

TOWN OF FLORENCE REGULAR MEETING AGENDA

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



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

Monday, March 16, 2020

5:30 PM

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the Town of Florence Council and to the general public that a Regular Meeting of the Florence Town Council will be held on Monday, March 16, 2020, at 5:30 p.m., in the Florence Town Council Chambers, located at 775 N. Main Street, Florence, Arizona. The agenda for this meeting is as follows:

1. CALL TO ORDER

2. ROLL CALL: Tara Walter, John Anderson, Bill Hawkins, Karen Wall, Kristen Larsen, Michelle Cordes, Judy Hughes

3. MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 1

a. Call to Order

b. **ROLL CALL: Tara Walter, John Anderson, Bill Hawkins, Karen Wall, Kristen Larsen, Michelle Cordes, Judy Hughes**

4. MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 2

a. Call to Order

b. **ROLL CALL: Tara Walter, John Anderson, Bill Hawkins, Karen Wall, Kristen Larsen, Michelle Cordes, Judy Hughes**

5. ADJOURNMENT TO A JOINT EXECUTIVE SESSION WITH MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 1, MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 2 AND THE MAYOR AND COUNCIL OF THE TOWN OF FLORENCE.

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. 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, Merrill Ranch Community Facilities District No. 2 and the Town of Florence.

b. Discussion or consultation potential and threatened claims against the Town and Districts.

6. ADJOURNMENT FROM MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 1 EXECUTIVE SESSION.

7. ADJOURNMENT FROM MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 1 MEETING.

8. ADJOURNMENT FROM MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 2 EXECUTIVE SESSION.

9. ADJOURNMENT FROM MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 2 MEETING.

10. ADJOURNMENT FROM THE FLORENCE TOWN COUNCIL EXECUTIVE SESSION AND TO RESUME REGULAR MEETING.

11. MOMENT OF SILENCE

12. PLEDGE OF ALLEGIANCE

13. 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.

14. PUBLIC HEARING AND PRESENTATION

a. Public hearing to receive public comment on the Text Amendment to the Town of Florence Land Development Code and first reading of Ordinance 689-20: An Ordinance of the Town of Florence, Pinal County, Arizona, amending the Town of Florence Code of Ordinances, Title XV Land Usage, Chapter 150: Development Code, Administration and Procedures Sections 150.000 to 150.019 and adding Sections 150.020 to 150.024, and relocating "Part 1. General Provisions," Sections 150.080 to 150.081 to the Administration and Procedures Sections 150.020 and 150.021, respectively. The proposed text amendment document was declared a public record by Resolution No 1733-20, one paper copy is on file in the Office of the Town Clerk, and one electronic copy is available on the Town of Florence website. (Dana Burkhart)

b. Census 2020 Presentation. (Jennifer Evans)

15. 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 dispose of vehicles that are no longer needed and have outlived their useful life. (Rebecca Jimenez)
- b. Approval of Lantis Fireworks and Lasers contract for the 2020-2021 Fireworks Display in an amount not to exceed \$37,000. (Alison Feliz)
- c. Approval of a Change Order for the Poston Butte Preserve Project On-Call Engineering, pursuant to Council approved contract with WestLand Resources, Inc., for an additional \$2,500, increasing the total to \$199,913, which is within budget for this fiscal year. (John Nixon)
- d. Authorize Town staff to proceed with negotiations with the five parks communities in drafting a special use agreement for future development of a Town parcel for use as a community dog park. (John Nixon)
- e. Approval of the January 27, 2020 Town Council Meeting minutes.
- f. Receive and file the following board and commission minutes:
 - 1. January 9, 2020 Arts and Culture Commission Meeting minutes.
 - 2. January 29, 2020 Historic District Advisory Commission Meeting minutes.
 - 3. December 5, 2019 Planning and Zoning Commission Meeting minutes.

16. UNFINISHED BUSINESS

- a. Ordinance No. 691-20: Second reading and Discussion/Approval/Disapproval of AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA AMENDING SECTIONS OF CHAPTER 32.001 (D) TOWN BOARDS, COMMISSION, AND COMMITTEES. (Lisa Garcia)

17. NEW BUSINESS

- a. Discussion/Approval/Disapproval to adopt the Major General Plan Amendment Calendar for 2020. (Larry Harmer)
- b. First reading of Ordinance No. 692-20: AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, AMENDING THE CODE OF ORDINANCE, ARIZONA, TITLE XI BUSINESS REGULATIONS, BY AMENDING CHAPTER 111, SECTION 111.05 (F) OPERATIONAL REQUIREMENTS. (Lisa Garcia)
- c. Resolution No. 1735-20: Discussion/Approval/Disapproval of A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, EXERCISING TOWN COUNCIL'S LEGISLATIVE DISCRETION TO NOT ENFORCE OR SUSPEND ENFORCEMENT OF CHAPTER 111, SECTION 111.05 (F) UNTIL THE EFFECTIVE DATE OF ORDINANCE NO. 692-20. (Lisa Garcia)

- d. Resolution No. 1736-20: Discussion/Approval/Disapproval of A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, ADOPTING REVISIONS TO THE TOWN OF FLORENCE PROPERTY LEASE POLICY. (Lisa Garcia/Jennifer Evans)

18. WORK SESSION ON STREET LIGHT IMPROVEMENT ORDINANCE AND POLICY (Chris Salas)

19. MANAGER'S REPORT

20. CALL TO THE PUBLIC

21. CALL TO THE COUNCIL – CURRENT EVENTS ONLY

22. ADJOURNMENT TO EXECUTIVE SESSION

For the purposes of discussions or consultations with designated representatives of the public body and/or legal counsel pursuant to A.R.S. Sections 38-431.03 (A)(3), (A)(4) and (A)(7) to consider its position and instruct its representatives and/or attorneys regarding:

- a. Town's position and instruct its attorneys regarding pending litigation in Maricopa County Superior Court: Town of Florence v. Florence Copper, Inc. CV2015-000325, including counterclaims.
- b. Town's position and instruct its attorneys regarding Arizona Department of Environmental Quality proceedings, related to Water Quality Appeals Board Case No. 16-002, including appellate proceedings to reviewing courts.
- c. Town's position and instruct its attorneys regarding pending litigation in the U.S. District Court for the District of Arizona: (Case No. CV-14-01304-PHX-DMF) Walt Hunter and Jarris A.H. Varnrobinson Von Zombie v. Town of Florence, et al.
- d. Town's position on purchasing, leasing and or selling land.

23. ADJOURNMENT FROM EXECUTIVE SESSION

24. ADJOURNMENT

Council may go into Executive Session at any time during the meeting for the purpose of obtaining legal advice from the Town's Attorney(s) on any of the agenda items pursuant to A.R.S. § 38-431.03(A)(3). One or more members of Council may appear for part or all of the meeting including Executive Session telephonically.

POSTED ON MARCH 12, 2020, BY LISA GARCIA, TOWN CLERK, AT 775 NORTH MAIN STREET, FLORENCE, ARIZONA, AND AT WWW.FLORENCEAZ.GOV.

*****PURSUANT TO TITLE II OF THE AMERICANS WITH DISABILITIES ACT (ADA), THE TOWN OF FLORENCE DOES NOT DISCRIMINATE ON THE BASIS OF DISABILITY REGARDING ADMISSION TO PUBLIC MEETINGS. PERSONS WITH A DISABILITY MAY REQUEST REASONABLE ACCOMMODATIONS BY CONTACTING THE TOWN OF FLORENCE ADA COORDINATOR, AT (520) 868-7574 OR (520) 868-7502 TDD. REQUESTS SHOULD BE MADE AS EARLY AS POSSIBLE TO ALLOW TIME TO ARRANGE THE ACCOMMODATION.*****