

**THE REGULAR MEETING
OF THE MAYOR AND CITY COUNCIL OF BENSON, ARIZONA
HELD APRIL 13, 2015 AT 7:00 P.M.
AT CITY HALL, 120 W. 6TH STREET, BENSON, ARIZONA**

CALL TO ORDER:

Mayor King called the meeting to order at 7:03 p.m. with the Pledge of Allegiance.

ROLL CALL:

Present were: Mayor Toney D. King, Sr., Vice Mayor Lori McGoffin, Councilmembers Pat Boyle, Jeff Cook, Joe Konrad, David Lambert and Chris Moncada.

EMPLOYEE RECOGNITION: None

PROCLAMATION:

Mayor King read a proclamation of the Mayor and Council declaring the month of April as "Fair Housing Month."

Mayor King then introduced Chaplain Michael Gherardini who offered the invocation.

PUBLIC HEARING:

City Clerk Vicki Vivian stated the public hearing was being held to receive comments from the public regarding El Dorado Holdings' proposed Preliminary Community Master Plan for Vigneto, the area formerly known as Whetstone Ranch. Ms. Vivian then stated this public hearing is an opportunity for citizens to address questions, concerns or support for the proposed Preliminary Community Master Plan directly to the Benson City Council.

Mayor King opened the public hearing at 7:08 p.m. Mayor King stated there were quite a few people signed up, so he would be limiting speakers to 3 minutes.

Robert Blanchette, Rainbow Trail, St. David, addressed Council stating Sierra Vista has a population of 45,429, Cochise County has a population of 129,473 and this Vigneto development figure, using 2 people per house would mean 57,600 people would be in Benson within 20 years which is 24% more than Sierra Vista and 44% of the current population of this county in one development. Mr. Blanchette then asked if anyone wanted to build another Sierra Vista right on the hill outside of this community, then stated he didn't think so because there were no jobs or industry here and no plans for it, noting the proposed solar energy park fell through along with the data center and the UAV project at the airport. Mr. Blanchette then stated the employment picture for Benson is bleak and the only thing keeping Sierra Vista afloat currently is Ft. Huachuca, adding Sierra Vista is already in financial trouble. Mr. Blanchette then stated all the new residents will have to work in Tucson, which will be putting a bunch of new cars on the road and asked how the roads could possibly handle this traffic, adding Sierra Vista's traffic is a mess. Mr. Blanchette then asked what the plan was for dealing with the trash from this development and where the enormous landfill is going to be located to accommodate this trash, adding the Tucson landfill used to be a hole in the ground but is now a mountain. Mr. Blanchette then asked how the sewage would be handled, adding Tucson has been dealing with a serious sewage problem for years and it stinks where he works all the time. Mr. Blanchette then stated despite spending \$100 million, Tucson hasn't been able to address the odor problem at Ina Road down to Miracle Mile. Mr. Blanchette then stated the idea that a developer can guarantee a 100-year water supply is pure fiction, adding no one can predict the future or how much it's going to rain here, adding Arizona has been in a 15-year extended drought and no one predicted that. Mr. Blanchette then stated if the founders of this State in 1912 had guaranteed a 100-year water supply, it would have run out 3 years ago. Mr. Blanchette then stated Tucson has been piping CAP water for years directly to homes, which they promised never to do

because their aquifer was depleted by developers and then stated Benson doesn't have CAP water here or a lake or a river that runs all the time and asked where the water will come from when the aquifer gets depleted. Mr. Blanchette then stated people choose to live in Benson to escape noise, pollution, light pollution and crime of the city and people who want to put up with those things in order to have the amenities of a big city can move to Tucson or Sierra Vista. Mr. Blanchette then stated people live in Benson because they have different values and they want less crime, less noise, less congestion and friendly towns full of people who know and care about each other, not impersonal developments built to look like cheap imitations of Tuscany. Mr. Blanchette then stated the residents of this area already spoke loudly and clearly about this issue 8 years ago when Diamond Ventures tried to develop Smith Ranch, adding the issue went to the voters and the development was defeated by a 67% to 33% margin with 21,000 votes against the development and 10,000 votes for it. Mr. Blanchette then stated Mr. Richard Searle from the Board of Supervisors, was quoted saying "since it failed, it tells the Board that higher density developments are not acceptable to rural Americans" and asked why Benson didn't get the same message from that landslide vote. Mr. Blanchette then asked the Council to table this issue for at least 6 months so the potential impacts can be studied more fully and then asked that the issue be put to the voters like the Wal-Mart rezoning and Smith Ranch was, adding the voters of this area are wise enough to decide what they want their quality of life to be like, which is why Wal-Mart was resoundingly approved and Smith Ranch was just as resoundingly defeated. Mr. Blanchette then stated the people of this area want the services they need, but we don't want crowd, noise or the traffic of a big city, which is why they moved here in the first place.

Anna Lands, Cascabel Road, Benson, addressed Council reading a letter for Les Corley, a resident of Tucson. The letter read "As a long time Arizona resident and as a professional ecologist, I am writing to encourage you to demonstrate leadership on behalf of the natural resources under your stewardship in the community Benson along the globally significant San Pedro River. The long term sustainability of your community's economic and environmental conditions requires that you exercise prudence in deliberating on a development project of such a large scale in Cochise County. Completion of this development will no doubt have many long term consequences for your community and many other residents within the San Pedro watershed. Understanding the hydrogeological functions of the middle reaches of the San Pedro basin and how the proposed development would most likely impact current and future aquifer and surface water flows is of utmost importance in making an informed decision on the scale and water use proposed by the proposed Villages at Vigneto development. I strongly urge you to defer making a decision on this development proposal until further geological and hydrological studies are completed. It is critical that your community will have a more complete picture of the likely impacts a development of this scale will have on Benson and the San Pedro middle basin water resources in the future. Water is life in the desert and without it your community will not thrive in the ways that you and your residents desire. Thank you for your careful consideration."

Anna Lands, Cascabel Road, Benson, then read a letter for Debbie Collazo, a resident of Tucson, who was against the proposed Vigneto development. The letter with Ms. Collazo's comments was distributed to the Council and will be retained with the Council packet.

Jim McPherson, Cascabel Road, Benson, stated he is not a resident but he gets his mail at the Post Office in Benson. Mr. McPherson then stated his personal position is that he agrees with the people who spoke, and he will satisfy himself by passing on questions that Mary McCool has raised. The questions were: When is development of the commercial area and water features targeted; How many homes will need to be occupied to produce the effluent needed for supporting water features/golf course; Will anticipated USGS water studies possibly influence proposed water features/golf course and development phasing; Do current phasing plans project anticipated drawdown per year of the groundwater table; Has further consideration been given to the concept of water in ponds at the commercial area reaching clay layers and traveling downslope to appear as springs on the side of sloped areas as was the concern for the wastewater treatment plant ponds and the need for installation of piezometers for monitoring; Where in this process will developers/councilmembers find opportunities to relook at timelines/results from monitoring the groundwater table, etc.

Elna Otter, Cascabel Road, Benson, spoke for Chris Eastlow, stating they both live on Cascabel road. Ms. Otter read Mr. Eastlow's remarks which addressed salient points from a hydrological study from Hopkins et al 2014, that it would be prudent to examine the issue of sustainable withdrawal more thoroughly before

increasing the rate of groundwater withdrawal by a large factor and that withdrawing a large amount of groundwater from the flanking unconfined aquifers is probably also unsustainable and will deplete the supply of water that replenishes the confined aquifer. Mr. Eastlow's comments were distributed to the Council and will be retained with the Council packet.

Elna Otter, Cascabel Road, Benson, then addressed Council on her own behalf, regarding the USGS study that was done, stating she understands that part 1 was done, part 2 is about to be available and part 3 has not been started yet. Ms. Otter then stated she thinks it's critical to wait until the Council gets at least part 2 to address this issue, adding she thinks it would behoove everyone to wait until there is a better understanding of the hydrology. Ms. Otter then stated a long time ago, she went to school in California, where there was a lot of experience not with hydrologists, but with geological studies indicating whether or not houses could be built on mountains, adding they didn't wait long enough and the houses ended up in mudslides at the bottom. Ms. Otter then stated she would just like as much as information as possible before the Council commits the San Pedro River, adding the river is inestimable value with birds from the whole western U.S. and all kinds of wildlife going down there. Ms. Otter then stated she didn't want to see Benson come to an untimely end, nor did she want to see the water in the San Pedro come to an untimely end.

Norm Mender, Lee Street, Tucson, stated he split his time between Cascabel and Tucson, adding he is a geologist who graduated from the U of A in 1977 and worked for the university in geosciences for 23 years, but is retired now. Mr. Mender then stated he wanted to talk about the 4 M's of water development and distributed information to Council addressing Modeling how groundwater will decline through time; Monitoring groundwater levels systematically through time to assess how the groundwater table is actually declining; Minimizing water use through the use of efficient appliances, home furnishings and landscaping and Maximizing groundwater recharge and water harvesting. Mr. Mender's information will be retained with the Council packet. Mr. Mender then stated he wanted to talk about the first two points, adding when ADWR says there is a 100-year water supply, all they're saying is straws can be put in the ground and enough water can be pulled out for a broad area for domestic use at that time. Mr. Mender then stated ADWR doesn't say anything about what's going to happen to Benson's water supply. Mr. Mender then stated this development will be withdrawing at a far faster rate than is being replenished and the City will want to model to know what is going to happen. Mr. Mender then stated the Council doesn't know when wells may have to be deepened or drilled farther away, adding the conflicts will be with existing wells and existing users that are not on the City's system. Mr. Mender then stated the second point he wished to address is that models are always wrong to a certain degree, and the City will want to monitor how the groundwater is actually declining through time. Mr. Mender stated the City may have to have wells farther away from the actual wells pumping water to see what the overall picture is, adding there is a cone of depression under the wells and the water declines through time, noting the water surface deepens and widens and the City will want to know what the water issues are. Mr. Mender stated those are the principal points he wanted to emphasize.

David Lutz, Busterville, Tucson, stated he was a concerned citizen, adding he doesn't live in Benson, but he lives in the region and his concern is the development is too big and unsustainably large, adding it should be downsized to maybe one-tenth of the proposed size. Mr. Lutz stated the proposed development looks attractive, but it has too many houses and too many people. Mr. Lutz then stated people aren't fully aware of the climate change coming, adding it's like a freight train barreling out of control and California is already a train wreck because for years, if not decades, they promoted an unbridled population growth to 40 million people. Mr. Lutz then stated now the cities are so big and bloated, they're running out of water and having to take it from farms, adding the climate change brought about by global warming is reducing and eliminating the snow in the Sierra Mountains which is California's water supply. Mr. Lutz then stated when Arizona got the funding from congress to build the massive Central Arizona Project, Arizona gave up those water rights in order to get the funding and as a result, as California runs out of water, it will take Arizona's water. Mr. Lutz stated the problem is the proposed development is so big and the State has clearly cooked the books on the sustainability and water assurance. Mr. Lutz stated the development is going to tap into a groundwater aquifer 1,000 feet underground and when it is this far down, it's very unlikely it will be replenished by rainfall. Mr. Mender then stated water is a finite resource and a development this size will deplete it, adding once that happens, the development will need the aquifer closer to the surface that Benson uses and feeds the San Pedro River and all the ranches around here, adding that will quickly be depleted and Benson will lose its water

supply because it will create a massive cone of depression. Mr. Mender then stated Benson and the surrounding ranches and farms will run out of water, the San Pedro River will dry up, and then in desperation, there will be an attempt to get water from the Colorado river, but by that time it will be so badly drained, no more straws will be allowed in the river. Mr. Mender then stated scientists at the U of A have studied climate in detail, run very detailed computer simulations, done research on tree rings and have determined the entire southwest U.S. is going to get hotter and dryer and rainfall is going to decline. Mr. Mender then stated the 100-year sustainability doesn't take into effect the rainwater that feeds the groundwater is going to decline very drastically, adding these scientists predict by the end of this century or even by the middle of this century, there will be an unprecedented drought like never seen before.

Tricia Gerodette, Eagle Ridge Drive, Sierra Vista, stated she appreciated a master plan is being presented to Council, adding this is much preferable to subdivision by subdivision. Ms. Gerodette then asked Council if they really intended to allow, as is being presented right now, 8-story buildings to be built in this development, adding it would be like downtown Tucson and seems inappropriate in this area and she hopes the Council will consider a different limit. Ms. Gerodette then stated she also wants to raise the point that this area falls within the Buffalo Soldier electronic testing range for Ft. Huachuca, adding the testing range has been approved by the State of Arizona and she doesn't know if the Ft. would have any concerns about this development, but she thinks they should be contacted. Ms. Gerodette then stated to follow up on everything that has been said about water, she would try a slightly different approach. Ms. Gerodette then stated the Council knows there is a clay layer which provides some level of protection, adding it's a thin layer that comes and goes with the river and under that clay layer is the aquifer. Ms. Gerodette then stated to her, it's like a savings account that has been built up over thousands of years with water that is currently being tapped and the development will take more out of it. Ms. Gerodette then stated the current water usage is like a checking account and a savings account can feed the checking account for a while, depending on how big the savings account is and how fast its' being depleted. Ms. Gerodette then read from the USGS circular, "Streamflow Depletion by Wells" stating it is not reasonable to expect pumping beneath an extensive confining layer will eliminate depletion, water does move vertically from one aquifer to another through confining layers and drawdown from pumping can propagate through confining layers as well. The confining layer is the clay layer. The argument that pumping beneath the confining layer eliminates the possibility of depletion implies that the pump to aquifer is without any vertical or lateral connection to aquifer material; it is connected to surface water. The existence of gradience, however, is evidence that aquifers do receive that water. The timing of depletion in systems with extensive confining layers is best understood using numerical models of groundwater flow. Ms. Gerodette then stated she wanted to urge modeling and monitoring.

Don Buchanan, River Rd, St. David, stated he lives on the river and has an artesian well, adding in when it was drilled originally, the flow was 7 gallons a minute, but the flow now is 1 gallon a minute. Mr. Buchanan then stated the decrease in flow is with no one moving into that area and this concerns him. Mr. Buchanan then stated he drilled a second well this summer, which cost \$20,000 and he hopes nothing happens that causes his availability to be destroyed, adding he believes he is in the same aquifer that is being referred to. Mr. Buchanan then stated he knows the flow of surface water across his property, adding most of the surface water from the property where the proposed development goes across his property. Mr. Buchanan then stated he was glad to speak last because all the facts were covered much better by the people who spoke before him. Mr. Buchanan then stated he hoped the Council would wait to make a decision, adding there are a lot of facts and he would suspect that no one on the Council knows them all. Mr. Buchanan then stated delaying a decision won't slow down the development because the person in charge has said it doesn't matter what the Council does, they are going to go ahead and do what they are going to do. Mr. Buchanan then stated if the Council doesn't approve this now; it leaves them in a better position legally than having to change something later on after it's been approved. Mr. Buchanan then stated earlier he heard a very emotional discussion about softball, Little League and taking care of the kids, adding if the Council wants to take care of the kids this summer and then destroy the community 20 years from now. Mr. Buchanan then asked the Council to not make a positive decision tonight and to wait until they have more facts.

Mayor King then closed the public hearing at 7:39 p.m.

2. **Presentation of a Certificate of Appreciation to Travis Barney**

Mayor King stated before he moved on to the Call to the Public, he wanted to address an agenda item, adding the young man who is the subject of the item needed to leave. Mayor King then asked Mr. Travis Barney to come forward. Mayor King stated on January 31, 2015, Mr. Barney painted sections of the Community Center and the picnic tables for his Eagle Scout Project, adding due to the wood on the building starting to deteriorate from the weather and the rusting picnic tables, this project was necessary. Mayor King then stated with the help of his volunteers: Mason Palmer, Nick Judd, Bevin Judd, Jace Barney, Brett Barney, Lisa Barney, Kyle Tappan, and Josh Sparkman; Travis was able to complete this project very quickly. Mayor King then stated the building and the picnic tables look great and he was very proud of Mr. Barney. Councilmember Cook stated he would like to comment that all the work done for free is helping relieve some pressure on budget and thanked Mr. Barney.

CALL TO THE PUBLIC:

Lisa Hill, President of the Benson Clean & Beautiful committee stated their mural project is still moving along, adding they just finished another mural at the Visitor Center that is very beautiful. Ms. Hill then stated the committee is hopefully planning on 2 more murals in the next 6 months; a 12' x 24' mural on the HiWo building honoring the Chinese grocery store that was in Benson from 1886 to 1989 and a 13' x 16' wildlife mural on the building on Highway 80 that formerly housed Frontier Fitness. Ms. Hill then stated the committee isn't asking for any money from the City, but they are asking for personal commitments from each Councilmember to donate to these projects, adding the committee is looking to collect \$16,000 for these two murals. Ms. Hill then stated as officers of Benson Clean & Beautiful, Leo O'Farrell and she both donated \$50 each and the committee also received \$100 from customers who go to the Clip, Cut and Polish beauty shop. Ms. Hill then stated the committee is just asking for more support from individual Councilmembers and the community for donations for these projects.

Kathy Suagee, Duane Street, Benson, stated the Council should all realize how the public has honored them by choosing them to make decisions that affect the public. Ms. Suagee then stated the public is allowed to address the Council from the lectern, adding its purpose is for the public to address the Council and is not for the Councilmen to address the public or one another. Ms. Suagee then stated when she was on Council in 2003, she asked Kathy Connolly, from the League of Cities and Towns if there would ever be a time when a Councilmember could use the lectern and Ms. Connolly's answer was that a Councilmember should never compromise his or her authority by using the podium and everything a Council person has to say should be said from the dais. Ms. Suagee then stated this cardinal rule has been violated many times in the past years and most recently, it was broken by Councilman Jeff Cook, who addressed the Planning & Zoning Commission last Tuesday encouraging the Commission to pass their agenda item which was to forward the issue on the Vigneto project to the City Council. Ms. Suagee then stated one might see the conflict of interest here; a Councilman asking the Planning & Zoning Commission to forward the issue to the City Council and declaring his support for the measure at an open microphone. Ms. Suagee then stated Councilmember Cook comprised his position as a Councilmember, adding she has contacted the Attorney General's office to ask their advice on this and they told her she would have to make a formal complaint. Ms. Suagee then stated she chose not to do that and instead went to City Manager William Stephens and asked him to speak to Councilman Cook and ask him not to participate in tonight's discussion and vote on the El Dorado's Villages at Vigneto project. Ms. Suagee then stated she thinks for Councilmember Cook to do so compromises his position as a Council person, compromises his vote and his consideration of the measure. Ms. Suagee then stated she was encouraging all Councilmembers not to use the public podium as their bully pulpit anymore.

Councilmember Cook stated he would like to respond with City Attorney Gary Cohen stating Councilmember Cook could respond to the criticism at the end of the Call to the Public.

Paul Lotsof, Manager of CAVEFM, stated he would like to address the Council on the subject of the proposed increase in the sales tax, adding he has heard and seen several accounts as to why this increase is needed but the one thing that all the stories leave out is the matter of how the City happened to get in this unenviable financial predicament. Mr. Lotsof stated the public is being told that the City is in big financial trouble and

must bail themselves out and the sales tax hike is the way to do that, adding apparently the thinking is that what caused the mess doesn't matter. Mr. Lotsof then stated he thinks if someone delves into the situation, they will see that the present crisis is the culmination of years of reckless and wasteful spending and there is no end in sight; then asked why the City should be bailed out when the conditions leading to the dilemma continue largely unchecked. Mr. Lotsof stated, with this in mind, he has a number of questions to ask, adding he's not just asking them as a concerned business operator but because he thinks that everyone who pays taxes in this community has a right to know the answers. Mr. Lotsof then stated he would start with what may well be the biggest debacle of all: The Stagecoach Trails Lawsuits, adding the circumstances leading to these lawsuits appear to be a need to get even with Dianne Tipton, who had subjected the City government to a massive amount of criticism. Mr. Lotsof stated the cost of the settlement to Stagecoach Trails was \$750,000 and asked how much of that \$750,000 was covered by insurance and how much the taxpayers of Benson had to pay. Mr. Lotsof then stated he recalled numerous executive sessions about Stagecoach and after many of them, either Councilmember McGoffin or Councilmember Lambert would instruct then-City Attorney Michael Masee to "stay the course," which meant to keep filing endless appeals and delay the settlement. Mr. Lotsof then asked in what way the people of Benson benefitted from delaying the settlement and how much was paid to Mr. Masee to delay the settlement and how much was paid to Murray and Simms. Mr. Lotsof then stated eventually the lawsuits were settled and asked how much money was paid to Mesch, Clark to settle the case. Mr. Lotsof then asked how much the City's liability premiums increased because of Stagecoach Trails and added that it seemed like a pretty high price just to run Dianne Tipton out of town. Mr. Lotsof then stated a major player in Stagecoach Trails was former City Manager Glenn Nichols, adding it was also during the administration of Mr. Nichols that the City's computers crashed at a cost in the tens of thousands of dollars and that the City was also implicated in the Little Caesar's affair. Mr. Lotsof then stated Mr. Nichols had a background in law enforcement but his credentials to be a City Manager were never disclosed to the public, yet it was Councilmember Lambert who suggested that Mr. Nichols be paid an annual salary of \$105,000 which was far more than Mr. Nichols had asked for. Mr. Lotsof then asked why the Council approved that salary and what the people of Benson have to show for about half a million bucks that Mr. Nichols was paid to be the City Manager. Mr. Lotsof then stated he would bring up current salaries, adding Mr. Hamilton is being paid \$96,000, which is way more than the City Manager makes and asked how that was justified. Mr. Lotsof then stated the Streets Department Supervisor is paid \$71,300, asking how that figure is rationalized. Mr. Lotsof then stated several years ago the City Council decided to go from an all-volunteer Fire Department to a partially-paid Fire Department, adding the Fire Chief is paid \$68,500 a year. Mayor King informed Mr. Lotsof that his time to speak had expired.

Don Buchanan, River Rd, St. David, declined to speak.

Amy Carter, Sierra Vista, stated she believes people were given stewardship of nature and the environment and she prays that the Council is guided by the wisdom of the ages in this development decision and also that they wait until much more information is in. Ms. Carter stated she echoes the thoughts of the people who spoke before her and questions the rationale of building these homes when there are no or few jobs or industry here. Ms. Carter stated water is life in general; water is life to the agricultural fields as California is finding out and fewer fields in use means less food which equals higher prices. Ms. Carter then stated Arizona is in a drought, even though it may not be as drastic as California. Ms. Carter then stated the idea sounds as though someone thought "Build it and they will come," then asked where they will come from and what Benson has to offer them. Ms. Carter stated not all developers, but some, make promises and have wonderful visions and some have the intention of helping communities develop in a healthy way, but others just want to make money. Ms. Carter then stated in one article of the local newspapers, she read the 100-year assurance was given, yet she believes it was done a decade or two ago and she thinks that should be looked into again, adding she personally doesn't believe there is enough water if expansion continues. Ms. Carter then stated she would encourage the Council to use the insight they have, adding this may sound all fine and dandy, but the Council needs to ask what the future implications are. Ms. Carter then stated Tuscany is gorgeous, adding she lived there in the early '80s, and at that time, they weren't in a drought. Ms. Carter then stated Europeans have historically been much more conscious of their use of natural resources, whereas other people, especially in the West, have thought, "let's develop the West, it's ours to use and abuse," adding it isn't. Ms. Carter then stated water is life for everyone and she would encourage the Council to look into the book or watch the movie titled "Blue Gold, Future Water Wars".

Councilmember Cook stated he would like to address the Mayor, the Council and the public, stating for the past 1½ years, there has been a small political opposition group that has been trying to silence him because they cannot give him orders. Councilmember Cook stated he does his research and finds out what is right or wrong. Councilmember Cook then stated this group is pushing their own political agenda and he refuses to be pushed around by anyone that is pushing a particular political agenda who does not have the law on their side and uses threats of going to the Attorney General in order to keep him from voting or even speaking as a member of the public. Councilmember Cook then stated he did speak to the Planning & Zoning Commission as a member of the public, adding when he is not on the dais; he is a member of the public. Councilmember Cook then stated the political group he is talking about is not going to quit and they're going to keep coming after him with their phony accusations. Councilmember Cook then stated he will not sit down and shut up; he will resist.

CITY MANAGER REPORT:

City Manager William Stephens addressed Council, giving the dates of upcoming meetings and events.

Tuesday, April 14, 2015	– Library Advisory Board, 4:00 p.m., City Library – CANCELLED
Thursday, April 16, 2015	– TPT Increase Forum, 6:00 p.m. City Hall
Monday, April 20, 2015	– City Council Worksession, 6:00 p.m., City Hall
Thursday, April 23, 2015	– TPT Increase Forum, 6:00 p.m. City Hall
Monday, April 27, 2015	– City Council Meeting, 7:00 p.m., City Hall
Tuesday, April 28, 2015	– Community Watershed Alliance, 6:30 p.m., City Hall
Thursday, April 30, 2015	– TPT Increase Forum, 6:00 p.m. City Hall

Mr. Stephens then stated for information on meetings and events, the public could visit the City's website.

NEW BUSINESS:

1. Discussion and possible action on the Consent Agenda

- 1a. Minutes of the March 9, 2015 Worksession
- 1b. Minutes of the March 9, 2015 Regular Meeting
- 1c. Appointment of Barbara Thompson to the Benson Planning & Zoning Commission
- 1c. Invoices processed for the period from March 13, 2015 through March 31, 2015

Vice Mayor McGoffin moved to approve the Consent Agenda. Seconded by Councilmember Lambert. Motion passed 7-0.

2. Presentation of a Certificate of Appreciation to Travis Barney

This item was addressed before commencing the Call to the Public. (See the previous section minutes.)

3. Presentation of the Certified Audit Report for the City of Benson for the fiscal year ended June 30, 2014

City Manager William Stephens stated Mr. Jim Usevitch from Colby and Powell, PLC, Certified Public Accountants, would present the City's audited financial statements to Council for review, adding Mr. Usevitch will also answer questions the Council may have. Mr. Usevitch then addressed Council thanking them for the opportunity to speak. Mr. Usevitch then stated he attempted to be here last month, but as Council knows, there was a traffic accident on Interstate 10, which prevented him from attending the meeting. Mr. Usevitch then stated this year, his firm didn't perform a "single audit" which is required anytime the City receives federal funds over \$500,000 directly from the federal government. Mr. Usevitch then stated the audit went very well this year, adding Finance Director Megan Moreno and her staff were wonderfully prepared, noting the grants and contracts were the best he's ever seen. Mr. Usevitch then stated the bad news is the City's financial condition. Mr. Usevitch then distributed a document with graphs showing the City's key financial condition

(which will be retained with the Council packet). Mr. Usevitch then stated the City of Benson's net assets over the last 4 years, has declined. Mr. Usevitch then stated the General Fund is where taxes and all other general obligations are gathered and also what pays for general services, such as police, has also declined over the last 4 years. Mr. Usevitch then stated the result of these declines is the fact that cash is getting drained from the City, adding declining net assets over time is a bad thing and he wanted to point that out to the Council. Mr. Usevitch then stated this translates into hard decisions for the Council, adding if the trend continues, the City will run out of cash. Mr. Usevitch then stated the trend has to change to where the City starts building up its net assets and building up cash funds. Mr. Usevitch then asked the Council if they had any questions.

Councilmember Boyle stated the graph depicted the City's net assets decreasing from a little over \$34 million to under \$31 million, and asked if the decrease was from a depreciation of the net assets or was due to the cash problem the City is having with Mr. Usevitch stating some of the decrease is depreciation, which is also why he included the graph showing the decrease in the City's fund balance. Mr. Usevitch then stated financial statements consist of two parts; one is as if the City is a true company as any other business and the second is the City's cash flow. Mr. Usevitch then stated the City's fund balance has decreased, especially during last 4 years, adding expenses have been rising faster than the income in the General Fund.

Councilmember Moncada asked if there was anything that raised concerns other than the negative cash flow with Mr. Usevitch stating the first page of the audit addresses management's responsibility and the auditors' responsibilities. Mr. Usevitch then stated the auditors look at the way the City's internal controls are set up and if they are concerned about anything or they think there might be an issue, they examine it even closer. Mr. Usevitch then stated the auditors look at cash flows, bank records and how things are being run, adding the City's internal controls are good and overall, things are being run very well in an accounting sense with Staff getting approval for expenses, recording the income and everything else in the correct way. The Council thanked Mr. Usevitch for his presentation.

4. **Discussion and possible action regarding a contract for Prosecutorial Services between Ann P. Roberts and the City of Benson**

City Manager William Stephens stated the contract with the City's Prosecutor is due to expire on June 30 and is being brought to Council for renewal.

Councilmember Boyle asked what the difference was between the City Attorney and the City Prosecutor and why the City needed both with Mr. Stephens stating the difference is between general legal advice and counsel to the City and prosecution in the criminal and civil courts with the Magistrate, adding the two are distinctly separate law practices and is the reason for this particular scenario. City Attorney Gary Cohen addressed Council stating there can also be a conflict situation when the City Attorney, who is representing the City public body, also acts as the prosecutor and is potentially in a position of pushing criminal charges that result in a fine, i.e. more collections for that public body. Mr. Cohen then stated it's wise to have separate counsel, adding they are also completely two different areas in law. Councilmember Konrad stated he saw no reason to not renew the contract, adding Ms. Roberts has done an excellent job the entire time she's been with the City and he supported renewing the contract. Mayor King agreed that Ms. Roberts has done a great job. Councilmember Moncada moved to approve the contract for Prosecutorial Services between Ann P. Roberts and the City of Benson. Seconded by Councilmember Boyle. Motion passed 7-0.

5. **Discussion and possible action regarding Resolution 12-2015 of the Mayor and Council of the City of Benson, Arizona, authorizing the City Manager to apply for Arizona Department of Transportation Section 5311 Funds to operate a Rural Public Transit System**

City Manager William Stephens stated this item is for the continuation of the current grant to run the transit system, adding this is now the timeframe to reapply for federal funding support.

Councilmember Konrad asked if Mr. Stephens could give a brief overview of the costs involved with the transit system with Mr. Stephens stating the City is required to match the grant to pay for part of the transit

system. Mr. Stephens then stated the grant pays for some salaries that are allocated to the transit system, adding he believes the grant funding covers about 2/3 of the entire transit program. Councilmember Konrad asked what the City's financial match was with Finance Director Megan Moreno stating there are two parts to the transit grant program; administration and operations. Ms. Moreno then stated the federal grant covers 80% of the administration costs and 50% of the operating costs, adding in the past few budget cycles, the City's contribution to run the transit program has ranged from \$30,000-45,000 annually. Councilmember Konrad stating the transit system provides a service for our citizens with Mayor King stating the Dial-A-Ride bus never stops, adding it's always on the road picking up senior citizens and taking them to different places in the community, such as doctor appointments, grocery stores and the hospital. Mayor King then stated this is very important to the community, especially with seniors and residents who can't get out, adding they depend on the Dial-A-Ride program so they don't have to worry about whether or not they can make an appointment or can go get groceries. Mayor King then stated the bus driver for this program is very good at doing her job and he appreciates her, adding he feels it's imperative to keep this program. Councilmember Konrad asked if the grant was ongoing or what the lifespan of the grant funding was and if the City would have to take it over completely at some point with Mr. Stephens stating there is a continued grant process. Mr. Stephens then stated the Dial-A-Ride program, which is one part of the transit system, is extremely active and is the only source of transportation for many of the senior citizens who reside within the City limits to get to local appointments, to the grocery store, etc., adding it's been very productive for the City. Mr. Stephens then stated the other side of the transit program is the fixed route, which isn't used by many people, but is a requirement of the federal funding. Councilmember Konrad stated he was trying to get familiar with the program and asked if people paid to ride with Mr. Stephens stating there is a minimal fee that is charged to use the transportation.

Vice Mayor McGoffin asked what would happen if the City applied for and was awarded the grant, but was unable to accept it due to the proposed sales tax not being approved and ensuing cuts being made with Mr. Stephens stating timing is everything, adding now is the time to apply and if the City's doesn't apply, there would be no federal funds for the program, regardless of what happened. Mr. Stephens then stated all services are being examined if the proposed sales tax increase doesn't pass, and it would be up to the Council to decide which services are cut or eliminated.

Councilmember Moncada stated the transit system is definitely a valuable resource to the community, especially for people who can't get to doctor appointments, pharmacies, shopping and things like that. Councilmember Moncada then stated he would like to see more people use the fixed route, adding he knows the Dial-A-Ride side is booming and can't keep up. Councilmember Moncada then stated there might be a time in the future when federal funding isn't available and stated the Council will then have to face more hard decisions, adding the federal and state governments are cutting things left and right, but he thinks it's important to apply for and use this funding while it's available. Councilmember Konrad then moved to approve Resolution 12-2015. Seconded by Vice Mayor McGoffin. Motion passed 7-0.

6. **Discussion and possible action regarding the Occupancy and Services Agreement between Catholic Community Services and the City of Benson to assist with meal services to eligible persons residing in and around Benson by providing space at the Benson Community Center, 705 W. Union Street, Benson, Arizona**

City Manager William Stephens stated this contract is coming before Council because there has been some modification to the contract with regard to the service area and also with regard to some of the equipment that's being used in the community center, which is where they operate out of. Mr. Stephens then stated like many services the City provides, the City augments or supplements the cost with regards to this service to provide meals to senior citizens within the Benson area, which includes St. David, Pomerene, J-6, Mescal and the general area. Mr. Stephens then stated the service area includes outside the City limits, but some other communities that are further away have been eliminated in coordination with Catholic Community Services.

Mayor King stated this is another service the City helps provide, adding the Council may be looking at cutting the Meals on Wheels program depending on what happens in the next month or so. Mr. Stephens then thanked the Mayor for mentioning that and stated one of the changes in the contract is a 30-day notice to terminate,

adding the current contract requires a 120-day notice to terminate. Mr. Stephens then stated should the proposed sales tax increase not pass and services would need to be prioritized and cuts made to this program, a 30-day notice would be required.

Councilmember Konrad verified that the proposed contract was for a period of 3 years, but would automatically renew and that the Council could still terminate the contract at any time with a 30-day notice with Mr. Stephens stating that was correct.

Councilmember Boyle stated one of the ways the City supplements this program is with electricity with Mr. Stephens stating Catholic Community Services has several refrigerators and freezers, which is probably the large majority of the electric bill for the community center. Mr. Stephens then stated in terms of supplementing this program, there is also office space used with some electricity use there and the space used to prepare and put together the meals to deliver, adding he wouldn't call those major issues, but noted they do use the rentable space, adding, doing so is a choice the City makes in terms of supplementing senior citizens within the community and is part of what the City contributes in this process to help sustain those individuals.

Councilmember Lambert noted a typo on page 1, stating the paragraph that lists the included communities needed the last word "and" removed. City Attorney Gary Cohen apologized and stated the correction would be made.

Councilmember Boyle stated the upcoming BMW Bike Rally being held at the park this weekend was in part supporting the Meals on Wheels for senior citizens, adding the proceeds from the event will be donated to the program.

Councilmember Moncada stated this is a great service that Catholic Community Services provides to some of the most vulnerable residents, adding the agreement shows that just because someone doesn't live inside the City limits, doesn't mean they're not part of the community. Councilmember Moncada then stated he did want to note for those who may not be aware, that the electricity for the refrigerators and freezers costs about \$14,000 a year, adding it's not a small sum. Councilmember Moncada then stated he isn't asking for anything, but he did want people to understand that supporting this program does cost the City money.

Vice Mayor McGoffin moved to approve the contract with Catholic Community Services. Seconded by Councilmember Moncada. Motion passed 7-0.

7. **Discussion and possible action regarding Resolution 13-2015 of the Mayor and Council of the City of Benson, Arizona, approving the Preliminary Community Master Plan entitled "The Villages at Vigneto", dated March, 2015**

Public Works Director Brad Hamilton stated before the Council is the Preliminary Community Master Plan for Vigneto, which was formerly Whetstone Ranch, adding Mike Reinbold from El Dorado Holdings is here to answer any questions the Council may have.

Councilmember Moncada stated there was an article in the Arizona Daily Star that sounded like Mr. Reinbold was quoted, with Mr. Reinbold stating he would like to address the issue, adding there seems to be a lot of confusion and misinformation. Mr. Reinbold then stated he would like to start with the process and how things evolve and what El Dorado is required to do by law, noting there is a prescribed method by law under which to develop and no developer is exempt from that process. Mr. Reinbold then stated the process the Council is addressing tonight is a Community Master Plan (CMP) and the CMP is an elective process, adding it's not a zoning process or a General Plan discussion, noting the property is already in compliance with the current zoning and the City's General Development Plan (GDP). Mr. Reinbold then stated the purpose of a comprehensive plan is for Staff, Council, the Planning Commission, community members and the developer to put on paper a plan of implementation which shows how traffic circulation, infrastructure, parks, trail systems and all the components of the community will be addressed. Mr. Reinbold stated the developer lays that plan out for everyone to review and see that the plan addresses all the important things to ensure the continuity of a project that is many years in length, adding it will ensure the project will look consistent through the timeline.

Mr. Reinbold then stated there are various ways to pursue development and one of the ways is a CMP, which allows a developer to do something in an orderly fashion. Mr. Reinbold stated the other process is to just take the zoned process, and go through a preliminary plat and final plat, adding those are administrative actions, which just needs to comply from a code perspective and if the plats are in compliance, they are generally approved, adding the process is prescribed by law to be approved. Mr. Reinbold then stated in the absence of a CMP, the developer can just use the pre-plat and platting process, but as the Council heard tonight, it's a good thing to have a CMP because no one wants a bunch of subdivisions cropping up without a plan. Mr. Reinbold then stated El Dorado supports using a CMP and working with Staff to identify issues and create a plan that becomes a road map for the future.

Vice Mayor McGoffin asked if El Dorado had met with Ft. Huachuca with Mr. Reinbold stating Staff contacted the Fort and he believes their response was that there was no impact related to the Fort. Mr. Hamilton then verified Staff had contacted Ft. Huachuca and stated their first question was if this was the same development that was approved as Whetstone Ranch and then told Mr. Hamilton there were no problems with El Dorado's proposal unless they were planning to install wind generators or something like that. Mr. Reinbold stated El Dorado was not going to do so.

Councilmember Moncada verified that the property already had the approval to build a certain amount of homes with Mr. Reinbold stating the current zoning allows for approximately 60,000 homes and El Dorado's desire is to do something far more conscientious. Mr. Reinbold then stated a big part of keeping in line with the landscape is creating a community that is not bound by walls, but a community that has an abundance of open space, adding there will be a minimum of 2,500 acres of open space, which is well in excess of the City's requirements.

Councilmember Konrad stated there was a second article in the Arizona Daily Star regarding water, adding the Council has heard a lot about water tonight. Councilmember Konrad then stated he grew up where a lot of farm land was sold for developments and the huge fear was that water was going to dry up and farm land was going to go away, adding in his experience, what he found was that farmers, ranchers and responsible developers are probably the best stewards of the environment because they all have something at stake. Councilmember Konrad then stated he knew El Dorado had done their due diligence as far as water studies and hydrological studies and they continue to do that. Councilmember Konrad then stated he hoped there was not a lot of confusion regarding El Dorado not taking this as serious as Councilmember Konrad sees them taking it. Councilmember Konrad then stated he had met several times with Mr. Reinbold to discuss the issues and some frank questions had been asked and answered, adding he appreciates Mr. Reinbold being very straightforward and transparent.

Councilmember Boyle stated he understood there was to be mixed use in the development with single-family and older adult homes, and then asked Mr. Reinbold if he could give an estimate of the type of families he thinks will be there and if most would be retired since Benson doesn't have an industrial base where people can work. Mr. Reinbold stated the development will be a combination of active adults, family community and possibly a resort, adding there's a lot of business available to the community. Mr. Reinbold stated he had spent a lot of time in Benson in the last couple of years and he learned that Benson is one of the best kept secrets in the state, adding Benson is beautiful and he can see people spending a week on vacation here. Mr. Reinbold then stated there's many opportunities to create jobs, adding the development itself will create jobs for 20+ years and with that, there are unique opportunities for businesses, noting as Benson grows, it will attract more businesses. Mr. Reinbold stated if he were looking for an opportunity to locate a business, he would be looking at a community that has something to offer, adding Benson has beauty, opportunities for new housing for employees, quality education and businesses to come in and support the population. Mr. Reinbold then stated the development will create activities, like the proposed new hospital, adding the current hospital is planning and has requested a Request for Qualifications for the development of a new 50-bed hospital. Mr. Reinbold then stated that will bring in additional medical staff and people who currently aren't in Benson to provide services, adding there are a number of things that can't be done at the current hospital due to a lack of necessary infrastructure and personnel. Mr. Reinbold then stated there are a litany of things like that which will come with the development, such as additional teachers and additional professionals. Mr.

Reinbold then stated he thinks Benson will be a very desirable place for businesses to come and he can see a lot of activity within the community.

Councilmember Konrad stated Benson boasts having the number 1 school district in the state and this will help bring more qualified teachers, adding the school is one of the building blocks the City has going for it, adding it compliments what El Dorado is trying to do. Councilmember Lambert then stated the property El Dorado is developing is 80-90% in the St. David School District, adding Mr. Goodman of the St. David School district is here and has talked to El Dorado. Councilmember Lambert then stated Mr. Goodman is working on a plan also, adding the St. David School has been preparing for this since Whetstone Ranch was approved.

Vice Mayor McGoffin asked about the timeline, adding she knew 28,000 homes wouldn't be built in the next 2 years, but asked Mr. Reinbold to go over the timeline for those present. Mr. Reinbold stated the development is going through the process and the goal is to be development ready by the first quarter of 2016, adding then there will be about 18 months for infrastructure, amenities and various things that need to be constructed, then stated the first rooftop would be in late 2017 or going into 2018. Mr. Reinbold then stated the plan is for a 20-year build out, adding there will be cycles with a low of about 750 homes a year to a high of 2,500 homes a year. Vice Mayor McGoffin then asked about stopping or pausing the project to figure out the water issues if there was a problem half-way through the build out with Mr. Reinbold stating the Arizona Department of Water Resources (ADWR) requires annual reports on water use by the City and there is a system in place to do the appropriate monitoring. Mr. Reinbold then stated El Dorado is water conscious, adding the current zoning allows for 60,000 homes, but they are proposing 28,000 homes, which is less than half. Mr. Reinbold then stated El Dorado has a water allocation of 9,800 acre feet, but their net use will probably be closer to 6,200 acre feet, adding they are also implementing good practices on managing effluent recycled water, using recycled water for major irrigation and ultimately recharging the water, noting they are very conscious of water.

Councilmember Cook stated when he addressed the Planning & Zoning Commission as a member of the public, he brought up the fact that if this Vigneto Preliminary CMP is not approved, by default the City would be stuck with the Whetstone plan, adding all the zoning is in place for that and it's already in the GDP. Councilmember Cook then stated he also learned that there are a series of development agreements with the prior developer, adding even though the property was sold to El Dorado, the agreements remain with the property. Councilmember Cook then stated he obtained copies of those agreements and has partially reviewed them, adding he doesn't like the terms and wondered if the City Council could renegotiate them with Mr. Reinbold stating he also reviewed the agreements and he thinks a number of items in the agreements don't apply or don't apply properly, adding his objective would be to revisit those and stated he thinks the responsibilities of each party to the other need to be revisited.

Councilmember Cook then stated water and the San Pedro River are concerns he had, so he began researching reports on the issues, adding he found out what most people have been telling him for several years; the San Pedro River is probably the most studied river in the world, adding there is no end to the reports. Councilmember Cook then stated the number of reports frightens him, adding one report was over 45 years old and there were some even older. Councilmember Cook then stated with all these reports, he would think everyone's concern about water and how it affects the river would be answered, but he thinks that's not the case, adding he thinks the river could be studied for 45 more years and we still would not know everything. Councilmember Cook then stated he saw the applications for the 100-year water adequacy with the numbers for the acre feet of water that would be pumped and used by El Dorado and stated it did not take into account any recharge from storms, or any reclaimed or recharged water and asked what Mr. Reinbold could tell the Council to help relieve some anxiety about how much water will be used or reused. Mr. Reinbold stated El Dorado has significantly reduced what the anticipated use is, adding each year, better systems are developed that utilize less water. Mr. Reinbold stated today all new homes compared to existing homes probably use half the water, due to low water use appliances, toilets and showers, adding everything is geared to reduce water use. Mr. Reinbold then stated they are also conscious of planting materials to use desert-friendly landscaping, to use recycled water when irrigating, adding there are also efforts to recharge, be water conscious and preserve the asset there is. Mr. Reinbold then stated there is no value in depleting the water, adding there are prescribed methods and the State prescribes what the allowable uses are and what the quantities are in terms of

accrued water. Mr. Reinbold then stated hydrogeologists spend a great deal of time determining these and there are systems in place to address best practices.

Councilmember Cook asked what method El Dorado would use to recharge with Mr. Reinbold stating there are multiple methods; well injection, recharged ponds and creating a marshland. Mr. Reinbold then stated El Dorado prefers the ground methods to injection, adding the water within the development plan are all irrigation and recharge ponds.

Councilmember Konrad stated Mr. Reinbold has described the development as the Sedona of the south and asked what considerations are in place to address light pollution with Mr. Reinbold stating he spent a great deal of time on the property and in Benson and one of his favorite things here is the night sky. Mr. Reinbold then stated maintaining the night sky that's very similar to what it is today is very important, adding in terms of lighting, they see major intersections with street lighting, with lighting for neighborhoods being down lit low level lighting from sconces on garages, adding there would be enough light for safety, but not enough to create major light pollution.

Councilmember Cook stated in his research, he found that the ground water aquifers that Benson and El Dorado will be using are not hydrologically connected with the San Pedro River, with Kartchner Caverns, with Ft. Huachuca or Sierra Vista with Mr. Reinbold stating that was also his understanding.

Councilmember Lambert stated he had multiple conversations with Mr. Reinbold and had attended most of El Dorado's public meetings, adding the meetings were held multiple times. Councilmember Lambert then stated he knew El Dorado worked with the Army Corps of Engineers, and that certain washes have to be protected and asked Mr. Reinbold to please explain drainage and the law regarding it. Mr. Reinbold stated there are two parts addressing water and drainage on the property; the first part is the Army Corps of Engineers does an evaluation that determines which waters are delineated waters of the U.S. and that process entails a number of things, including an environmental review and other issues. Mr. Reinbold then stated the determination is made as to how much and how many washes on the property are designated as waters of the U.S., adding once those are identified and designated, they are protected and governed under the 404 permit and are not touchable, noting this amount of land is approximately 475 acres. Mr. Reinbold then stated a small portion of that land is allowed to be accessed to put in streets and utilities', noting this is limited to 51 acres of disturbance. Mr. Reinbold then stated in addition to that, there is offsite mitigation for the disturbance areas, adding in addition to the 475 acres, there is 144 acres adjacent to the San Pedro River that will be permanently placed into a preserve. Mr. Reinbold then stated the second part speaks more to drainage with laws requiring the developers to manage the drainage on site, adding the inflow and outflow pre-development cannot change post-development, again stating the development cannot increase or decrease the flows, but has to maintain the current flows. Councilmember Cook asked what those laws were with Mr. Reinbold stating there are a few, such as FEMA, then stated generally cities and counties may have additional codes that address drainage, adding they will go through that process with Staff for the actual drainage design, but regardless, sufficient retention has to be on site to keep the same entry and exit levels as pre-development levels. Councilmember Lambert stated he has heard that the development will create a 40' wall of water coming down on the east side of the property and that the development is going to starve water from the San Pedro River Basin, which are both false statements with Mr. Reinbold stating the surface water will remain as it is, adding it can't be altered and has to continue as it has in the past.

Councilmember Konrad then read from the Council Communication stating "In accordance with Section 3A of the City of Benson Zoning Regulations, El Dorado Benson LLC has submitted a preliminary community master plan (CMP) document that addresses the general layout, design and function of the property, including land use plans, major roadways, open space and recreation, and proposed public facilities. Additional and more detailed information will be presented in the Final CMP document, but the preliminary CMP document establishes the baseline expectations and framework, in accordance with the General Development Plan, that will guide the Final CMP as well as the specific future developments (subdivision plats, commercial plats, facility siting, etc.)." Councilmember Konrad then moved to approve Resolution 13-2015. Seconded by Councilmember Moncada. Vice Mayor McGoffin stated she has been a Councilmember on and off in last 10 years and she has seen a lot of developers come and go, starting developments that were not finished. Vice

Mayor McGoffin then stated El Dorado has built this type of development before and she would rather have someone who has done it before and knows what they are doing. Vice Mayor McGoffin then stated she appreciates the time and efforts of El Dorado to make the community aware of their project and the information given to Council. Vice Mayor McGoffin then voted yes on the motion.

Mayor King stated he has been on the Council for 13 years and he has worked with a lot of developers when growth was to happen many years ago, adding El Dorado is one of the most honest developers and has been very open, answering questions the Council has. Mayor King then stated over the years, the Council has been asked when Benson was going to grow and what the Council was going to do to bring jobs in and to develop the community for kids to be able to come back, adding right now, Benson doesn't offer much for kids to come back to. Mayor King then stated he feels this is a step forward which will help the community, not only with homes, but in bringing jobs and other types of development to the community. Mayor King then stated over the years, other developers have made promises that were broken, but El Dorado has done everything they said they would do. Mayor King then stated El Dorado is concerned about water, adding he and the Council also shares the concerns about water and the public should know that the Council takes everything into consideration, and then noted El Dorado held three open houses. Mayor King then stated people came and spoke about water use, adding they were people from outside the community. Mayor King then stated he believed if the City residents thought the Council was doing something wrong, they would be here telling them. Mayor King then stated he felt the Council was doing the right thing, adding people have talked about growth and keeping our youth here for years, adding Benson has great things to offer, such as a college and great schools. Mayor King then stated the developer doesn't only build houses, they build parks, give property for churches, police stations and other things, and look at every aspect of the development to work with the community. Mayor King then stated 28,000 homes won't happen overnight, adding the development will grow over time and the completed development will take 15-20 years. Mayor King then stated this is something the community has been asking for and it's the right thing to do. Mayor King then voted yes on the motion.

Councilmember Cook stated when he was looking for reports on the San Pedro River, he came across one in which the ADWR stated 2,000 wells have been installed along the San Pedro River since 1990 and he thinks those are a more immediate and direct threat to the river along with the existing Charleston dam, adding he thinks everyone considers it their river and wants it protected. There was then some discussion on whether the vote had been called for with City Attorney Gary Cohen asking Mayor King to clarify whether he had called for a vote. Mayor King then asked Councilmember Konrad to restate his motion. Councilmember Konrad stated his motion was to pass Resolution 13-2015. Seconded by Councilmember Moncada. Motion passed 6-1 with Councilmember Boyle voting nay.

Councilmember Lambert moved to adjourn at 8:56 p.m. Seconded by Vice Mayor McGoffin. Motion passed 5-2 with Councilmembers Boyle and Konrad voting nay.

8. **Presentation/Report by Director of Golf Operations Joe DelVecchio about the Benson San Pedro Valley Golf Course**

This item was not addressed. The meeting was adjourned after addressing New Business Item #7. (See the minutes under New Business Item #7.)

9. **Discussion and possible direction to Staff about creating a budget advisory committee**

This item was not addressed. The meeting was adjourned after addressing New Business Item #7. (See the minutes under New Business Item #7.)

10. **Discussion and possible direction to Staff about its state of preparedness for and/or management of emergency situations**

This item was not addressed. The meeting was adjourned after addressing New Business Item #7. (See the minutes under New Business Item #7.)

DEPARTMENT REPORTS: None

ADJOURNMENT:

The meeting was adjourned after addressing New Business Item #7. (See the minutes under New Business Item #7.)

ATTEST:

Toney D. King, Sr., Mayor

Vicki L. Vivian, CMC, City Clerk