

TOWN OF SUPERIOR
AGENDA
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 will be held on Thursday, January 14, 2021 at 7:00 p.m. in the Superior Town Hall Auditorium, 199 N. Lobb Ave., Superior, Pinal County, Arizona. The agenda for this meeting is as follows:

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 will be conducted using measures to protect public health. Members of the public are 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 will also be 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 will be held remotely through technological means, as permitted under Arizona law.

1. **CALL TO ORDER**
2. **ROLL CALL**

3. **PLEDGE OF ALLEGIANCE**
4. **INVOCATION**
5. **SPECIAL PRESENTATIONS**

6. **STAFF REPORTS**

Mayor
Manager

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 November 12, 2020.
2. Approval for Police Department to use Grant Funds from the Arizona Department of Homeland Security (AZDOH) for FY 2020 Homeland Security Grant Program in the amount of \$36,055.00. The funds will be used to purchase 5 Motorola 8000 dual-band radios for patrol officers.
3. Approval of Plan for COVID-19 Prevention for the Town of Superior Christmas Events. Town Manager sent this to ADHS and it went up on the website.
4. Approval of Letters of Agreement between Resolution Copper and Town of Superior. Resolution Copper Mining LLC will provide the town of Superior \$2,000.00 in support of the 2020 Superior Police Department Christmas Toys for Tots program and \$2,000.00 in support of the 2020 Superior Fire Department Christmas Eve toy distribution.
5. Approval of Public Right-of-Way Franchise Agreement between the Town of Superior and CopperNet Systems, Inc.
6. Approval of Cooperative Marketing Agreements between the Town of Superior and Superior Chamber of Commerce, Rebuild Superior and the Boyce Thompson Arboretum. The Town of Superior, Superior Chamber of Commerce and Superior Rebuild will each pay the total sum of \$15,000.00 (based on a total cooperative marketing budget of \$47,500.00) for the Cooperative Marketing Services. The Boyce Thompson Arboretum

will provide funding in the amount of \$2,500.00 for its share of the Cooperative Marketing Services Agreement.

7. Approval of Pre-Annexation Agreement with Box 8.

8. Department Reports:

Fire

Police

Public Works

Library

Senior Center

Sanitation

Town Engineer

8. NEW BUSINESS

A. Discussion/ Possible Approval of Resolution 2021-636, A RESOLUTION OF THE COUNCIL OF THE TOWN OF SUPERIOR, ARIZONA, DECLARING AS A PUBLIC RECORD CERTAIN DOCUMENTS FILED WITH THE TOWN CLERK AND ENTITLED TOWN OF SUPERIOR TOWN CODE, ARTICLE 8, SECTION 8-7, RECREATIONAL MARIJUANA.

Action Item No. 1

B. Discussion/Possible Approval of Ordinance 2021-172, AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF SUPERIOR, ARIZONA, AMENDING THE TOWN CODE OF THE TOWN OF SUPERIOR, ARIZONA BY ADOPTING A NEW ARTICLE 8-7 RELATING TO THE REGULATION OF RECREATIONAL MARIJUANA; ESTABLISHING A PURPOSE; SETTING FORTH DEFINITIONS; PROHIBITING MARIJUANA ON PUBLIC PROPERTY; ESTABLISHING RESIDENTIAL REGULATIONS FOR RECREATIONAL MARIJUANA; AUTHORIZING RETAIL SALES FROM MARIJUANA AND MARIJUANA PRODUCTS; IMPOSING FEES; SETTING FORTH VIOLATIONS; AND PROVIDING FOR ENFORCEMENT AND PENALTIES.

Action Item No. 2

C. Discussion/Possible Approval of Extension of Emergency Declaration 2020-03 – Mask Mandate

Action Item No. 3

D. Discussion/Possible Approval of Purchase and Sale Agreement between the Town of Superior, an Arizona municipal corporation (“Seller”) and Nicolette Kaye Taylor, a single woman or her nominee Belmont Hospitality, LLC, an Arizona limited company (“Buyer”) for the real property known as the Belmont Hotel located at 271 West Main Street Superior, Arizona.

Action Item No. 4

- E. Public Hearing/Discussion/ Possible Approval of Resolution No. 2021-635, A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF SUPERIOR, ARIZONA, AUTHORIZING A REAL ESTATE TRANSFER AND EXCHANGE OF TOWN-OWNED PROPERTY FOR PRIVATELY-OWNED PROPERTY; AND THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY SUCH TRANSFER AND EXCHANGE OF THIS RESOLUTION AND DECLARING AN EMERGENCY

Action Item No. 5

- F. Discussion/Possible Approval of Agreement for Provision of Emergency Response Services between the Town of Superior, an Arizona municipal corporation, (“the Town”) and Resolution Copper Mining LLC, a Delaware limited liability company (“RCML”).

Action Item 6

- G. Discussion/Possible Approval of Mitigation and Community Investment Agreement between the Town of Superior and Resolution Copper Mining LLC.

Action Item No. 7

9. **CALL TO THE PUBLIC**

A. Any citizen desiring to speak on a matter that is not scheduled on this agenda may do so at this time. Comments may be limited to three minutes per person and shall be addressed to the Town Council as a whole, and not to any individual member. Issues raised shall be limited to those within the jurisdiction of the Town Council. Pursuant to the Arizona Open Meeting Law, the Town Council cannot discuss or act on items presented at this time.

B. At the conclusion of the call to the public, individual Town Council members may (1) respond to criticism made by those who have spoken; (2) ask staff to review a matter; or (3) ask that a matter be put on a future agenda.

10. **EXECUTIVE SESSION**

A. Confidentiality Statement

B. Discussion of legal matters/consultation with Town Attorney, Town Staff and/or the public body in order to consider its position and instruct its attorneys regarding the public body's position regarding contracts that are the subject of negotiations, pursuant to A.R.S. '38-431.03 (A) (3) and (4).

C. Discussions or consultations with designated representatives of the public body in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property pursuant to A.R.S. '38-431.03 (A) (3), (4) and (7).

- D. Possible executive session for discussion/consultation for legal advice with the Town Attorney and/or Town Staff concerning any of the agenda items, pursuant to A.R.S. '38-431.03 (A) (3) and (4).

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
- B. Mayor
- C. Town Manager

14. SCHEDULING OF MEETINGS AND EVENTS
All meetings are held at Town Hall.

Emergency Services Committee	01/21/2021	6:00 PM
Community Development Committee	01/28/2021	6:00 PM
Planning & Zoning Committee	02/04/2021	6:00 PM
Town Council Meeting	02/11/2021	7:00 PM

15. ADJOURNMENT

Approved by: Mayor Besich

Posted by: _____

Date: _____ Time: _____

THE TOWN COUNCIL RESERVES THE RIGHT TO ADJOURN INTO EXECUTIVE SESSION WHEN NEEDED FOR LEGAL CONSULTATION OF THE ABOVE SHOWN ITEMS A.R.S. SEC. 38-431-03 (A)(3) AND (A)(4).

HANDICAPPED INDIVIDUALS WITH SPECIAL ACCESSIBILITY NEEDS MAY CONTACT THE TOWN OF SUPERIOR AT 520-689-5752 AT LEAST 72 HOURS IN ADVANCE.