

MINUTES OF THE TOWN OF FLORENCE COUNCIL REGULAR MEETING HELD ON TUESDAY, OCTOBER 7, 2019, AT 6:00 P.M., IN THE FLORENCE TOWN COUNCIL CHAMBERS, LOCATED AT 775 N. MAIN STREET, FLORENCE, ARIZONA.

1. CALL TO ORDER

Mayor Walter called the meeting to order at 6:00 p.m.

2. ROLL CALL:

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

Absent: Karen Wall

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. ADJOURNMENT TO MERRILL RANCH IMPROVEMENT DISTRICT NO 1.

On motion of Councilmember Hawkins, seconded by Councilmember Larsen, and carried (6-0) to adjourn to Merrill Ranch Community Facilities District No. 1.

- a. Resolution No. MRCFD1 141-19: Discussion and possible action on A RESOLUTION OF BOARD OF DIRECTORS OF MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 1, TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, ADOPTING THE BUDGET FOR FISCAL YEAR 2019-2020.

On motion of Vice-Chairman Anderson, seconded by Boardmember Cordes, and carried (6-0) to adopt Resolution No. MRCFD1 141-19.

7. ADJOURNMENT FROM MERRILL RANCH IMPROVEMENT DISTRICT NO 1.

On motion of Boardmember Hawkins, seconded by Boardmember Larsen, and carried (6-0) to adjourn from Merrill Ranch Community Facilities District No. 1.

8. ADJOURNMENT TO MERRILL RANCH IMPROVEMENT DISTRICT NO 2.

On motion of Councilmember Larsen, seconded by Vice-Mayor Anderson, and carried (6-0) to adjourn to Merrill Ranch Community Facilities District No. 2.

- a. Discussion and possible action to approve Merrill Ranch Community Facilities District No.2 July 1, July 15, and September 3, 2019 Special Meeting minutes.

On motion of Boardmember Hawkins, seconded by Vice-Chairman Anderson, and carried (6-0) to approve the Merrill Ranch Community Facilities District No. 2 July 1, July 15, and September 3, 2019 Special Meeting Minutes.

- b. Resolution No. MRCFD2 238-19: Discussion and possible action on A RESOLUTION OF BOARD OF DIRECTORS OF MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 2, TOWN OF FLORENCE, PINALCOUNTY, ARIZONA, ADOPTING THE BUDGET FOR FISCAL YEAR 2019-2020.

On motion of Vice-Chairman Anderson, seconded by Boardmember Hawkins, and carried (6-0) to adopt Resolution No. MRCFD2 238-19.

9. ADJOURNMENT FROM MERRILL RANCH IMPROVEMENT DISTRICT NO 2.

On motion of Boardmember Cordes, seconded by Boardmember Larsen, and carried (6-0) to adjourn from Merrill Ranch Community Facilities District No. 2.

10. PRESENTATIONS

- a. Proclamation declaring October 2019 as Light Town Hall Purple for Domestic Violence Awareness Month. (Mayor Walter)

Mayor Walter declared October 2019 as Light Town Hall Purple for Domestic Violence Awareness Month.

- b. Proclamation declaring October 6, 2019 through October 12, 2019 as Fire Prevention Week (Mayor Walter)

Mayor Walter declared October 6, 2019 through October 12, 2019 as Fire Prevention Week.

- c. Presentation on the Florence Police Department Five Year Strategic Plan. (Dan Hughes)

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. Authorization to upfit three Police Tahoes, by utilizing the MHQ of Arizona Cooperative Contract ADPS15-091457, in an amount not to exceed \$59,198.82. (Chris Salas)
- b. Approve the acceptance of the improvements of the warranty period for Unit 38, Unit 56A, Unit 52, Unit 3, Unit 5 and Unit 7 of the Anthem @ Merrill Ranch subdivision. (Chris Salas)
- c. Authorization to contract with Capital Pump & Equipment LLC, to provide emergency pump rental services for the Public Works Department, Water & Wastewater Divisions, in an amount not to exceed \$75,000. (Chris Salas)

- d. Acceptance of the FFY 2019 Homeland Security Grant Program Subrecipient Agreement 190305-01, from Arizona Department of Homeland Security, in the amount of \$43,506, for the Florence Public Safety Interoperable Communications Project. (Jennifer Evans)
- e. Approval of Poston Butte Preserve as the formal name of Poston Butte. (Bryan Hughes)
- f. Approval of the re-appointment of Lisa Garcia to serve as a citizen representative on the Town of Florence Public Safety Personnel Retirement System – Police and Fire Local Boards for a term of four years. (Scott Barber)
- g. Authorization for the Town Manager to enter into a 3rd Party Agreement with Pinal County, and Brown & Associates, to provide Building Plan Review Services for the new Pinal County Attorney’s Building and the new Pinal County Development Services Building. (Larry Harmer)
- h. Authorization to sell one set of turnouts, at current fair market value to Timber Mesa Fire and Medical District, to accompany the employee that they were purchased for, who has accepted a position with Timber Mesa Fire. (Rey Sanchez)
- i. Authorization to dispose of a 1997 Chevy Silverado and Payne air conditioning unit that are no longer needed and have outlived their useful life. (Rey Sanchez)
- j. Authorize an increase of the not-to-exceed amount for Fester and Chapman’s, PLLC annual audit services by \$10,150 to \$55,800. (Rey Sanchez)
- k. Approval of accepting the register of demands ending August 31, 2019, in the amount of \$3,409,740.61. (Rey Sanchez)

On motion of Councilmember Cordes, seconded by Vice-Mayor Anderson, and carried (6-0), to approve the Consent Agenda, with removal of Item d, Item h, and Item j.

- d. Acceptance of the FFY 2019 Homeland Security Grant Program Subrecipient Agreement 190305-01, from Arizona Department of Homeland Security, in the amount of \$43,506, for the Florence Public Safety Interoperable Communications Project. (Jennifer Evans)

On motion of Vice-Mayor Anderson, seconded by Mayor Walter, and carried (6-0) to accept the FFY 2019 Homeland Security Grant Program Subrecipient Agreement 190305-01, from Arizona Department of Homeland Security, in the amount of \$43,506, for the Florence Public Safety Interoperable Communications Project.

- h. Authorization to sell one set of turnouts, at current fair market value to Timber Mesa Fire and Medical District, to accompany the employee that they were purchased for, who has accepted a position with Timber Mesa Fire. (Rey Sanchez)

On motion of Councilmember Cordes, seconded by Vice-Mayor Anderson, and carried (6-0) to authorize to sale one set of turnouts, at current fair market value to Timber Mesa Fire and Medical District, to accompany the employee that they were purchased for, who has accepted a position with Timber Mesa Fire.

- j. Authorize an increase of the not-to-exceed amount for Fester and Chapman's, PLLC annual audit services by \$10,150 to \$55,800. (Rey Sanchez)

On motion of Councilmember Cordes, seconded by Councilmember Hughes, and carried (6-0) to authorize an increase of the not-to-exceed amount for Fester and Chapman's PLLC annual audit services by \$10,150 to \$55,800.

12. NEW BUSINESS

- a. Discussion/Approval/Disapproval of appointing Isabella Pool to a two-year term on the Florence Youth Commission, with a term to expire October 31, 2021. (Bryan Hughes)

On motion of Vice-Mayor Anderson, seconded by Councilmember Hawkins, and carried (6-0) to appoint Isabella Pool to you a two-year term on the Florence Youth Commission, with a term to expire October 31, 2021.

- b. Resolution No. 1716-19: A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, ORDERING THE PROPOSED STREET LIGHTING IMPROVEMENTS DESCRIBED IN RESOLUTION NO. 1715-19 FORMING THE "TOWN OF FLORENCE, ARIZONA, ANTHEM AT MERRILL RANCH STREET LIGHT IMPROVEMENT DISTRICT 4" TO PROCEED. (Lisa Garcia)

On motion of Councilmember Hawkins, seconded by Councilmember Larsen, and carried (6-0) to adopt Resolution No. 1716-19.

- c. Resolution No. 1718-19: Discussion/Approval/Disapproval of A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, DECLARING ITS INTENTION TO ESTABLISH A STREET LIGHT IMPROVEMENT DISTRICT TO PURCHASE ENERGY FOR LIGHTING THE PUBLIC STREETS AND PARKS IN THE AREA WITHIN THE CORPORATE LIMITS OF THE TOWN OF FLORENCE, ARIZONA, DESCRIBED ON EXHIBIT A, ATTACHED HERETO; DECLARING SUCH IMPROVEMENTS TO BE OF MORE THAN LOCAL OR ORDINARY PUBLIC BENEFIT AND THAT THE EXPENSES THEREOF BE PAID FOR BY THE LEVY AND COLLECTION OF AD VALOREM TAXES UPON THE ASSESSED VALUATION OF ALL REAL AND PERSONAL PROPERTY IN A CERTAIN DISTRICT TO BE KNOWN AS "TOWN OF FLORENCE, ARIZONA, ANTHEM AT MERRILL RANCH STREET LIGHT IMPROVEMENT DISTRICT NO. 5; AND ORDERING THAT SUCH IMPROVEMENTS BE PROVIDED FOR UNDER THE PROVISIONS OF SECTION 48-572, ARIZONA REVISED STATUTES. (Lisa Garcia)

On motion of Vice-Mayor Anderson, seconded by Councilmember Hawkins, and carried (6-0) to adopt Resolution No. 1718-19.

- d. Discussion/Approval/Disapproval to enter into an agreement for professional services with D2 Surveying Services, utilizing Direct Selection allowed under Arizona Law, Statute Title 34 – Section 103, in an amount not to exceed \$100,000. (Chris Salas)

On motion of Councilmember Cordes, seconded by Councilmember Larsen, and carried (6-0) to approve entering into an agreement for professional services with D2 Surveying

Services, utilizing Direct Selection allowed under Arizona Law, Statute Title 34 – Section 103, in an amount not to exceed \$100,000.

- e. Discussion/Approval/Disapproval to purchase Insta-Valve 250 Patriot Insertion Valves, from Hydra-Stop, in an amount not to exceed \$100,000. (Chris Salas)

On motion of Vice-Mayor Anderson, seconded by Councilmember Larsen, and carried (6-0) to purchase Insta-Valve 250 Patriot Insertion Valves, from Hydra-Stop, in an amount not to exceed \$100,000.

- f. Discussion/Approval/Disapproval to enter into a Professional Services Agreement with Swan Architects Inc, in an amount not to exceed \$100,000. (Chris Salas)

On motion of Councilmember Cordes, seconded by Councilmember Hughes, and carried (6-0) to enter into a Professional Services Agreement with Swan Architects Inc, in an amount not to exceed \$100,000.

13. MANAGER’S REPORT

14. DEPARTMENT REPORTS

- a. Community Development
- b. Community Services
- c. Courts
- d. Finance
- e. Fire
- f. Police
- g. Public Works

15. CALL TO THE PUBLIC

16. CALL TO THE COUNCIL – CURRENT EVENTS ONLY

17. 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 Councilmember Cordes, seconded by Councilmember Hughes, and carried (6-0) to adjourn to Executive Session.

18. ADJOURNMENT FROM EXECUTIVE SESSION

On motion of Councilmember Cordes, seconded by Mayor Walter, and carried (6-0) to adjourn from Executive Session.

19. ADJOURNMENT

On motion of Councilmember Cordes, seconded by Councilmember Hughes, and carried (6-0) to adjourn from the meeting at 9:23 p.m.

Posted this 8th day of August 2019, on the Town of Florence website at www.florenceaz.gov by Maria Hernandez, Deputy Town Clerk.