

TOWN OF SUPERIOR
MINUTES
NOTICE OF REGULAR MEETING OF THE
TOWN OF SUPERIOR TOWN COUNCIL

Pursuant to A.R.S. Section 38-431.02, notice is hereby given to the Superior Town Council and to the public, that a Regular Meeting of the Superior Town Council was held on Thursday, May 14, 2020 at 7:00 p.m. in the Superior Town Hall Auditorium, 199 N. Lobb Ave., Superior, Pinal County, Arizona.

Due to the impacts of the COVID-19 pandemic, which have prompted declarations of a public health emergency at both the state and federal levels, this meeting was conducted using measures to protect public health. Members of the public were encouraged NOT TO ATTEND THE MEETING IN PERSON but instead to attend and listen to the meeting remotely by telephone.

To participate in the meeting telephonically follow the instructions below:

Tele-Conference Participant:

1. At the specified time, dial the Access Number **712-451-0644**.
2. When prompted, enter your Participant Code followed by #.
3. Your Participant Code is **127483** #.

Participant Star Commands:

- *4-Volume - Pressing *4 will increase/decrease the volume.
- *6-Mute - Participants can mute/unmute their own lines by pressing *6.

We also live-streamed on the Town's Youtube channel.

<https://www.youtube.com/channel/UCd2f5D2dfTkaazjwNyhAXRA> .

Public access to the Mayor and Council Chambers will be restricted in order to prevent a large or close gathering of the members of the public and to promote social distancing. Additionally, some items on the agenda may be shortened, continued to a future meeting or taken out of order. These steps are part of the effort to limit the number of people who must be physically present, or who might desire to be physically present, at the meeting, and to limit the time of the public meeting.

This meeting was held remotely through technological means, as permitted under Arizona law.

1. CALL TO ORDER
Mayor Besich called the meeting to order at 7:00 PM.

2. **ROLL CALL**

PRESENT TELEPHONICALLY:

Mayor Mila Besich
Vice -Mayor Michael Alonzo
Councilmember Vanessa Navarrette
Councilmember Stephen Estatico
Councilmember Olga Lopez

ABSENT:

Councilmember Gilbert Aguilar - Excused
Councilmember Bruce Armitage – Excused

Mayor Besich let everyone know the Council is conducting this meeting from their homes. Todd Pryor, Town Manager, was on the dais today managing all the technology.

STAFF PRESENT:

Todd Pryor – Town Manager
Ruby Cervantes – Town Clerk
Lana Clark – Engineer Tech

Stephen Cooper – Town Attorney – Telephonically

PUBLIC PRESENT:

Pam Rabago

3. **PLEDGE OF ALLEGIANCE**

Mayor Besich led everyone in the Pledge of Allegiance.

4. **INVOCATION**

Vice-Mayor Alonzo gave the Invocation.

5. **SPECIAL PRESENTATIONS**

A. Mayor Besich read the Proclamation proclaiming May 3 – 9, 2020 as 51st Annual Professional Municipal Clerk's Week.

Mayor Besich also stated that the Month of May has Teacher's Week, Police & Fire Safety & Public Safety Workers.

6. **STAFF REPORTS**

Mayor Besich – We're still continuing to keep busy at Town Hall. All of our projects including the Multi-Gen Center, the Maker Space Center, the WWTP. Also the realities of COVID. She reported that due to a generous donation by Resolution Copper and the Local First Foundation, several of our businesses were able to receive the small business grant. Wanted to thank Arlene and the team she put together for the marketing program. Our new logo is something I'm really excited about; our community has been using it for our safety pledge. For those who may be listening or on Youtube, our business community came up with idea to make sure that people know it's safe to be Superior. And our safety first talks about wearing masks, good hygiene, continuing to practice physical distancing and now more than ever we have to be mindful that there could be potential patients in our community that have COVID. I would like to have Mr. Pryor explain the new phase that we're in with the Governor opening the first phase. And how contact tracing works when someone comes in contact with someone who has a COVID diagnosis.

Town Manager Mr. Pryor – The contact tracing should function that if someone is found to be positive, everyone that has had contact with them should be notified. They are encouraged to social distance, self isolate and seek testing. Generally secondary contacts are not as concerning. It takes up to three days for symptoms to develop and be contagious. The contact tracing if it works the way it's supposed to and contain the spread. There are reports of some positive cases in Superior. Continue to encourage social distancing, washing your hands, wearing your mask. Town Hall will continue under scheme of limited access until the contact tracing has a chance to do its work and to isolate that case.

We are working hard on a thousand projects and it's all happening behind the scenes. And we're in isolation now because we're not having a lot of interaction with the public. We are also working very hard on preparing ourselves for opening up. And ordering all the supplies and equipment that are required to follow the CDC guidelines and open safely. That can be a bit of a challenge with shipping times and back orders. It's the same kind of challenge for any of our businesses opening. It takes a little bit longer for businesses to open. We have to help each other out to get started. The Town, Chamber and Anderson Rentals cooperated to purchase some more masks. We are attempting to facilitate as much as we can the businesses getting access to those guidelines so they can reopen.

Mayor Besich mentioned the Cemetery is in dire need of some TLC. And for the public, we have relied on having the Correctional Inmates to come in and help. Since the Pandemic we have not been able to utilize those crews. We are able to secure some work teams. We are working with the VFW. Also, Resolution will be offering a couple of volunteer work days. We're looking for some other solutions. If anyone would like to volunteer to do some weed eating we would greatly appreciate that since we are very limited in our staff time right now due to the limited staff that we have. We'll have some more formalization of these activities as we go on. And I would like to thank all of our Community Partners: the Food Bank, the School District, Regenerating Sonora, Chamber, Rebuild, Optimist Club. Everyone has really been doing their best to move things forward and keep things moving in the Community in a safe and healthy way.

7. CONSENT AGENDA

Pursuant to Section 2-4-6 (D), matters listed under the Consent Calendar are considered to be routine and will be enacted by one motion and one vote. Prior to consideration of the Consent Agenda, the Mayor will ask whether any members of the Council request any item be removed from the Consent Agenda for separate discussion.

1. Approval of Minutes of Regular Council Meeting on April 9, 2020.
2. Approval of Jim Schenck to serve on the Community Development Committee.
3. Approval of Memorandum of Understanding (MOU) between the Pinal County Public Health Services District and the Superior Fire Dept. This MOU is entered into by the Pinal County Public Health Services District and the Superior Fire Dept for their mutual interest in establishing procedures for effective coordination of public safety and/or emergency services during the COVID-19 pandemic and declared Pinal County Local State of Emergency in order to avert a serious threat to the health and safety of public safety and emergency personnel and the general public. Agency and Public Health may be individually referred to as "Party" and/or collectively "Parties" hereinafter.
4. Approval of TELECOMMUNICATIONS LICENSE AND RIGHT-OF-WAY USE AGREEMENT WITH ZAYO GROUP, LLC ("LICENSEE") AND THE TOWN OF SUPERIOR ("TOWN OR LICENSOR"). Licensee may use the License Area for the installation and operation of telecommunications fiber optic lines and related support equipment ("Facilities") in a manner consistent with this License and conforming to plans approved and permits issued by the Town of Superior (Town).
5. Approval/Possible Discussion of COVID-19 Re-Entry Marketing and Branding Launch with Dog Cat Mouse LLC. (Jennifer Luria & Bridget Shanahan).
6. Department Reports:
 - Fire
 - Police
 - Public Works
 - Library
 - Senior Center
 - Sanitation
 - Town Engineer

Motion to Approve the Consent Agenda made by Council Member Estatico, second by Council Member Lopez, Motion Carries.

AYES - 5 Mayor Besich, Vice-Mayor Alonzo, Council Members: Navarrette, Estatico, Lopez

NOES - 0

ABSTINATIONS - 0

ABSENT - 2 Council Members: Aguilar, Armitage

8. NEW BUSINESS

- A. Discussion/Possible Approval of Resolution 2020-621, A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SUPERIOR, ARIZONA, DESIGNATING AN

APPLICATION AGENT AND AN ALTERNATE POINT OF CONTACT FOR THE HAZARD MITIGATION PROGRAM WITH RESPECT TO THE CORONAVIRUS (COVID-19) PANDEMIC.

Section 1: Todd Pryor, Town Manager of the Town of Superior, is hereby designed as the Applicant Agent and Authorized Representative of the Town of Superior, Arizona, and is hereby authorized to execute for, and on behalf of the Town of Superior, Arizona, this application and to file it in the appropriate state office for the purpose of obtaining certain financial assistance under the Disaster Relief or Hazard Mitigation Assistance Grants or Public Assistance Grants.

Section 2. Ruby Cervantes, Town Clerk of the Town of Superior is hereby designated as the Alternate Point of Contact (Alternate PA Coordinator) to perform the Application Agent's duties when the Application Agent is unavailable.

Section 3. The Application Agent is authorized to provide information to state and federal authorities for all matters pertaining to disaster assistance.

Motion to approve Resolution 2020-621 made by Council Member Navarrette, second by Council Member Lopez, Motion Carries.

AYES - 5 Mayor Besich, Vice-Mayor Alonzo, Council Members: Navarrette, Estatico, Lopez

NOES – 0

ABSTINATIONS – 0

ABSENT - 2 Council Members: Aguilar, Armitage

B. Discussion/Possible Approval of Resolution 2020-622 , A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SUPERIOR, PINAL COUNTY, ADOPTING THE FISCAL YEAR 2020-2021 TENTATIVE BUDGET.

Mr. Pryor gave a brief review. This is our standard operating budget. We've done quite a bit of work to shift expenses to the Contingency Fund. Anything that was optional we put in the contingency fund to make sure we have sufficient ability to survive COVID without having to do layoffs or other expense cuts. Its very difficult to predict what the COVID is going to do to the revenue stream. We've anticipated a 25% cut to tax related revenue streams. We've put that into the budget as a 14% across the board potential loss and that's about \$390,00.00. And we've put about \$308,000.00 in the contingency fund. If it does get that deep of cuts we will have to look at more severe saving measures. That should give a sufficient cushion to revenue. There is one change to the Tentative Budget. There's an additional \$2,000,000.00 added to Schedule A. That is for the money coming in as grant loan to the MPC which doesn't fall under the Expenditure of Limitation because it's in our Municipal Property Corporation. This still needs to be accounted for in the budget but is exempt in the Expenditure of Limitation. Our Accountant added that number so we could properly identify that number.

DISCUSSION: This adopts the Tentative Budget discussed in the Work Session in April 9, 2020. The final budget will be presented for approval at the June 11, 2020 Regular Council Meeting.

FISCAL IMPACT: Once the Tentative Budget is adopted, changes may be made to before the final budget is adopted, but the total may not be increased.

Motion to approve Resolution No. 2020-622 made by Council Member Estatico, second by Council Member Navarrette, Motion Carries.

AYES - 5 Mayor Besich, Vice-Mayor Alonzo, Council Members: Navarrette, Estatico, Lopez
NOES - 0

ABSTINATIONS - 0

ABSENT - 2 Council Members: Aguilar, Armitage

C. Discussion/Possible Approval of Resolution 2020- 623, A RESOLUTION OF THE TOWN OF SUPERIOR, ARIZONA, DECLARING AS PUBLIC RECORDS THOSE CERTAIN DOCUMENTS FILED WITH THE TOWN CLERK AND ENTITLED THE INTERNATIONAL BUILDING CODE, 2018 EDITION; INTERNATIONAL RESIDENTIAL CODE, 2018 EDITION; THE INTERNATIONAL FIRE CODE, 2018 EDITION; NATIONAL ELECTRICAL CODE, 2017 EDITION; INTERNATIONAL MECHANICAL CODE, 2018 EDITION; INTERNATIONAL PLUMBING CODE 2018 EDITION; INTERNATIONAL PROPERTY MAINTENANCE CODE, 2018 EDITION; INTERNATIONAL SWIMMING POOL CODE, 2018 EDITION; INTERNATIONAL ENERGY CONSERVATION CODE, 2018 EDITION; INTERNATIONAL FUEL GAS CODE, 2018 EDITION.

Mr. Pryor gave us a brief recap on this. We've had three hearings of the Planning and Zoning Committee. Two Public and one Voting session where they reviewed all the amendments and details of the Code adoptions. This was pretty much taken from Pinal County. We did make some changes to our own amendments. Pinal County has chosen not to renew our RTA or code enforcement for building code. So we will have to take this on ourselves. So we will have to update our Code, our Fee Structure, update our Forms and we will have to hire an outside company. We have to get all this in place before August or September so we can move forward with that change over. This Resolution just adopts the books. The next Item D adopts the Ordinance.

DISCUSSION. The Town will need three sets of Books. One for each of the following departments: Town Hall, Engineer Tech Office and the Library. One set has already been purchased.

FISCAL IMPACT: The total cost of the three sets including shipping will be less than \$5,000.00

Motion to Approve Resolution 2020-623 made by Council Member Navarrette, second by Council Member Lopez, Motion Carries.

AYES - 5 Mayor Besich, Vice-Mayor Alonzo, Council Members: Navarrette, Estatico, Lopez
NOES – 0
ABSTINATIONS – 0
ABSENT - 2 Council Members: Aguilar, Armitage

- D. Discussion/Possible approval Ordinance 2020-163, AN ORDINANCE OF THE TOWN OF SUPERIOR ADOPTING THE 2018 INTERNATIONAL CODES AND THE 2017 NATIONAL ELECTRICAL CODE BY ICC (INTERNTIONAL CODE COUNCIL) WITH LOCAL AMENDMENTS.

The code is in need of substantial revision to meet the changed conditions and to conform to existing laws. The Town Council has determined the 2018 ICC code will be beneficial to the quality of life and to protect the health, safety and welfare

Motion to approve Ordinance 2020-163 made by Council Member Estatico, second by Council Member Navarrette, Motion Carries.

AYES - 5 Mayor Besich, Vice-Mayor Alonzo, Council Members: Navarrette, Estatico, Lopez
NOES – 0
ABSTINATIONS – 0
ABSENT - 2 Council Members: Aguilar, Armitage

- E. Discussion/Possible Approval of PROPOSAL SUBMITTED BY FIRST RESTIVO LLC TO PURCHASE THE INDUSTRIAL LOT #3, LOCATED AT THE SUPERIOR INDUSTRIAL PARK LOCATED AT 3 MESQUITE DRIVE, SUPERIOR, ARIZONA, NORTH OF HIGHWAY 60.

The code is in need of substantial revision to meet the changed conditions and to conform to existing laws. The Town Council has determined the 2018 ICC code will be beneficial to the quality of life and to protect the health, safety and welfare

Mayor Besich let the council know that they could take Item E into Executive Session but at that time I will need a motion to go into Executive Session.

Council Member Estatico made a motion to approve the proposal.

Mayor Besich read the Request for Action #5.

Mayor Besich stated she would take the motion from Council Member Estatico and asked for a second. Vice-Mayor Alonzo second the motion.

At this time, Mr. Cooper wanted to point something out in the Town Code Section 3-7-6, Disposition of Real Property. No sale of real property belonging to the Town can occur until approved by a majority vote of the Council. All documents pertaining thereto shall be executed by the Mayor and attested by the Town Clerk. Public property belonging to the Town shall be sold at public auction or sealed bid. The date, time and place of the public auction shall be posted not less than two weeks in advance of the date at Town Hall, on the site of the real property to be disposed of and at least two other public places. In addition, the notice of sale shall be published in a paper having general circulation in the Town once each week for two consecutive weeks preceding the sale, with the last such publication not less than three days before the sale. Mayor and Council, I don't know if this has been properly advertised for sale.

Mr. Pryor stated it was posted on the website and the Clerk is verifying the Affidavit of Publications.

Mr. Cooper, Town Attorney, stated that perhaps the Council could give Tentative approval on the condition with the Town Manager and Town Attorney verifying that we have complied with Section 3-7-6 of the Town Code.

Council Member Estatico stated he will amend his motion to state that if needed.

Vice-Mayor Alonzo recended his second.

Council Member Estatico restated his Motion .

I will tentatively make a motion to state that we approve the sale pending verification of it being posted correctly by Council Member Estatico, second by Vice-Mayor Alonzo, Motion Carries.

AYES - 5 Mayor Besich, Vice-Mayor Alonzo, Council Members: Navarrette, Estatico, Lopez
NOES - 0
ABSTINATIONS - 0
ABSENT - 2 Council Members: Aguilar, Armitage

9. **CALL TO THE PUBLIC - NONE**

10. **EXECUTIVE SESSION ---NONE**

11. **REGULAR SESSION**

12. **A. Direct Town Manager, Town Attorney, Town Staff Counsel to Proceed as Directed in Executive Session.**

13. **SUMMARY OF CURRENT EVENTS**

A. Council Members:

Navarrette – No Comment

Estatico – Graduation will be May 22, 2020 at 6:00 PM. It will be streamed to Youtube, Face Book. Afterwards there will be a parade down Main St. Then around 8:45 PM we hope to have the Town will set off fireworks. Students are allowed to people to accompany them during the ceremony. We will practice the social distancing. The Police Dept has donated masks for everyone. Want to thank Optimist Club for helping with Parade.

Lopez – I've been on the Vulnerable Seniors Committee since the 6th of April. We have been meeting on a daily basis through a conference call. Been meeting with people from around surrounding towns. Their main goal is making sure we have everything in place and what the needs are in the community as far as needing food. Making sure our Senior are being taken care of, helping, etc. We've been able to take care of this in house. She's been calling Sr Citizens once a week. To touch base with them and see how they are doing. They seem to be very pleased with the service. Good compliments on Carol and Maxine. Wanted to mention that our Census Sign, the weeds are high and it's hard to see it.

Alonzo – Wanted to thank Council and Staff for all their hard work during these trying times and Congratulate our Graduates and their Families. See you all next month.

B. Mayor – Thank you to all of our Staff for working diligently to keep all the day to day business going. Managing all the new job hats and physical distancing and operating because you are essential employees. We greatly appreciate that. The leadership throughout the council and the community is appreciated. We are very fortunate to live in a community where everyone cares about each other. So that's a plus. I wish the 2020 Graduates a big success in life and am looking forward to celebrating with them in a physically distant way next week. We'll be back to some kind of new normal soon.

C. Town Manager—on a note for the Property Agenda Item E, the Clerk has handed me a note it was sent to the paper for Publication on February 14, 2020. We haven't got back the Affidavit of Publication yet.

14. SCHEDULING OF MEETINGS AND EVENTS

All meetings are held at Town Hall.

Emergency Services Committee	May 21, 2020	6:00 PM
Community Development Committee	May 28, 2020	6:00 PM
Planning & Zoning Committee	June 4, 2020	6:00 PM
Town Council Meeting	June 11, 2020	7:00 PM

15. ADJOURNMENT

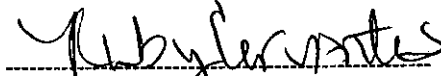
Motion to adjourn the Regular Meeting of the Town Council made by Council Member Estatico, second by Council Member Lopez, Motion Carries. Meeting Adjourned at 7:36 PM.

AYES - 5 Mayor Besich, Vice-Mayor Alonzo, Council Members: Navarrette, Estatico, Lopez
NOES - 0
ABSTINATIONS - 0
ABSENT - 2 Council Members: Aguilar, Armitage

ATTEST:



Mila Besich, Mayor



Ruby Cervantes, Town Clerk