

**Superior Town Council  
Town Council Meeting**

**Thursday, August 2, 2007  
Superior Senior Center  
Superior, Arizona**

**M I N U T E S**

**A. Call to Order**

Mayor Hing called the meeting to order at 7:15 p.m.

**B. Salute to the Flag**

Mayor Hing led the Town Council, staff and the audience in the Pledge to the Flag.

**C. Invocation**

Mayor Hing led the Town Council, Staff and audience in an opening prayer.

**D. Roll Call**

Members Present: Councilmember Valenzuela, Councilmember Cervantes, Councilmember Lopez, Councilmember Peralta, Mayor Hing

Members Absent: Councilmember Heglie, Councilmember Marquez

A quorum was established and the meeting continued

**E. Consent Agenda**

Mayor Hing introduced the items on the consent agenda. The items on the consent agenda for approval were:

Approval of Minutes for Regular Meeting July 19, 2007  
Disbursements from July 1 – July 31, 2007 for \$224,309.10

Mayor Hing requested that a motion to approve the consent agenda be made to indicate that the Mayor abstains from approving check numbers 18350, and 18380 because they were made out to his business.

The Mayor and Council also discussed the expenditures on payroll and overtime costs. They directed the Town Manger and Finance Director to review the overtime issues.

Councilmember Lopez made a motion to approve the consent agenda with the Mayor abstaining from the approval of checks 18350 & 18380. Councilmember Cervantes seconded the motion. The motion was approved unanimously.

## **F. Communications**

### **Managers Report – Rosie Cordova**

Appraisals – Ms. Cordova explained that she has spoken with two companies that could provide appraisals of the town's property. She also explained that the county assessors' office could provide informal appraisals of the property.

Fire Station – She explained that she has had discussions with Mr. Robert Gomez regarding the fire station but she did not have anything new to update the council on. She reported that she would request a written timeline for completion but that was not included with the contract.

Main St. – She explained that she will be meeting with Bill Leister from CAAG to discuss the regional HURF and TIP monies available to Superior for completing the Main St. paving and construction project.

Community Awareness Day – Ms. Cordova explained that a local group of citizens who are concerned about current issues facing the town are asking to host a community awareness day on Main St. and are requesting a street closure and community support. She introduced Mr. Manuel Ortega who apologized for being late in coming to the council for approval. He explained that they are working with the Chamber of Commerce to host the event and that they are requesting to have the street closed off from Neary Ave. to the ally next to the Porters Building. Mr. Ortega explained that they would be having entertainment from live bands, folklorico groups, Native American Dance groups and they encourage the local non-profits to host food booths or information booths. The council directed staff to work with Mr. Ortega on the event.

Councilmember Valenzuela requested an update on the Air-Vac ambulance station project. He explained that he would like to see the town work very closely with Mr. Gomez and the contractors for the Air-vac station so things flow smoothly and things don't get delayed and to avoid duplication.

Ms. Cordova also explained that she had great news that the town had been awarded the Heritage Grant for rehabilitation of the Magma Club. Ms. Lira explained that the town would not hear about the SSP funds until possibly late September early October.

### **Call to the Public**

Mayor Hing announced the call to the public. He explained that anyone wishing to speak now could only speak directly to the Council and only for items not on the

current agenda.

Bill Holmquist – explained that he wanted the Mayor and Council to take a good look at the buildings on Main St. He explained that he is frustrated with a property owner who only has used his buildings for storage and not for anything that would be good for the community. He explained that small business are good for the community and that teens can get employed by small business but they cant be developed here cause the buildings are used as storage. He also expressed his wishes that the town work harder on enforcing codes and forcing the Main St. property owners to clean up their properties and have them open for business.

Felicia Ortega – Made a suggestion to the Mayor and Council that they not support the land exchange until Resolution Copper puts their promises on paper and they sign the agreement. She explained that she felt once the land swap went through then Superior may not get what Resolution has promised. She explained that the council held a great negotiating tool and explained that she was giving a suggestion and hoped that the council would accept her suggestion.

### **Business**

#### **Possible Discussion and/or action on the following**

#### **Presentation regarding Superior Animal Rescue**

Carol Dodge with the Superior Humane Society gave a presentation on the services that the animal group provides and also explained their needs for both financial funding and a dedicated building to use as an animal clinic. She explained that they are in contact with several Veterinarians who are willing to donate time and services to assist with shots, spaying and neutering. She addressed the many animal issues within the community and expressed the commitment of their group to have a safe place for both the animals and the residents of Superior.

Mayor Hing requested that agenda items 7, 12, 13 & 14 be moved up on the agenda to items 2, 3, 4, & 5

#### **Discuss/Approve/Reject authorization to apply for special event liquor license**

Ms. Cordova explained that the St. Francis of Assisi Catholic Church was requesting a special event liquor license for their annual church fiesta. She explained that application was in order and Mr. Lopez was available to answer any questions. Mayor Hing asked if additional security would be in place and Mr. Lopez explained that the church will be working with the local police and county sheriff on security issues.

Councilmember Peralta made a motion to approve the authorization to apply for a special event liquor license. Councilmember Lopez seconded the motion. The motion was approved unanimously.

#### **Discuss/Approve/Reject liquor license for George E. Truman V.F.W Post 3584 on**

**Saturday July (August) 11, 2007 from 10:00 a.m. to 2:00 p.m. for a fundraising event applicant Reynaldo Escalante Ramirez**

Ms. Cordova explained that this item was brought the council from the VFW she explained that the date on the application was incorrect and was actually for the date of August 11, 2007. She also referenced several issues with the application.

After discussion with the council regarding the application Councilmember Valenzuela made a motion to approve the application only upon the appropriate corrections being made to the application. Councilmember Lopez seconded the motion. The motion was approved unanimously.

**Discuss/Approve/Reject blanket permit for the St. Francis of Assisi Catholic Church for annual fundraising events and projects for FY 2007/2008**

Ms. Cordova explained that this item was approved on a previous agenda and that no action was needed. No action was taken on this item.

**Discuss/Approve/Reject approval of Agreements with Resolution Copper – Rosie Cordova**

Councilmember Valenzuela explained that he asked for this item to be placed on the agenda with urgency because the Southeast Arizona Land Swap bill had been introduced by Congress and he wanted to make sure that the Town was fully aware of bill and explained that the town should vote to officially support the bill or not support the bill. Councilmember Valenzuela explained that the Town and Resolution Copper do not have a written agreement with the promises set forth by Resolution Copper. He explained his concerns regarding the impact that the mining operations will have on the community both physically and economically. He stated that he does support the operation but wants to make sure the town will be compensated appropriately from the development. He also reported on conversations he has had with Chairman Nosey from the San Carlos tribe who are opposing the land swap and explained that the tribe is lobbying to stop the land exchange. Councilmember Valenzuela questioned why it was so difficult for Resolution to sign an agreement after all the negotiations that have been held between the Town and the company. He explained that if the agreement could be signed as soon as possible indicating that the company would support and fund the findings of the economic impact study then he would not have any problem supporting the Land Swap. He identified concerns regarding the Apache Leap, Oak Flats, the environmental and the usage of the Superior's Emergency Services and Infrastructure. Councilmember Valenzuela explained that without a signed agreement from Resolution Copper he would not support the Land Exchange, he also stated his opinion that he believes the mining operations and development will continue even if the land swap does not pass through Congress.

Mayor Hing explained that he and Councilmember Peralta had attended a meeting with Resolution to address and negotiate these concerns. He explained that Resolution has committed to working with the Town to develop a study that would evaluate the economic impact and environmental concerns the Town has. He

explained that the Town Manager Ms. Cordova will be working with the consultant that will be retained in the joint effort. She will decide if this consultant will be an appropriate selection for Superior. Mayor Hing explained that he supports the operation and the land swap but also wants to make sure that the needs of the community are addressed and met.

The Mayor and council discussed timelines for the study to be held and also discussed what type of support the Town would give officially in regards to the Land Swap.

Councilmember Peralta explained that she felt they had a positive conversation with Resolution but addressed her concern that there was not a written agreement between the Town and Resolution and she suggested that the Council direct the Town Manager to write a letter to Resolution and to the Congressional delegation to explain that the town would hold any further support of the land swap until local negotiations could be held.

Councilmember Cervantes expressed his concerns regarding the method of the mining that Resolution would be using to extract the copper and the safety of the community should Apache Leap subside. He explained that there are different fault lines in the area and how exact are Resolutions calculations that they will not breach the faults. He referenced several meetings with Resolution and also studies by Engineer and former resident George Lopez. He requested that a meeting be held with both Resolutions experts and also other experts from ASU and the U of A. He asked for everyone to stay informed with this issue.

Councilmember Peralta made a motion that the Town Manager be directed to send a letter to Resolution Copper to request that the Town of Superior and Resolution Copper conduct a joint study to determine the economic impact of the mine on the Town of Superior and that an agreement be negotiated and agreed upon prior to the mark up of the Senate or House Land Exchange bill. In addition Resolution is to sign a written agreement agreeing to pay whatever the independent study determines. Mayor Hing seconded the motion. Ms. Cordova asked for roll call:

|                          |     |
|--------------------------|-----|
| Councilmember Peralta    | aye |
| Councilmember Cervantes  | aye |
| Councilmember Lopez      | aye |
| Councilmember Valenzuela | nay |
| Mayor Hing               | aye |

Mayor Hing made a second motion directing the Town Manager to write a letter to Congress both the House and Senate delegations asking for the bill to not continue with the mark ups until local negotiations are settled between the Town of Superior and Resolution. Councilmember Cervantes seconded the motion. The motion passed unanimously. Councilmember Peralta requested that the letters be drafted and sent as soon as possible.

### **Presentation regarding Wi-Fi update to the council**

Ms. Aldrete gave a brief update on the WiFi committee. She explained that the deployment committee has now redeveloped into the education committee. She answered questions regarding several customer issues with service reporting that Wi-Vod would be meeting with the town on Friday, August 3, 2007 for a teleconference to discuss and remedy these concerns. She reported that WiVod is currently taking a survey and researching many of these issues and that most of them will be resolved on an individual basis and it is not a reflection on the entire system. She also explained that the back haul of fiber optic cable still needs to be installed and once that was in the system would be complete. Ms. Aldrete also explained that Mr. Gutierrez would no longer be the project manager for the Wi-Fi project stating his contract had expired. She introduced Ms. Lira who will be contracting with the Town to provide coordination for the educational expo held in conjunction with the WiFi grant.

Ms. Lira explained that the Expo would be held on Saturday, September 8<sup>th</sup> at the Superior Jr./Sr. High multi-purpose room. She explained that the Expo would feature opportunities for local business owners and residents to learn more about how high speed internet can assist their business's and their lives.

### **Discuss/Approve/Cancel next council meeting of August 16, 2007**

Mayor Hing explained that traditionally the council would cancel the last meeting in August to allow for the council and staff to take a little break/summer vacation without having to miss a meeting.

Councilmember Lopez made a motion to cancel the August 16<sup>th</sup>, 2007 meeting. Councilmember Cervantes seconded the motion. The motion was approved unanimously.

### **Discuss/Approve/Reject appointment of Vice-Mayor**

Mayor Hing explained that it was important to appoint a Vice Mayor citing that the town has many functions that must be attended by an elected official and staff. He explained how a Vice Mayor should represent the town and be present when the Mayor can not personally attend. Councilmember Peralta suggested appointing two Vice Mayors so that way there would always be a Town Representative available. Town Attorney Mr. Beer explained that the town could have two Vice Mayors. Ms. Cordova asked that if council wanted to appoint two Vice Mayors to rank them as Vice Mayor 1 and Vice Mayor 2 in order to determine succession.

During this agenda item local resident Mr. Marquez addressed his concerns with the police department and how his concerns have not been addressed so he would be meeting with the Attorney General in Phoenix to report Superior. Mayor Hing explained to Mr. Marques he could not discuss that item at this time because it was not on the agenda. Mr. Marquez did not comply with the Mayor's request and continued talking and raising his voice. Mayor Hing instructed the police officers

present to remove him.

Mayor Hing made a motion to appoint two Vice Mayors. Councilmember Peralta seconded the motion. The motion passed unanimously

Councilmember Peralta made a motion to appoint Councilmember Valenzuela as Vice Mayor One. Councilmember Lopez seconded the motion. The motion passed unanimously.

Councilmember Valenzuela made a motion to appoint Councilmember Lopez as Vice Mayor Two. Councilmember Peralta seconded the motion. The motion passed unanimously.

**Discuss/Approve/Reject intergovernmental agreement with the State of Arizona, Department of Corrections for inmate labor.**

Ms. Cordova explained that Mr. Beers has reviewed and approved the contract. Discussion followed regarding how the inmates will be transported to Superior and if the contract was still valid because the due date for the return of the contract had passed. Councilmember Cervantes explained that he has been talking with the School District on using the schools 15 passenger van to transport the inmates. Questions arose on the responsibility of the wear and tear on the vehicle he also explained that it is important to pass this and move this process along because it is very time sensitive. Councilmember Peralta suggested that the town purchase a van for the use of transporting inmate labor. Mayor Hing asked Ms. Cordova to begin looking into leasing a van for this project. Councilmember Cervantes also explained that both the Town and the Department of Corrections (DOC) can transport the inmates however if the DOC provides transportation the Town will have to pay them for the cost of transporting the inmates.

Councilmember Valenzuela made a motion to approve the intergovernmental agreement with the DOC for inmate labor. Councilmember Lopez seconded the motion. The motion was approved unanimously.

**Discuss/Approve/Reject intergovernmental agreement DC Med Prep.**

Ms. Cordova explained that the Fire Department along with DC Med Prep has requested that the Town approve this agreement. She explained that this agreement would allow for the Town paramedics who were taking additional courses to do their training with the paramedics and fire department in Superior. Mr. Beers explained that this was a standard contract issued by DC Med Prep to allow for students to get their training in their respective communities. Ms. Cordova explained that the students would not be getting paid for their training time.

Councilmember Peralta made a motion to approve the intergovernmental agreement with DC Med Prep. Councilmember Lopez seconded the motion. The motion was approved unanimously.

**Discuss/Approve/Reject Resolution 461. A Resolution of the Mayor and Council of the Town of Superior, Arizona declaring the city of Canadas de Obregon, Jalisco, Mexico a sister city of the Town of Superior**

In the absence of Councilmember Marquez Ms. Cordova explained that the city of Canadas de Obregon has appointed a committee to share and develop the sister city relationship with Superior. She also explained that the resolution was simple and indicated that both towns share many similarities and both have accepted invitations to be sister cities.

Ms. Cordova read the Resolution heading.

Councilmember Lopez made a motion to approve Resolution 461 making the City Canadas de Obregon, Jalisco, Mexico a sister city of the Town of Superior. Councilmember Peralta seconded the motion. The motion was approved unanimously.

**Discuss/Approve/Reject Resolution 462. A Resolution of the Mayor and Council of the Town of Superior, Pinal County, Arizona confirming the adoption of the tentative estimates of the amounts required for public expense for the Town of Superior for fiscal year 2007-2008 confirming adoption of the tentative budget; setting forth the receipts and expenditures; giving notice of the time for hearing taxpayers, and for adopting of the final budget**

Ms. Cordova explained that the town could only decrease the budget and could no longer increase any portion of the budget.

The council addressed the fact that they would like to receive their packets earlier. Ms. Cordova explained that due to the finalizing of the budget staff was behind on their deadline. Councilmember Valenzuela also apologized for adding things to the agenda on such short notice.

Mayor Hing asked the council if they had any questions in regards to the budget stating that they had reviewed it earlier in a public work session. Ms. Cordova did explain that she was going to begin classifying the current staff positions and comparing the pay of other communities. She explained that she would have this information at a future meeting.

Mayor Hing asked the staff to please be conservative with their budgets and expenditures.

Ms. Cordova read the heading to Resolution #462.

Councilmember Lopez made a motion to approve Resolution 462 confirming adoption of the budget for the 2007-2008 fiscal year. Councilmember Peralta seconded the motion. The motion was approved unanimously.

**Discuss/Approve/Reject Primary Property tax for the fiscal year 2007-2008.**

Mayor Hing asked for a motion to either raise or not to raise the primary property tax rate for the Town of Superior. He explained that in an earlier meeting the council discussed not raising the primary property tax.

Councilmember Peralta made a motion not to increase the primary property tax rate. Councilmember Lopez seconded the motion. The motion was approved unanimously.

**Discuss/Approve/Reject Ordinance No. 93 an Ordinance of the Mayor and Council of the Town of Superior, Pinal County, Arizona, pertaining to the National Flood Insurance Program adopting by reference revised flood insurance study, flood insurance rate maps and floodplain management regulations; providing for repeal of conflicting ordinances; providing for severability; and providing penalties.**

Ms. Cordova explained that this was the second reading for this Ordinance.

Mayor Hing explained that there was a meeting planned for August 20<sup>th</sup> in Maricopa August 21<sup>st</sup> in Apache Junction and August 23<sup>rd</sup> at the CAC Arivipa Campus near Mammoth to review the local flood plain maps for Pinal County.

Ms. Cordova read the heading to Ordinance No. 93.

Councilmember Lopez made a motion to approve Ordinance No. 93. Councilmember Peralta seconded the motion. The motion was approved unanimously.

Mayor Hing announced that there would be an executive session.

**I. Council Comments**

Councilmember Lopez also thanked the council for appointing her as Vice Mayor and reminded everyone to be safe and patient on the road with the blasting and school back in session. She also requested that the council be issues a listing of the new cell phone numbers of the Mayor, Council and department heads.

Councilmember Valenzuela reminded everyone to be careful with the construction on Gonzalez Pass and wanted to make sure that the information was being advertised to the public to be safe in the area. He also explained that he is not against mining and understands that mining will always be a part of the community he just wants Resolution to be the good neighbor they say the want to be and if they do not want to make this agreement to please just communicate that to the Town. He reminded everyone that school is back in session and keep an eye out for the kids and thanked everyone for appointing him as Vice Mayor

Councilmember Peralta explained that she would be willing to take the letter to Resolution herself.

Mayor Hing introduced the new Public Works director John Starkey. He elaborated on Mr. Starkey's experience with building codes and zoning and other public works related issues. Mayor Hing also asked that one of the Vice Mayors attend the League of Cities and Towns Resolution meeting.

Councilmember Peralta made a motion to adjourn to Executive Session. Councilmember Cervantes seconded the motion. The motion was approved unanimously. The public meeting was adjourned at 9:15 p.m.

Mayor Hing explained that members of the audience would have to vacate the building until the public meeting was reconvened.

**J. Executive Session**

**Performance review of employee Rosie Cordova, Town Manager**

**K. In Public Session**

The public meeting was reconvened at 9:43 p.m.

**Executive Session Discussion**

**Performance review of employee Rosie Cordova, Town Manager**

**No action was held regarding this agenda item.**

**Adjournment**

Councilmember Lopez made a motion to adjourn the meeting. Councilmember Peralta seconded the motion. The motion passed unanimously. The meeting was adjourned at 9:45 p.m.

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the Town Council of the Town of Superior held on the 2nd Day of August 2007. I further certify that the meeting was duly called and held and that a quorum was present.

/s/

Rosie Cordova

Rosie Cordova

Town Manager/Clerk

These minutes have been transcribed and compiled by  
Mila Lira  
Miracle Executive Services  
www.miracleexecutiveservices.com

