

**Superior Town Council
Work Session
Wednesday, April 24, 2013, 6:00 P.M.
Superior Senior Center
360 W. Main Street, Superior, AZ 85173
MINUTES**

CALL TO ORDER:

A buffet dinner was provided for all present at 6 p.m., courtesy of the Pinal County Sheriff's Department. Mayor Jayme Valenzuela called the meeting to order at 6:29 p.m.

ROLL CALL:

Present: Council Members Irene Hansen, Chris Tomerlin, John Tameron, Gilbert Aguilar, Soyla "Kiki" Peralta, Vice Mayor Olga Lopez and Mayor Jayme Valenzuela; **Absent:** N/A

INVOCATION:

Council Member Chris Tomerlin gave the Invocation.

SALUTE TO THE FLAG:

Mayor Valenzuela led the Pledge of Allegiance.

1. DISCUSSION:

A. Law Enforcement — Sheriff Paul Babeau

Mayor Valenzuela introduced Pinal County Sheriff Paul Babeau, who discussed an updated cost estimate for law enforcement services that could be provided by the Pinal County Sheriff's Office to Superior for a period of five years, including 911 and police and fire dispatch. He discussed additional services that would also be provided to Superior at no additional cost for criminal investigation (detectives), Narcotics Task Force, SWAT, Search & Rescue, Uniformed Posse, Traffic Enhancement Unit (Motors), Community Resources, Internal Investigations, HR, Records/Warrants, Chaplains and Youth Explorer program. Under this cost estimate, Superior would sell the current police station and four of the newest police vehicles to the county for fair market value as a two year offset. A proposed figure for the first two years of \$699,822.60 was stated for eight deputies, one sergeant, one office supervisor and expenses, minus a two year offset. Sheriff Babeau explained the way the services would work with the personnel that would be stationed in Superior and in addition how Superior would be afforded the additional resources of the PCSO.

Sheriff Babeau introduced approximately 14 PCSO personnel, associates and volunteers who shared their backgrounds, job descriptions and other comments.

Sheriff Babeau referred to questions written on cards that had been passed out to those in the audience earlier and gave responses.

Superior Police Chief Lou Digirolamo was asked by the Sheriff to respond to one of the questions regarding what improvements could be made if the same amount of money as in

the cost estimate was invested in the current police department. Chief Digirolamo indicated that if the current department had the same money, they could do more proactive investigations, rehire a detective and go proactive after the drug houses. He was in an awkward position, he said, as he and the Sheriff have been good friends ever since they met. He was not there to say any ill will about the Sheriff's Office. But there was another side. If later he had a chance to speak he'd like to speak for the police department. But that's what they could do, a more proactive design, especially with the \$804,000, which would be in the years 3, 4 & 5 of the town contract. If they had a detective, if they had another supervisor, they could do a lot of proactive and follow-ups on criminal investigations that they can't do now because of the recent manpower shortage.

There were further comments by Sheriff Babeau in response to the cards. He then said he would be happy to answer any questions or comments by the mayor and council.

Council Member Chris Tomerlin asked a question from a paper he had from Michael Alonzo, who apologized for not being able to be there. The question was: "How are we performing to our current budget and if we cannot afford our current police department, how can we afford a more expensive agency?" Mayor Valenzuela indicated that question was to the council. What he was going to do with this was turn it over to staff and have them answer it. Mr. Tomerlin said okay and asked his own first question: Their revenue sources were down extremely, if they can't make a payment in one month, do they lose their police service? Sheriff Babeau said no. This is about (1) the relationship with the town and the county. That's like: Are you going to pay your police department this month. Has the town missed payments of checks for payroll? Mr. Tomerlin said no but with this it is an increase and there have been points where they had a zero balance in the account after meeting payroll. And that's just with their current payroll. With this increase he is concerned they might not be able to make a payment, the full payment. That is what he is worried about, losing their police service if they can't do that. The Sheriff said they had discussed that in a Board of Supervisors meeting that day. The county has a \$330 million dollar budget. You set your fiscal priorities. What is most important? What do you have to pay for? There are certain things you have to pay for first and you have contracts and obligations. If the county doesn't get payment on time, you're not going to see him stop law enforcement services. He has a requirement by statute to provide law enforcement services so that is not going to be a question from his regard. Mr. Tomerlin made his second question: They are in the process of redoing their town code. Is it all for naught or will every portion of their town code be enforced as it is written. The Sheriff said if they have criminal codes or city codes they enforce all the laws.

Council Member Irene Hansen said the town's officers did funeral processions, delivered papers and did code enforcement. Are they going to continue to do that? Sheriff Babeau said yes. Those issues like delivering papers not normally in their scope of work are not an issue for them. For the code enforcement, the fire chief, who may be the building inspector had explained the process. They had no issue with doing that either. Ms. Hansen said she had another question. She indicated that they paid taxes for the county to assist the town police department. So why should they pay to bring them in when they pay tax anyway? The Sheriff indicated that the county tax base is supporting unincorporated areas and that is by statute. Any municipal form of government, when you are a town or a city that is your function. That is your primary role. If the town went bankrupt. If the town couldn't pay its

obligations and debts, and they laid off all their police, absolutely the county would be put in a position that the county would have to provide some type of law enforcement to the town. Ms. Hansen asked if the Sheriff didn't, then, have to come in and help if the town called for help. The Sheriff said that under mutual aid, any time there is a call for help they respond. But what they are getting right now, is that a deputy is coming from Gold Canyon or Apache Junction or if they happen to be in the area along the Copper Corridor. So there is a huge, huge difference. Anytime a police officer is asked to do anything, the only answer that occurs to him, in his five years as a sheriff, is yes, regardless of what it is. In a lot of the smaller communities, if there is a serious injury wreck or a fatal wreck, if there is a homicide, if there is need for ID tags or if there is need for additional whatever, through 13 agencies in the county, his answer has always been absolutely yes. Ms. Hansen asked: "If something came up that we kept the police department?" The Sheriff said yes and clarified that tonight was not a decision and it is an evolution. It is probably going to be June at some point before there is going to be a proposal before the council the they would be comfortable to agreeing to that the council would vote on. He referenced a statement from a PCSO captain that had been introduced that night that on the first day he was prepared to put eight seasoned deputies and a sergeant in Superior. If the town of Superior agreed to this, here is what would happen: this is where the PCSO would hire nine new positions. To hire a new deputy, do you know how long it takes to have that deputy answer one patrol call on his own? At least eight months. So what you are getting would be the full force and weight of service from the Sheriff's Office on Day 1, which is what most agencies never do. You can't just say "shazzam" and there's a police department. They can do that. He understood that the Chief is going to leave earlier than the proposed date of July 1, the PCSO could step in on an interim basis if there was a need for them to do that. If the town did not wish to pursue this, nothing changed in their relationship.

Mayor Valenzuela recognized an audience member who did not state his name. He asked a question regarding the level of service the PCSO was to provide for the approximate annual \$450,000. The Sheriff asked what the budget was for the police department and the questioner said \$450,000. Mayor Valenzuela said those numbers were not accurate. Council Member Tomerlin indicated the correct number of the cost estimate and the questioner agreed that was correct. The Sheriff said what they were talking about initially for the first year, not only from a law enforcement perspective but in terms of officer safety, in order to turn around their initial assessment in terms of combating crime, to change the culture, to get these programs started up, this would be the proposal. This was how they were able to keep it within the ballpark, work with the town to come up other ideas of funding, whether with a lease purchase or outright purchase of vehicles or property, to keep that within range. Hopefully the next year the town will be in a better financial position. They once were in a position where they had at least 12 police officers in their community. The town is not as financially stable.

Mr. Roy Chavez raised his hand from the audience and was recognized. Mayor Valenzuela said this would be the last question. If anyone had any more questions, please write them on a card. Mr. Chavez said he had mostly a statement. When the town was unincorporated in 1975 before they were incorporated in '76, they had about 600 people in the community. They had six Pinal County Sheriff's deputies. People were working. There was more connectivity in the community, keeping track of each other. Kids were being responsible because there were more eyes looking out after them. They are all in this together. When

you talk about the money, it is really coming out of the same pocket. Let's not shift this money around. It's the same pocket. They do pay county taxes. When the county gets the money, they can disperse it where they need to disperse it. ... The thing that bothers him is that it is as though they were regressing after about 30+ years of incorporation. They have given up animal control. They have given up building code. They have given up some of the other basics because of finances. He wanted the community to understand this is the result of some bad management in the last several years. That didn't have to take place.

2. ADJOURNMENT:

MOTION: Vice Mayor Lopez moved to adjourn. Council Member Tomerlin seconded. **VOTE:** The motion passed unanimously.

Mayor Valenzuela adjourned the meeting at 8:55 p.m.

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Work Session Meeting of the Town Council of the Town of Superior held on the 24th day of April, 2013. I further certify that the meeting was duly called and held and that a quorum was present.

/s/ _____
Rita M. Wentzel, Town Clerk