

# ACTION MINUTES

**MINUTES OF THE TOWN OF FLORENCE COUNCIL MEETING HELD ON MONDAY, JUNE 15, 2020, AT 5:30 P.M., IN THE FLORENCE TOWN COUNCIL CHAMBERS, LOCATED AT 775 N. MAIN STREET, FLORENCE, ARIZONA.**

## **SPECIAL NOTICE REGARDING PUBLIC MEETINGS**

*Due to the risks to public health caused by the possible spread of the COVID-19 virus at public gatherings, the Town of Florence has determined that public meetings will be indefinitely held through technological means. Meetings will be open to the public through technological means. In reliance on, and in compliance with, the March 13, 2020 Opinion issued by Attorney General Mark Brnovich, and in conjunction with the Emergency Proclamation signed by Mayor Tara Walter, on March 18, 2020. The Town of Florence provides this special advance notice of the technological means through which public meetings may be accessed. While this special notice is in effect, public comment at meetings will only be accepted through written submissions, which may or may not be read aloud during meetings.*

### **1. CALL TO ORDER**

**Mayor Walter called the meeting to order at 5:30 p.m.**

### **2. ROLL CALL:**

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

### **3. ADJOURNMENT TO EXECUTIVE SESSION**

For the purposes of discussions or consultations with designated representatives of the public body and/or legal counsel pursuant to A.R.S. Sections 38-431.03 (A)(1) (3) (4) & (7) to:

- a. Review proposal received on the Territory Square Project and instruct the attorney on how to proceed.
- b. Review proposal received on the Silver King Suite 202 and instruct the attorney on how to proceed.

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

**\*Councilmember Cordes was not present for the motion.**

### **4. ADJOURNMENT FROM EXECUTIVE SESSION**

**On motion of Councilmember Wall, seconded by Councilmember Larsen, and carried (6-0) to adjourn from Executive Session.**

### **5. MOMENT OF SILENCE**

## **6. PLEDGE OF ALLEGIANCE**

## **7. 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.

## **8. ADJOURN TO ANTHEM AT MERRILL RANCH COMMUNITY FACILITIES DISTRICT 2.**

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

- a. Discussion and possible action on Resolution No. MRCFD2 242-20: RESOLUTION (1) PROVIDING FOR THE SALE AND ISSUANCE OF MERRILL RANCH COMMUNITY FACILITIES DISTRICT NO. 2 GENERAL OBLIGATION REFUNDING BONDS AND FOR THE ANNUAL LEVY OF A TAX FOR THE PAYMENT OF THE BONDS; (2) DELEGATING AUTHORITY TO THE DISTRICT MANAGER OF THE DISTRICT OR HIS DESIGNEE TO DETERMINE CERTAIN MATTERS AND TERMS WITH RESPECT TO THE FOREGOING AS WELL AS CERTAIN MATTERS WITH RESPECT TO CERTAIN BONDS BEING REFUNDED WITH THE PROCEEDS OF THE SALE OF SUCH BONDS; (3) APPROVING THE FORM AND AUTHORIZING THE EXECUTION AND DELIVERY OF NECESSARY AGREEMENTS, INSTRUMENTS AND DOCUMENTS RELATED TO THE SALE AND ISSUANCE OF SUCH BONDS; (4) ADOPTING POST-ISSUANCE TAX COMPLIANCE PROCEDURES IN CONNECTION WITH ISSUANCE OF OBLIGATIONS OF THE DISTRICT AND (5) AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO CONSUMMATE THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION AND RATIFYING ALL ACTIONS TAKEN TO FURTHER THIS RESOLUTION (Becki Jimenez)

**On motion of Boardmember Wall, seconded by Vice-Chairman Anderson, and carried (6-0) to adopt Resolution No. MRCFD2 242-20.**

- b. Approve and accept Written Policies and Procedures for Tax-Advantaged Obligations for Merrill Ranch Community Facilities District No. 2, with an implementation date of June 15, 2020. (Becki Jimenez)

**On motion of Vice-Chairman Anderson, seconded by Boardmember Hughes, and carried (6-0) to approve and accept Written Policies and Procedures for Tax-Advantaged Obligations for Merrill Ranch Community Facilities District No. 2 , with an implementation date of June 15, 2020.**

- c. Discussion and possible action to approve Merrill Ranch Community Facilities District No. 2 February 18, March 16 and April 15, 2020 Special Meeting minutes.

**On motion of Vice-Chairman Anderson, seconded by Boardmember Larsen, and carried (6-0) to approve the Merrill Ranch Community Facilities District No. 2 February 18, March 16 and April 15, 2020 Special Meeting minutes.**

**9. ADJOURN FROM ANTHEM AT MERRILL RANCH COMMUNITY FACILITIES DISTRICT 2.**

**On motion of Vice-Chairman Anderson, seconded by Boardmember Larsen, and carried (6-0) to adjourn from the Anthem at Merrill Ranch Community Facilities District No. 2.**

**10. PRESENTATIONS**

- a. Proclaim July 2020 as Parks and Recreation Month in the Town of Florence and encourage residents to get outdoors and enjoy their community through parks and recreation. (Alison Feliz)

**Mayor Walter proclaimed July 2020 as Parks and Recreation Month.**

- b. Presentation on the Major General Plan Amendment for Grinders Sports. (Larry Harmer)
- c. WaterSmart Presentation for Advanced Metering Infrastructure. (Trenton Shaffer)

**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. Approval of an agreement with Pinal County for the placement of a CERT vehicle with the Fire Department. (David Strayer)
- b. Approval to purchase a new Merit 50 Hp gas engine with a 4-speed gear box concrete saw, from Grabber Power Products, in an amount not to exceed \$32,260.05. (Chris Salas)
- c. Authorization to enter into a Letter of Agreement with the Florence Unified School District to provide a 3" asphalt overlay on Van Haren Street. (Chris Salas)
- d. Approval to enter into a contract with Cactus Transport, dba Cactus Asphalt, for asphalt overlay on Van Haren Street and a patch on Butte Avenue, in an amount not to exceed \$147,478.04. (Chris Salas)
- e. Approval of the acceptance of the improvements of the warranty period which shall begin June 15, 2020 for Anthem at Merrill Ranch Units 35A and Unit 37. (Chris Salas)
- f. Authorization to purchase two 2020 Chevy Silverado trucks from Enterprise Fleet Management Trust, in an amount not to exceed amount of \$92,211.33. (Chris Salas)
- g. Approval of the May 4, May 12, May 18 and May 26, 2020 Town Council Meeting minutes.
- h. Receive and file the following board and commission minutes:
  - i. February 20, 2020 Planning and Zoning Commission Meeting minutes.

**On motion of Councilmember Larsen, seconded by Vice-Mayor Anderson, and carried (6-0) to approve the Consent Agenda, as written, with the exception of Item 11a. and 11b.**

- b. Approval to purchase a new Merit 50 Hp gas engine with a 4-speed gear box concrete saw, from Grabber Power Products, in an amount not to exceed \$32,260.05. (Chris Salas)

**On motion of Vice-Mayor Anderson, seconded by Councilmember Wall, and carried (6-0) to purchase a new Merit 50 Hp gas engine with a 4-speed gear box concrete saw, from Grabber Power Products, in an amount not to exceed \$32,260.05.**

- a. Approval of an agreement with Pinal County for the placement of a CERT vehicle with the Fire Department. (David Strayer)

**On motion of Councilmember Hughes, seconded by Vice-Mayor Anderson, and carried (6-0) to approve an agreement with Pinal County for the placement of a CERT vehicle with the Fire Department.**

## **12. NEW BUSINESS**

- a. RESOLUTION NO. 1739-20: Discussion/Approval/Disapproval of adopting 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 2020-2021; 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. (Becki Jimenez)

**On motion of Vice-Mayor Anderson, seconded by Councilmember Wall, and carried (6-0) to adopt Resolution No. 1739-20.**

- b. Resolution No. 1743-20: Discussion/Approval/Disapproval of A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, DECLARING AS A PUBLIC RECORD CERTAIN DOCUMENTS FILED WITH THE TOWN CLERK AND ENTITLED “INTERNATIONAL FIRE CODE, 2012 EDITION, WITH APPENDICES B, C, D, E, F, G, H AND I, AND ADDENDUMS AND ALTERNATIVES TO SAID TECHNICAL CODES FOR SECTIONS 202 AND 903 DATED AUGUST 20, 2020”. (Barbara Rice)

**On motion of Councilmember Wall, seconded by Councilmember Cordes, and carried (6-0) to adopt Resolution No. 1743-20.**

- c. Ordinance No. 697-20: First Reading of AN ORDINANCE OF THE TOWN OF FLORENCE, ARIZONA AMENDING SECTION 150.300 (TECHNICAL CODES) OF THE TOWN OF FLORENCE CODE OF ORDINANCES BY AMENDING THE 2012 INTERNATIONAL FIRE CODE ADOPTED BY REFERENCE UNDER ORDINANCE NO. 674-19. (Barbara Rice)
- d. Discussion/Approval/Disapproval for the Town Manager to negotiate a Development Agreement with MODUS Holdings, Inc., to construct a residential project in the Territory Square District known as “Territory Square Property Development” and to publish a Notice of Intent to Award RFP 05042020. (Brent Billingsley)

**On motion of Councilmember Wall, seconded by Councilmember Larsen, and carried (6-0) to approve the Town Manager to negotiate a Development Agreement with MODUS Holdings, Inc. to construct a residential project in the Territory Square District known as "Territory Square Property Development" and to publish a Notice of Intent to Award RFP 05042020.**

**13. MANAGER'S REPORT**

**14. CALL TO THE PUBLIC**

**15. CALL TO THE COUNCIL – CURRENT EVENTS ONLY**

**16. ADJOURNMENT TO EXECUTIVE SESSION**

For the purposes of discussions or consultations with designated representatives of the public body and/or legal counsel pursuant to A.R.S. Sections 38-431.03 (A)(1) (3) & (4) to:

- a. Filling the vacant Council seat.
- b. Council questions regarding Town Council Rules of Procedures.

**On motion of Vice-Mayor Anderson, seconded by Councilmember Larsen, and carried (6-0) to adjourn to Executive Session.**

**Councilmember Cordes left the meeting following the Executive Session.**

**17. ADJOURNMENT FROM EXECUTIVE SESSION**

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

**18. ADJOURNMENT**

**On motion of Vice-Mayor Anderson, seconded by Councilmember Hughes, and carried (5-0) to adjourn the meeting at 9:50 p.m.**

**Posted this 16<sup>th</sup> day of June, 2020, on the Town of Florence website at [www.florenceaz.gov](http://www.florenceaz.gov) by Maria Hernandez, Deputy Town Clerk.**