

**TOWN OF SUPERIOR
REGULAR COUNCIL MEETING MINUTES
AUGUST 7, 2014**

CALL TO ORDER

Mayor called meeting to order at 7:04 pm.

ROLL CALL

Mayor	Jayne Valenzuela
Vice Mayor	Olga Lopez
Councilmember	Michael Alonzo
Councilmember	Mila Besich-Lira
Councilmember	Steve Estatico
Councilmember	John Tameron
Councilmember	Gilbert Aguilar / Telephonically

PLEDGE OF ALLEGIANCE

Mayor led everyone present in the Pledge of Allegiance.

INVOCATION

Branch President Elijah A. Cardon, with The Church of Jesus Christ of Latter Day Saints gave the invocation.

TOWN STAFF

Town Manager	Margaret Gaston
Town Attorney	Steve Cooper
Public Works	Anthony Huerta
Admin	Ruby Cervantes
Town Staff	Nora Miramon

PUBLIC ATTENDANCE

Sandra Doyle	Nina Crowder
Larry Bravo	Pam Dalton
Terri Bravo	Michael Hing
Nancy Vogler	Andrew Taplin
Bill Vogler	Sue Anderson
Elijah A. Cardon	Bill Anderson

SPECIAL PRESENTATIONS

Mr. Lando Voyles, Pinal County Attorney: Mr. Voyles thanked the Town Council for the opportunity to come and make this presentation to the Superior Council and the community. First he wanted to extend an invitation to everyone to the Grand Opening of the new facility in San Tan Valley. On October 1st they will be having a grand opening for the new Family Advocacy in San Tan Valley. 1 out of 13 children go through the whole process of reporting an incident. This new facility will be a friendlier atmosphere and more of a home setting where every agency will have access to the facility. The same day that the child reports an incident they will be able to talk to someone and will not have to prolong the process for 2 to 4 months. This service will be offered to every child in the Town of Superior.

Another thing that has risen is the number of strangulations. It is not so much the actual strangulations have gone up but the reporting of strangulation cases. Mr. Voyles went on to briefly inform everyone what his role is and what part he plays and what areas he covers. Mr. Voyles also took this time to tell everyone about the PSA – Billboard Campaign – During October which is Domestic Violence Month.

Special Presentation- Mayor Valenzuela: Wanted to take this time to thank all of the Companies and Individuals that donated to the Towns Fourth of July festivities. Mayor named each one individually and handed to those who were present a Certificate of Recognition. Willdan Engineering; Resolution Copper; Cooper & Reuter, LLP; Western Environmental; Republic Services; Narasimhan Consulting Services; Tameron Water & Ice; Apache Gold Casino; MM Sundt Construction Company; Arizona Water Co.; MSG Consulting, LLC; Judge Bravo; Public Works; Substance Abuse, Superior Fire Department. Without their support the Fourth of July Festivities and Fireworks would not have been possible and successful. Thank you all once again.

REPORTS

Town Manager-Margaret Gaston: The Town received a signed contract back from the Pinal Gila Council for Senior Citizens to help for the meals given to the seniors. The grant was in the amount of \$64,762.00.

The Town is sending four Councilmember's to The League for Arizona Cities and Towns Conference. Mayor Valenzuela, Councilmember Aguilar, Councilmember Besich-Lira and Councilmember Tameron will be attending. This year the conference is on August 19-22, 2014 at the Sheraton in Phoenix.

Margaret stated the Arizona Auditor General's office has granted us possibly two to three more months to send them more financial information or an audit before they will stop the Pinal County Excise tax payments to the Town. Colby and Powell are working on getting the information ready. We are working on submitting the 2010-2011 audits. Then the Council will vote to hire someone to complete an audit.

The Town received a report from Arizona Department of Revenue; our sales tax revenues for the 2014 fiscal year were \$253,591.76.

Electric bills for the Town buildings and operations were almost \$16,000. Margaret has been talking with all of the Department Heads about ways to cut back on their electrical costs.

CONSENT AGENDA

Prior to consideration of the Consent Agenda, the Mayor asked whether any members of the Council request a item be removed from the Consent Agenda for separate discussion.

Motion to approve the items on the Consent Agenda was made by Councilmember Besich-Lira, second by Councilmember Estatico, motion carries.

NEW BUSINESS

- A. ORDINANCE NO. 14-121, Ordinance of the Mayor and Council of the Town of Superior, Pinal County, Arizona , Levying Upon the Assessed Valuation of the Property within the Town of Superior Subject to Taxation a Certain Sum Upon Each One Hundred Dollars (\$100.00) of Valuation sufficient to Raise the Amount Estimated to be Required in the Annual Budget, Less than Amount Estimated to be received from Other sources of Revenue; Providing Funds for General Municipal Expenses for the Fiscal Year Ending the 30th Day of June 2015.**

Margaret Gaston: the Council has adopted the property tax levy of \$587,027. This Ordinance setting the property tax levy of \$587,027 is sent to Pinal County, who collects the property tax for Superior and other incorporated cities or towns. The property tax rate is then set by Pinal County in order to reach the amount of the levy. Pinal County verified the rate of 7.0155; last year's was 7.6269, so it went down. Margaret stated the Town did not increase the tax rate; we have already adopted the final budget which met all the guidelines, and we do not have to publish the Truth and Taxation notice this year. This is the last step we started in the budget process in June. Town Manager recommends the Council approves Ordinance No. 14-121 and complete this year's budget process. The Ordinance will be published in the Superior Sun one time only and will be effective thirty days from the date of adoption. Motion to approve Ordinance No. 14-121 made by Councilmember Besich-Lira, second by Councilmember Alonzo, motion carries.

- B/C. Discussion and Approval of Special Event Liquor License for the Superior Chamber of the Chambers Grand Opening Event on August 15, 2014; Discussion and Approval of Special Event Liquor License for Superior Chamber of Commerce for the Prickly Pear Festival on August 23, 2014.** Town Manager, Margaret Gaston,
Motion to approve Special Event Liquor License for Superior Chamber of Commerce Grand Opening and the Prickly Pear Festival was made by Councilmember Alonzo, second by Councilmember Tameron, motion carries.
- D. Discussion and Acceptance of Health Net Insurance for Full Time Employees.** Town Manager, Margaret Gaston - Open Enrollment is during July and all decisions had to be made before August 1, 2014. We had to be very proactive to save the Town money and still offer health insurance to our employees. The Blue Cross/Blue Shield costs were going up to \$110,388.96 per year for PPO and the HSA were going up to \$78,757.92 per year. We paid Blue Cross/Blue Shield \$106,905.64 last year. This also includes the employee's portion of what they pay for insurance. The employees' cost for the PPO went from \$332.28 per year to \$65.00. The Town was able to leave the vision, dental and life insurance alone, so the employees have the same basic co pays, but with a few cents difference. Margaret stated she believes they came up with a good alternative for the Town of Superior and our employees. The employees have not had raises, and the Town wanted to provided a comparable insurance for them, without raising their costs or the Towns. Margaret recommended the Council accept Health Net as our health insurance carrier for the coming year.
Motion to accept Health Net Insurance for full time employees made by Councilmember Estatico, second by Councilmember Tameron, motion carries.
- E. Discussion and Acceptance of US Forest Service Grant to Control Noxious Weeds for the Town of Superior in the amount of \$40,128.** Margaret Gaston- Public Works Supervisor Anthony Huerta has recommended the Town accept this grant that the Forest Service recommends. This Grant will help the Town of Superior control noxious weeds. Anthony will be given the training and achieve the certification for this one. We were given short notice and Mr. Huerta has signed the application. Margaret stated the Town has another Grant for weeds also, but this one is a little different and the certification is different also. Margaret recommended the Council accept this grant from the US Forest Service in the amount of \$40,128 total grant, none of which is money for the Town of Superior: it's all In-Kind Services from the Town of Superior and possibly a total of \$20,000 from the Forest Service. This is all based on Anthony Huerta becoming a certified herbicide applicator.

COMMENT: Councilmember Alonzo stated he was looking at the application and it lets you know when and how to go about doing this, which is great. Everything you would need is provided. He feels it is a great idea. Motion to accept US Forest Service Grant to Control Noxious Weeds for the Town of Superior made by Councilmember Besich-Lira, second by Councilmember Alonzo, motion carries.

- F. Resolution No. 14-551 A Resolution of the Mayor and Town Council of the Town of Superior, Pinal County, Arizona, Adopting a Residential Antidisplacement and Relocation Assistance Plan for FY 2015, as required under Section 104(d) of the Housing and Community Development Act of 1974 as amended.** Margaret Gaston-The Relocation Resolution should be adopted at the start of every new CDBG funding cycle to be included with the application. This plan shows every step to be taken by The Town of Superior if we were planning on demolishing or converting any housing within the Town limits. The attached resolution is requirement to qualify for the Community Development Block Grant (CDBG) funding program from Arizona Department of Housing. This is another requirement Superior has to compete for their CDBG funding application. There were no questions from Council. Motion to adopt Resolution 14-551 the Relocation Assistance Plan made by Councilmember Tameron Second by Councilmember Besich-Lira, motion carries.
- G. Discussion and Nomination of a liaison to Resolution Copper's Community Working Group,** Margaret Gaston- On June 19, 2014 meeting the Mayor suggested the Council think of who they would like to see appointed or nominated to be a liaison to Resolution Copper's Community Working Group. The meetings are normally held on the second Wednesday of every month from 6:00 pm – 8:00 pm. A few people have volunteered, but the Mayor would like some suggestions from the Council. Anthony Huerta, Public Works Supervisor and Chief Mark Nipp have volunteered to attend the meetings and then give a report of the meetings. After a brief discussion with Council a motion to accept Anthony Huerta and Chief Nipp to be the Liaison to Resolution Copper's Community Working Group was made by Councilmember Besich-Lira, second by Vice Mayor Lopez, motion carries.
- H. Discussion of Tonto National Forest Traffic Management Plan,** Margaret Gaston-A letter was Attached from Councilmember Mila Lira regarding the plan. The Tonto National Forest is currently requesting public comment regarding their Traffic Management Plan. The Tonto National Forest has submitted four scenarios for the public to comment on. The comment period has been extended to September 17, 2014, from the original date of August 18th date. Margaret recommends the Council discuss this. Margaret also requested Marianne (Anne) Thomas from the Tonto National Forest to send a CD but she has not received that yet. Margaret stated that at least 4 of the Council will not be able to be here for the regular meeting on August 21st due to the League of Arizona Cities and Town Conference. Margaret feels the Council can then vote on the issue at the September 4th meeting. Mayor confirmed with The Town Manager this item is just an informational item. We will move forward with the meeting and we will vote this at our September 4th meeting.

CALL TO THE PUBLIC

- A.** Larry Bravo- Wanted to address the Council and public regarding the office of Judge/Magistrate for our District. Mr. Bravo went on to inform everyone there about the lack of education it takes to hold this position.

was a police officer for many years he believes the County should require some kind of education in criminal justice. He proceeded to show everyone the two books that have to be used in doing this job, The Arizona State Statues and the Criminal Law Book. He just encouraged when voting in the next election make sure we vote for the person who has knowledge and some background in the law.

Michael Hing- He wanted to address the Council regarding the tailings and the lack of communication or urgency regarding the clean up in the area of Pinal Avenue. He would like to ask the Council if they need any assistance in communicating with the surrounding communities and informing those communities what is going on with the Town of Superior and Resolution Copper Company.

He is willing to go and speak to these Communities and let them know exactly what the status is. He wants this Council to take a good look and make sure you take care of our Town and the future of our community. Make sure you get a commitment from Resolution and follow thru on what they say they are going to do. He believes that the whole town was contaminated due to all of the dust storms we have had and all of the contaminated dust that came off the tailings. Properties were cleaned externally but nothing was done internally. He believed the high rate of cancer in this little town has a lot to do with the contamination. He does support the mine and just wants things done right and that they do what they say they are going to do. Council needs to go forward with the annexation and protect the town from the tailings. We need to make sure that the town is at no threat of contamination from those tailings. Resolution says they support the Town; they need to really show the support for the Town.

Manuel Ortega- He did not see any kind of support regarding Mr. Hings comments. He is here to tell this Council Michael is speaking the truth and he expects this Council to do something about it.

Sue Anderson- Just wants to extend an invitation to the grand opening to the Chamber Office. They have been working really hard to get this done and would like for all to come and see all of the hard work that has gone into making the Chamber a great place to visit. There will be refreshments and finger food for all to enjoy, August 15, 2014 from 4-7 pm.

Bill Vogel- He wanted to let everyone know that if anyone wanted to know more about the road closures that the Forest Service is proposing, he would be happy to talk with those individuals. He is well aware of what they are looking to do. He is available.

B. Town Council members may respond to criticism made by those who have spoken; ask staff to review a matter; or ask that a matter be put on a future agenda.

Mayor Valenzuela- Mayor took this time to thank Mr. Michael Hing for his support. Appreciates his offering himself and when we all work together we can move forward. Some of Mr. Hings issues are some of the same issues the Council is dealing with. So he does appreciate Mr. Hings offer.

Mayor stated he really didn't know where exactly Mr. Ortega was coming from by criticizing the Council. The Council has not made any decisions on anything, they are at a standstill. So for Mr. Ortega to come in here and criticize the Council was totally uncalled for.

SUMMARY OF CURRENT EVENTS

Councilmember Besich-Lira: She attended the Rural Policy Forum in Miami's Bouillon Plaza.

Several members of Chamber and other committee members attended. She highly recommends others to try to attend next years meeting. Also Superior Optimist is celebrating their 10 year anniversary. This is

something that a lot of people thought the Optimist Club would not make it especially during these hard economic times. She ended by saying "Never doubt an optimist, that's for sure".

Councilmember Alonzo; He just wanted to echo what was said earlier. Mr. Alonzo wanted to thank all of those who helped support the Fourth of July festivities. He really appreciates all of the contributions and support that was given.

Councilmember Estatico; He's glad to be back at work, he missed everyone.

Councilmember Tameron; He received a call from Mr. Jerry Rumsfeld who is from BHP. He stated they are very interested in working with the Town and would like to be included in the discussion regarding the intersection at the Y where Main Street meets Hwy 60 to make the intersection happen. Mr. Tameron would like to see this on the agenda of do whatever we have to do. Also get back to Mr. Jerry Rumsfeld and give him an update where we are at with this. Also Ms. Vargas from the clinic would like to be included and be involved in discussions regarding a frontage road from that intersection to access the Clinic other than Hwy 60. This would be a safer route for the elderly that live in town. Another thing he would like to have a report on the Annexation, were are we and maybe get a report for our next meeting. Manager response- Margaret said she did send an email to Mr. Jessie Gutierrez form ADOT and she is waiting for his response. She is also waiting on some maps form CAG that they said they would provide us. Mayor stated that Andréa brought some maps to him and he hasn't brought them to staff. They are in reference to the Annexation. He apologized but would get those to staff right away.

Vice Mayor Lopez; No comments

Mayor; Wanted to Thank all of the members Town Staff from Manager, Administrative Staff, Public Works, Fire and Police Department; all of those who came out and worked that day and everyone that took part.

SCHEDULING OF MEETINGS AND EVENTS

Superior Chamber of Commerce Grand Opening, August 15, 2014; 4 pm -7 pm
Cancelation of Regular Council Meeting of August 21, there will not be a quorum available
Regular Council Meeting will be September 4, 2014
Prickly Pear Festival August 23, 2014
League of Arizona Cities and Towns Conference, August 19-22, 2014

EXECUTIVE SESSION

A. Confidentiality Statement

At the April 10, 2014 Council Meeting the following members of the Superior Town Council declared a conflict of interest concerning matters involving Resolution Copper. Mayor Valenzuela Vice - Mayor Lopez, Council Member Tameron and Council Member Aguilar. Due to the four conflicts of interest the Superior Town Council would not be able to discuss matters involving Resolution Copper. However, pursuant to A.R.S. 38-508 if conflicts of interest prevent a Town from acting as required by law in its official capacity, such action shall not be prevented if the Council Members who have apparent conflicts make known their conflicts of interest in the official records of the Town.

Due to the fact the Mayor, Vice-Mayor and two Council Members have publically declared their conflicts of interest at the prior Council members have publically declared their conflicts of interest at

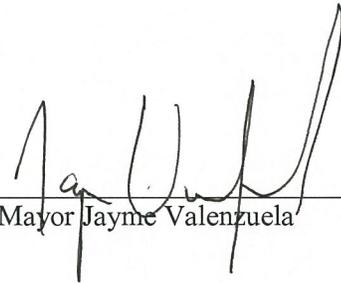
Town of Superior
Page 7
August 7, 2014

the prior Council Meeting and the Town Council would not be able to address matters involving Resolution Copper these Council Members are authorized to participate in matters involving Resolution Copper pursuant to A.R.S. 38-508.

Motion to go into Executive Session along with the Town Attorney, Town Manager for one hour, made by Councilmember Alonzo, second by Councilmember Besich- Lira, motion carries.
Council adjourned to Executive Session at 8:40 pm.

Motion to return back to regular session by Councilmember Besich-Lira, second Councilmember Alonzo, motion carries.

Motion to adjourn regular meeting by Councilmember Estatico, second by Councilmember Alonzo, motion carries.
Meeting adjourned at 9:45 pm



Mayor Jayme Valenzuela

Attest:



Town Manager Margaret Gaston