

ACTION MINUTES

MINUTES OF THE TOWN OF FLORENCE COUNCIL MEETING OF THE FLORENCE TOWN COUNCIL HELD ON TUESDAY, SEPTEMBER 8, 2020, AT 6:00 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 6:00 p.m.

2. ROLL CALL:

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

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. PRESENTATIONS

- a. Presentation of the 60% Design Development Documents for Poston Butte Preserve by J2. (Hezekiah Allen)
- b. Recognition in honor of Lieutenant Terry Tryon retiring from the Town of Florence after serving over 30 years in law enforcement. (Bruce Walls)

7. 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. Adoption of Resolution No. 1748-20: A Resolution of the Town of Florence, Pinal County, Arizona, approving and designating, Town Manager Brent Billingsley to act as applicant agent between the Town of Florence and the Arizona Department of Emergency and Military Affairs. (Rebecca Jimenez)
- b. Approval of the Programmatic Agreement and the Historic Properties Treatment Plan between the Town of Florence, Bureau of Land Management, and the State Historic Preservation Office for the Poston Butte Preserve Project. (Hezekiah Allen)
- c. Approval of accepting the register of demands ending July 31, 2020, in the amount of \$5,002,399.90. (Rebecca Jimenez)

On motion of Councilmember Wall, seconded by Vice-Mayor Anderson, and carried (6-0) to approve the Consent Agenda, as written.

8. UNFINISHED BUSINESS

- a. Discussion/Approval/Disapproval of the Florence Returning Stronger Grant Program. (Ben Bitter)

On motion of Vice-Mayor Anderson, seconded by Councilmember Wall, and carried (6-0) the Florence Returning Stronger Grant Program.

- b. Ordinance No. 686-20: Discussion/Approval/Disapproval of AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, AMENDING SECTION 96.43, STREET LIGHTING; REQUIREMENTS; IMPROVEMENT DISTRICTS. (Reading November 18, 2019 and March 16, 2020) (Lisa Garcia)

On motion of Councilmember Wall, seconded by Councilmember Larsen, and carried (6-0) to adopt Ordinance No. 686-20.

9. NEW BUSINESS

- a. Discussion/Approval/Disapproval to accept Andrea L. Hild's resignation from the Community Services Advisory Board. (Hezekiah Allen)

On motion of Vice-Mayor Anderson, seconded by Councilmember Larsen, and carried (6-0) to accept Andrea L. Hild's resignation from the Community Services Advisory Board.

- b. Discussion/Approval/Disapproval to enter into a contract with Cactus Asphalt (dba: Cactus Transport Inc.) for asphalt maintenance and repair services, in an amount not to exceed \$403,602.99, which includes a 15% contingency. (Chris Salas)

On motion of Councilmember Wall, seconded by Councilmember Larsen, and carried (6-0) to enter into a contract with Cactus Asphalt (dba: Cactus Transport Inc.) for asphalt maintenance and repair services, in an amount not to exceed \$403,602.99, which includes a 15% contingency.

- c. Discussion/Approval/Disapproval of ratifying a Lease Agreement with Pinal County for use of the Florence Community Center as a Florence location for COVID-19 testing. (Brent Billingsley)

On motion of Vice-Mayor Anderson, seconded by Councilmember Larsen, and carried (6-0) to ratify a Lease Agreement with Pinal County for use of the Florence Community Center as a Florence location for COVID-19 testing.

- d. Discussion/Approval/Disapproval to lease 17 vehicles with Enterprise Fleet Management, in an amount not to exceed \$300,000. (Chris Salas)

On motion of Vice-Mayor Anderson, seconded by Councilmember Larsen, and carried (5: Walter, Anderson, Wall, Larsen; Hughes: 1: Cordes) to approve to lease 17 vehicles with Enterprise Fleet Management, in an amount not to exceed \$300,000.

10. MANAGER'S REPORT

11. DEPARTMENT REPORTS

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

12. CALL TO THE PUBLIC

13. CALL TO THE COUNCIL – CURRENT EVENTS ONLY

14. 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), (A)(3) and (A)(4) to consider its position and instruct its representatives and/or attorneys regarding:

- i. Town's position and instruct its attorneys on the Rules of Procedure of Town Council.
- ii. Town's position and instruct its attorneys regarding request for proposals issued for rental space in Town facilities.
- iii. 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.
- iv. 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.

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

15. ADJOURNMENT FROM EXECUTIVE SESSION

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

16. ADJOURNMENT

On motion of Councilmember Wall, seconded by Vice-Mayor Anderson, and carried (6-0) to adjourn the meeting at 10:01 p.m.

Posted this 10th day of September, 2020, on the Town of Florence website at www.florenceaz.gov by Maria Hernandez, Deputy Town Clerk.