florence Garden and north of the railroad tracks.
10. Need to pick a point from where data will be utilized and move forward.
 - a. Florence has an updated transportation model and will be provided to Council as part of the Regional Transportation Plan.
 - b. Data does not correspond with the data that is included in the study.

11. Have not utilized the most recent Routes of Regional Significance Plan.
 - a. New plan may change some of the accesses as part of the study.
 - b. Past-Mayor Rankin has pushed for access to Florence from the inception of this study.
 - c. Access is provided to Florence in three locations.
 - d. The three access points do not meet the goal that Past-Mayor Rankin set forth in the past which was that Florence needed to have full access adjacent to downtown Florence.
12. Project Team to consider a future interchange location closer to Florence
 - a. Can have an interchange at the Butte alignment
 - b. Can have an interchange at the River Road alignment
 - c. Will request for an additional access location
 - d. Minimum access requirements under federal law are two-mile spacing from a rural perspective
13. Staff has met with remaining developers of Merrill Ranch (Pulte and Southwest Value Partners) and asked them about preferred alternative and preferred alignment as it relates to the eastern alignment.
 - a. Can see benefit from an economic development perspective from the preferred alternative due to that alignment and how it already goes through undeveloped land and is not constrained.
 - b. Explained issues with constrained land
 - c. Timing – benefit to them if built within the next ten years; issue if built in the next 30 years because it will split or devalue their property
 - d. They recommended if the interchange location at Hunt Highway can be moved $\frac{1}{2}$ to $\frac{3}{4}$ miles north to align with the extension of Merrill Ranch Parkway because of the constraints and will enhance their property values.
 - i. Beneficial to Florence as it will no longer have a spacing issue.
 - ii. Will need to assist with the funding for the fourth access point
14. Underground water storage facilities in central Pinal County were identified as part of the study; however, Florence was not included. The Town is asking Florence to be included.
15. No discussion as part of the DEIS regarding the project that is going to occur in 2022 to build and widen the bridge across the Gila River. This needs to be considered as well as upstream improvements including signalization. This will have an impact on the model from both the multi-model perspective as well as the surface transportation perspective.
16. Multiple times in the report it is stated that the four southern Arizona tribes: Ak Chin Indian Community, Gila River Indian Community, Salt River Pima Indian Community and Tohono O’Odham Nation support the west alternative.
 - a. Staff’s comment: Since none of the four tribes would be directly affected by any of the alignments, the Town assumes that this preference as stated in the document relates to cultural archeological resources.
 - b. Staff appreciates the comment; however, the statement is not made in the cultural section nor the 4H section; however, it appears in the section where land use and transportation planning is discussed. In this portion of the study are, the Town of Florence is the land use planner, does the zoning, and does the transportation planning for this area, and not any of the four tribes. The comments need to be addressed in the appropriate section.

Comments from the Council included:

- Would like to include the North Territory Square Plan
Mr. Billingsley explained the issues with the River Road alignment.

Issue with where Plant Road intersects Butte is constrained to a collector level because of the way the land is laid out as well as the Town's sewer plant is located on that road as well.

- Install low river road
 - Mr. Billingsley explained the challenges of building a low river road.

Mr. Billingsley inquired how the Council preferred staff to convey their message and technical comments. He explained that they must respond to technical comments submitted.

Vice-Mayor Anderson asked if they can include comments from the public.

Mayor Walter stated that the public can also submit their comments directly.

Past-Mayor Rankin discussed the following:

- As Mayor, he has pushed for economic development in the downtown area.
- One of the chosen alignment's is east of the Windmill Winery and will be on Rankin Farms,
 - This was not an option chosen by Council at that time
 - The chosen alignment was not recommended by Council at that time
 - The then-Council forwarded their recommendation based on the residents' responses.
 - The current preferred alignment is within the floodplain.
- The Then Council's preference had been any route ½ mile to 1 mile west of the Windmill Winery.
 - Expanding Butte to an arterial road to help traffic come into the downtown area.

Past-Mayor Rankin outlined discussions that he was part of during his tenure regarding the North-South Corridor. He stated that he would prefer that ADOT have conversations with Council and not only staff. It is important to hold discussions to get the alignment changed.

Mayor Walter stated that Council attends MAG meetings. The time frame is for 2054. ADOT is communicating with the Town Manager, Assistant to the Town Manager and herself. They have also heard Council's concerns as well as that of Florence's residents. She stated that San Tan Valley and Queen Creek are trying to take where the current alignment is and move it into the San Tan Valley/Queen Creek area.

Mayor Walter stated that Florence has a good working relationship with ADOT and feels that the alignment that was put forward is mutually beneficial to San Tan, Florence and the development community within Florence.

Councilmember Cordes inquired about the route depicted in yellow and inquired who added it and why. She inquired why the tribe is interested in this route, specifically because it was never mentioned in the cultural section. She would like to know why Florence is not being included in the conversations. She stated that discussions need to occur to eliminate the yellow route. She understands that this project is slated for 2054 and things may change.

Mr. Billingsley clarified that Florence has been involved in the conversations, attended meetings and provided comments. ADOT just did not include Florence's name in the two tables within the document as a participating agency. He stated that they understand why the yellow route was added.

Mr. Billingsley stated that the yellow route was added 24 months ago because the four tribes requested this route and because it presents an opportunity for the alignment that has the fastest travel time from Interstate 10 to the US60. It will also have less traffic getting on and off so they will have less backups. They intentionally chose that alignment to avoid a lot of the development that has occurred in these areas.

Mr. Billingsley stated this is the exact reason as to why that alignment should not be chosen. The intent and purpose was to not just take people from I-10 to US 60 but to fix the North-South capacity issue that has existed for over 10 years in Pinal County. This will help solve the transportation issue in our area.

Mr. Billingsley stated that the tribes want the yellow alignment because it provides a large economic opportunity for the Gila River Indian Community.

Mr. Rankin stated that the yellow alignment was one of the original five alignments.

Discussion occurred on the various alignments.

Mr. Billingsley asked the Council how they would like staff to proceed. He also asked if they would like an interchange closer to old Town Florence then they would need to ask that the Hunt Highway interchange location be moved further north because it does not work from a spacing perspective. They could also support the light purple route, the dark purple route or remain neutral on the route options.

Mayor Walter would like the pros and cons outlined for the light and dark purple alignments, and why the yellow alignment would be detrimental to the Town overall as a whole. She would like this to be forwarded to ADOT along with the Town's appreciation in working with the Town throughout the years.

Councilmember Cordes asked staff not to only focus on what the Town wants but to watch the west alignment.

Mr. Billingsley stated that it is his understanding that Council wants staff to advocate for the Town's preferred route, but to be mindful of the alignment to the west. The Town also needs to push for a future interchange closer to the downtown area. There also needs to be a change from the Hunt Highway alignment to a more northerly direction for economic development and circular movement.

Councilmember Wall stated that her concern is that the political environment is such that the small communities do not necessarily get heard as well as the larger communities. She is in dismay that the Town was not considered as an official participating agency and wants to ensure that the Town is considered as a participating agency forward for any discussions on any of the routes.

Councilmember Wall also stated that she can see why the implementing agency might not like the light purple route because it makes a major band and adds to the cost of implementing a freeway. She is in support of making Florence's desires clear.

Councilmember Hawkins inquired if Pinal County's preferred corridor is actually ADOT's preferred corridor or Pinal County's.

Mr. Billingsley stated that the Town of Florence adopted a resolution which advocated for a portion of the dark purple alignment, then a portion of light purple alignment and back to the purple alignment. Florence worked with Coolidge, Eloy, Pinal County, Queen Creek and Apache Junction. All entities adopted the same resolution. The only deviation occurred was in Segment 4, which is furthest to the south and links with I-10.

Discussion occurred on the map that was attached to the approved resolution and clarification of the sections.

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.

Ms. Cathy Adam, Florence Resident, commended the Council for allowing public participation on all of the various plans. She asked that all of the plans be brought together, from a citizen's perspective. She is having difficulty in understanding how they all intersect.

Ms. Adam discussed the agenda item on residency for the Town's Management Team. She stated that her opinion would love to see this item pass. She stated that it means a lot to the citizens. She would like to hear the argument as to why the residency requirement went away.

Mr. Roger Biede, Greater Florence Chamber of Commerce Executive Director, stated that Mr. Larry Johnson has taken a position assisting veterans in Mesa, Arizona. The Chamber is doing great. Mr. Johnson started some momentum that will continue and be improved upon. Some items that they are working on include:

- Working on the FY2020-2021 Budget
- Be a true advocate for businesses
- Bring new events to Florence
 - Welcome Back event for the winter visitors
 - Community Events Awards Dinner
 - Florence Car Show
 - New members for the Board
 - Letter of Support for the North South Corridor

Past-Mayor Rankin commended Vice-Mayor Anderson on the letter that he wrote that was published in the Florence Reminder. It is important to create a recreational facility that brings the old and new communities together. He stated it is important it start planning for this facility now.

PRESENTATIONS

Resolution Copper Update

Mr. Hesston Klenk, Communities and Communications Manager, provided an update on where Florence Copper Project is with its project. He stated that the project has hit some pretty big milestones. The Draft Environmental Impact Statement (EIS) was released by the Forest Service in August 2019. The Forest Service has done a great job of balancing the needs of the community, the economy and the environment. The Final EIS should be finalized in 2020.

Mr. Klenk stated that Florence's main concern has been the proposed Tailing Facility. When they initiated the permitting process in 2013, they proposed a site west of Superior called Near West. As the process ran its course the Fire Service proposed four sites: Near West, a site close to Superior, Pegway (14 miles east of Florence), and Skunk Camp near Dipping Springs Wash (near Hayden/Winkelman). After several analysis, it was determined that the Forest Service's preferred locations for tailings is the Skunk Camp option. From a social and environmental standpoint, this option makes the most sense. It addresses the key concerns that were raised during the scoping period which were to get the tailings off public land and move it away from population centers and drinking water sources. He stated that the other options are still viable, and the Forest Service could pivot back to one of the other three.

Mr. Klenk stated that if the Council or Town still have strong feelings towards any of the options to submit their comments to the draft EIS. The comment period will close November 7, 2019.

Mr. Klenk stated that they originally planned for the filter plant to be located along the Marco Rail Corridor, which is outside of Florence's municipal boundary. It will be a small industrial facility in which they would pipe their concentrate to this plant, and it would go through a drying process. It will then be loaded onto rail cards and shipped. The Town of Superior is advocating to move the filter plant back to Superior, which would require a full railroad rehabilitation all the way back into Superior. He stated for Superior it may be an economic driver; however, for Florence it may be an issue in having an industrial plant in Florence. He inquired from Council if this is something the Town would be receptive on. The railroad line could be expanded for alternative uses.

Mr. Klenk stated that the EIS brought up a social economic piece. They had always put out projects with regards to employment and economic which validated several of those issues. An independent analysis projected that at its peak they will have approximately 3,700 total jobs with 2,700 within Pinal County. In the permitting process, they have committed a focus on local hiring and local procurement.

Mayor Walter appreciates how Resolution Copper has spoken at the CAG and League of Arizona Cities and Towns meetings. She appreciates them working with the Florence Town Council and taking Council's feedback into consideration.

Mayor Walter asked staff to draft a letter of support from the Council for Skunk Camp as the preferred option for the site.

Councilmember Wall thanked him for spending time with the Council and is in support of Skunk Camp.

Vice-Mayor Anderson stated that he is in support of Skunk Camp.

Mr. Billingsley stated there are some opportunities in choosing the rail corridor from an economic prospective. The Town will schedule a meeting with Mr. Klenk to discuss this further.

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.

Approval of the September 3 and September 16, 2019 Town Council Meeting minutes.

Receive and file the following board and commission minutes:

September 12, 2019 Arts and Culture Commission Meeting minutes.

August 28, 2019 Historic District Advisory Commission Meeting minutes.

September 5 and September 19, 2019 Planning and Zoning Meeting minutes.

On motion of Vice-Mayor Anderson, seconded by Councilmember Hawkins, and carried (6-0 - Councilmember Larsen was not present) to approve the Consent Agenda, as written.

NEW BUSINESS

Ordinance No. 683-19:

Mayor Walter read Ordinance No. 683-19 by title only.

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, AMENDING THE CODE OF THE TOWN OF FLORENCE, CHAPTER 34, PERSONNEL SYSTEM BY ADDING 34.16 (C) RESIDENCY REQUIRED.

Vice-Mayor Anderson stated that Town department heads appointed as permanent full employees of the Town shall establish their residency and domicile in the Town within six months of their appointment and shall maintain such residency and domicile in the Town during the tenure of their office or employment. A six-month extension can be granted for hardship. Failure to comply with this section shall constitute cause for termination of employment. This section shall not apply to any person employed in any capacity by the Town prior to December 4, 2019, or contract service providers who are not permanent full or part-time employees of the Town.

Vice-Mayor Anderson thanked the Town Clerk's Office for the research of other communities.

Councilmember Hawkins stated of the 20 municipalities researched, only six have residency

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requirements. His opinion is that the Town will limit the number of candidates because we are a commuter society. Many of the prospective candidates have established families in other communities and this may deter great candidates from applying. The Town may have to increase the salary; but he is not sure if this would help. He is not in support of residency requirements.

Councilmember Wall stated that she is unable to support any requirements requiring any employee to live within the Town limits. Her reasonings include:

- It will be difficult to attract well qualified candidates.
- Placing a restriction on residency may discourage candidates from applying.
- Housing choices within Town limits are limited.
- Forcing an employee to choose amongst the limited choices may discourage candidates from applying.
- Some candidates may have legitimate reasons for not moving, such as homes that they are unable to sell, spouses who work near current home, or children who attend school.

Councilmember Wall stated that the Council should be more concerned about an employee's commitment to the Town's goals and objectives as opposed to where they live. She said as long as the work is being done, where an employee lives should not be a concern.

Councilmember Wall stated if the Town imposes a requirement that forces an employee to live within Town limits, the following may occur:

- Town could be committed to paying an allowance for moving expenses in every instance.
 - This would need to be considered on a case-by-case basis.
- May be discouraging applicants who are in a protected class, that restriction could be considered discriminatory.
 - There have been court rulings against this imposition of residency requirements.
 - New York Superior Court Case
 - Arizona Legislature recently considered exempting some employment classifications from residency requirements
 - Senate Bill 1231 in the 2019 session stated, "a city or town may not require a firefighter or peace officer as a condition of employment to reside in the city or town of the firefighter's or peace officer's employment."

Councilmember Hughes stated that as a wife of the Police Chief, they have had to move due to his employment. She stated that it shows the community that the Department Head cares about his/her community. If it is going to serve and protect the community, she thinks it is a good idea to have them move into the community. She understands not requiring support staff but believes that Department Heads who live within the community, are vested in the community, understand what is going on and can respond in a moment's notice. She stated that it is her opinion that the Town Manager should also reside within the community because they have more responsibility over the community than Department Heads.

Councilmember Hughes stated that her recommendation is to require the Fire Chief, Police Chief and the Town Manager to reside within Florence.

Councilmember Cordes stated that there are several jobs which require you to move, some of

which pay for relocation costs. It is the applicant's discretion if they choose to accept the position. She does not believe that support staff should be required to move for a variety of reasons. Department Heads and Town Manager require a lot of involvement and should be seen within the community more than just business hours. As a citizen, she would like to see the department heads have the same vested interest in the community as they do. She wants them to vest their personal dollars into the community as well. People have to move all the time for their jobs, and it is something that comes with accepting the position.

Councilmember Larsen stated she concurs with Councilmember Hawkins and Councilmember Wall. She is not in support of the amending the Personnel Policies and Procedures to require residency requirements.

Councilmember Hawkins stated that he does not agree that there is a great revenue loss if the department heads do not reside within the community. The vested interest is doing their jobs and bettering themselves. He stated that there are positions that require you to move; however, he does not see the need to require them to reside in Florence.

Vice-Mayor Anderson stated that this recommendation is not to be applied to current employees. He concurs with Councilmember Cordes' comments. He is proud to live in Florence and would like employees who are committed to Florence and wants staff to have the same pride.

Mayor Walter stated that she shares the same sentiments as Councilmember Wall, Councilmember Larsen and Councilmember Hawkins. Currently, they can expand their search for qualified candidates; however, add a residency requirement may limit the pool of qualified candidates. She stated that she does see the current department heads and the Town Manager engaged in the community. She stated that there are limited housing resources. She understands not wanting to uproot a family, especially with children in school.

On motion of Mayor Walter, seconded by Councilmember Wall, to table this item indefinitely.

Roll Call Vote:

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

Motion passed: Yes: 4; No: 3

Discussion/Approval/Disapproval of the Professional Services Agreement with Michael Baker Engineering, Inc., to update the Town of Florence 2020 General Plan in an amount not to exceed \$258,716.

Mr. Larry Harmer, Community Development Director, stated that a General Plan is a document that statutorily brings together all planning efforts and future needs, desires, wants and direction

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of the community. The General Plan must be updated every ten years; otherwise, there are certain exposures if you do not do the update. He stated that the current plan was approved by the voters in 2010. Any changes to the Plan will need to go before the voters.

Mr. Harmer stated that there will be tremendous public involvement in the update as it is vital component in the update. It is required that there is a definitive public participation plan be established at the very beginning of the planning effort.

Mr. Harmer stated that Michael Baker Engineering, Inc. was selected from the four proposals by the panel. The panel members were Bryan Hughes, Jennifer Evans, Maricella Benitez, Benjamin Bitter and himself. He stated that the panel was impressed with the presentation and interview of Michael Baker Engineering, Inc. was their public participation efforts. They have developed their own procedures and processes and there will be an online digital presence for those wishing to submit comments.

Mr. Harmer stated that there are several community workshops planned. There will also be mandatory meetings with the Planning and Zoning Commission and the Town Council. They will invite all of the Boards, Commissions, civic groups and Chamber of Commerce to all of the workshops and meetings. They will also include different stakeholders and businesses.

Mr. Harmer stated that the following documents will be incorporated within the General Plan:

- Redevelopment Plan
- Parks and Recreation Comprehensive Plan
- Regional Transportation Plan
- Active Transportation Plan
- North South Corridor Study

Mr. Harmer stated that Michael Baker Engineering Inc. has intimate knowledge on some of the plans as they are the ones doing the studies. They have also conducted the San Tan Planning Area for Pinal County.

Mr. Harmer pointed out that in the contract there is availability for a land use attorney input. Staff does not feel that there is a need for the attorney, so staff is putting a not-to-exceed cap, which is within the limits of the line item.

Ms. Lisa Garcia, Deputy Town Manager asked that the motion be changed to reflect that the Town Manager is authorized to enter into the contract.

Vice-Mayor Anderson stated that he disagrees with Ms. Adams. The Town has several plans and would prefer to have a Comprehensive Plan rather than a General Plan. He would rather spend the \$250,000 to hire a new planning department and do the General Plan in house. The staff could do the various plans in house. He inquired how much money is the Town spending on each of the various plans.

Mr. Harmer stated that there are specific areas of expertise that are required to be placed within the General Plan, it is not a simple document to create. He discussed planning issues within the current 2020 General Plan. He explained that when you annex an area, you must also serve that area, and this may stretch your resources.

Mr. Harmer stated that they will also look at practicality in the implementation strategies that is in the current plan. They have taken a different tack on how the proposal was put together. They want to be more practical in regard to the term viability of the Plan and the ability of the Town to forecast development and development needs that the Town will have to provided.

Mayor Walter asked if there will be target points to determine progress.

Mr. Harmer stated that one needs to be practical and there has to be a document or strategy that makes sense. It needs to be readable to everyone. There are deliverability reports throughout the process. There is a calendar within the document which outlines deliverables such as draft research and documents that they can respond to.

Vice-Mayor Anderson stated that he would prefer that Mr. Harmer do the plan. He would like the Town Manager to come up with a proposal to do the plan internally.

Councilmember Hawkins stated that there are certain areas in which outside entities would need to be hired as Mr. Harmer is not an expert of every facet of the General Plan.

On motion of Vice-Mayor Anderson, to table this item. The motion died due to lack of a second.

Councilmember Cordes inquired if they are working on other documents for the Town, and if so, do they overlap and is the Town receiving a discount.

Mr. Harmer stated that they are working on other documents for the Town. He stated that those discussions resulted in the great fee that the Town is receiving. A General Plan normally cost between \$20,000 to \$30,000 per element. The list of elements in the Town plan is extensive. The proposed fee is very conservative. He explained how the plans will interact with the other plans.

Councilmember Wall inquired what NTP and GPAC stand for.

Mr. Harmer stated that NTP stands for Notice to Proceed and GPAC stands for General Plan Advisory Committee.

On motion of Councilmember Wall, seconded by Councilmember Cordes, and carried (Yes: 6: Walter, Wall, Hawkins, Larsen, Cordes, Hughes; No. 1: Anderson) to authorize the Town Manager to enter into a Professional Services Agreement with Michael Baker Engineering, Inc., to update the Town of Florence 2020 General Plan, in an amount not to exceed \$258,716.

Resolution No. 1719-19:

Mayor Walter read Resolution No. 1719-19 by title only.

A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, ADOPTING REVISIONS TO THE TOWN OF FLORENCE PERSONNEL POLICY.

Ms. Lisa Garcia, Deputy Town Manager/Town Clerk, stated the policy is being forwarded from the Employee Incentive Committee. The proposed amendment which has been reviewed, discussed
Town of Florence Council Meeting Minutes

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and endorsed by the Department Directors and by the Employee Incentive Committee. The amended policy would compensate an employee for unused accrued sick leave on a formula basis, after they have completed 10 years of service. In addition, the hourly rate at which payment would be made is proposed to be an average wage over the previous 36 months of service prior to separation. This change is a way to reward employees who minimize sick leave usage, to reward employee tenure and to enhance our benefit package as we seek to recruit new employees.

Ms. Garcia stated the formula for payment would be:

<u>Years of Employment</u>	<u>Percentage of sick leave paid</u>	<u>Maximum Amount</u>
10 to 14 years	20%	240 hours
15 to 19 years	35%	360 hours
20 years or more	50%	480 hours

Ms. Garcia stated that the impact will be minimal. She stated that people are using sick leave on a month-to-month basis. The committee would like to incentivize sick leave to minimize the use of sick leave as well as have longevity be a factor. They want the employees to feel valued when they depart from the Town's services.

Vice-Mayor Anderson stated that he was in favor of amending the Sick Leave Policy.

Councilmember Wall inquired if this will make any difference with budgeting. She asked how this affects the accrued liability.

Mr. Rey Sanchez, Finance Director, stated that there are policies that are more generous than what is being proposed and he is in favor of this amendment.

Ms. Garcia stated that currently the sick leave is not an accrued liability; however, there would be a fiscal impact if someone meets the above-listed criteria and leaves the Town's employment. Because the Town has no idea who is leaving their employment, it would be difficult to accrue the liability as they would for vacation. The Town does not have very many employees who could use the policy at this time.

Ms. Garcia stated that through the Family Medical Leave Act (FLMA), employees are able to use 12 weeks of leave. The Town encourages employees to save up their time in case of an emergency. The Town also has a Leave Donation Policy for employees who would like to donate vacation time to help other employees on FMLA.

Councilmember Larsen asked for clarification on how sick leave is accrued and used. It is her understanding that if it is not used within the year, it is lost. She inquired how holiday is used and how vacation time is accrued.

Ms. Garcia explained how sick and vacation time is accrued on a monthly basis and how holiday leave is paid. She explained that Police and Fire are sometimes required to work holidays and they are paid for their holiday as well as their work time. Vacation time is accrued differently for those with longevity.

Councilmember Cordes stated that there are some businesses who accrue personal time off which is a combination of sick and vacation time.

Discussion occurred on the benefits of offering this incentive of paying out a portion of one's accrued sick leave.

Ms. Garcia stated that the policy started out as a retirement benefit but the employees changed it to an incentive benefit.

Councilmember Cordes inquired about leave donations.

Ms. Garcia explained that the donated vacation leave is converted to sick leave. Employees can only receive time once they have exhausted their sick and vacation time.

On motion of Councilmember Hawkins, seconded by Councilmember Cordes, and carried (7-0) to adopt Resolution No. 1719-19.

Resolution No. 1720-19:

Mayor Walter read Resolution No. 1720-19 by title only.

A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, AMENDING THE ADOPTION AUTHORITY POLICY SPECIFYING THAT LEGISLATIVE POLICIES SHALL BE ADOPTED BY THE TOWN COUNCIL AND ADMINISTRATIVE POLICIES SHALL BE ADOPTED BY THE TOWN MANAGER.

Ms. Garcia stated that from time to time staff reviews the policies to ensure that all of the policies are updated. Staff has provided an updated policy format so that they will be less intimidating. Council will be asked to review all policies that are under their authority to ensure that the policies align with the Council's views.

Ms. Garcia stated that Department Heads are also being asked to review their policies to ensure they are following best practices as well as next practices. The policies will also be looked at to ensure that they follow Federal and State guidelines.

On motion of Vice-Mayor Anderson, seconded by Councilmember Cordes, and carried (7-0) to adopt Resolution No. 1720-19.

MANAGER'S REPORT

There was nothing to report.

CALL TO THE PUBLIC

There were no comments.

CALL TO THE COUNCIL – CURRENT EVENTS ONLY

Councilmember Larsen apologized for being late. She invited everyone to the Police Chief Meet and Great as well as the Halloween Bash at the Windmill Winery. A Strategic Planning Session has been scheduled.

Councilmember Hawkins stated that the Veteran's Memorial will be held on November 11, 2019 at 11:00 am.

Councilmember Cordes stated that she attended the First Historic Florence 3rd Friday Event. All of the shops on Main Street stayed open until 8:00 pm, there was live music and the Posse had a Steak Dinner. It was nice to see Main Street come to life. She stated it was a great event. The event will be held every 3rd Friday of the month. She also invited everyone to visit the Rankin Corn Maze.

Vice-Mayor Anderson stated that he attended the redevelopment event. He thanked Mr. Bryan Hughes for the Veteran's Memorial.

Mayor Walter stated that she attended the Florence Unified School District's Coffee with the Community event. She stated that they showcased what they have done with the bond that passed. Supervisor Goodman discussed water and what is happening around our community. She stated they are researching alternate sources to bring water into the area. Sheriff Lamb discussed the Diversion Program and his partnership with the Florence Unified School District.

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 on potential land purchase.**

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

ADJOURNMENT FROM EXECUTIVE SESSION

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

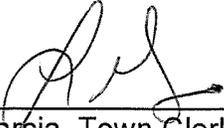
ADJOURNMENT

On motion of Councilmember Wall, seconded by Councilmember Hawkins, and carried to adjourn the meeting at 8:16 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 October 21, 2019, and that the meeting was duly called to order and that a quorum was present.



Lisa Garcia, Town Clerk