

**TOWN OF SUPERIOR
REGULAR COUNCIL MEETING
SEPTEMBER 13, 2018
DRAFT MINUTES**

1. CALL TO ORDER

Mayor Besich-Lira called meeting to order at 7:00 PM.

2. ROLL CALL

| | |
|---------------|--------------------------|
| Mayor | Mila Besich-Lira |
| Vice Mayor | Michael Alonzo - EXCUSED |
| Councilmember | Stephen Estatico |
| Councilmember | Vanessa Navarrette |
| Councilmember | Bruce Armitage |
| Councilmember | Gilbert Aguilar |
| Councilmember | Olga Lopez |

3. PLEDGE OF ALLEGIANCE

Led by Nathan Taylor, Youth Council President

4. INVOCATION

Chaplain Van Gorp gave the Invocation.

5. SPECIAL PRESENTATIONS

A. Proclamation by Mayor Besich-Lira for St. Francis of Assisi Church was Tabled.

B. BHP is presenting an update on the Superior Soil Study Project.

Brent Musslewhite and Doug Bannerman from BHP gave a Power Point Presentation and update on the Superior Soil Study Area. Their next steps are the Superior Soil Study Area Work Plan submittal to ADEQ by November. Presentation to Superior CWG in October, Community outreach and awareness. Secure property access agreements; conduct additional soil sampling. Regular updates to Mayor, Superior Town Council Members and Community Working Group.

Councilman Aguilar asked about Pinal Area Clean-up. Mr Musselwhite stated they were cleaned up; no further action from ADEQ. Councilmember Aguilar asked about the cleanup; around the building not underneath the building. Mr Musselwhite replied correct. Mayor Besich-Lira keep community informed thru Community/Chamber facebook.

C. Presentation of Fire Department Admin Vehicle TRV 631 - F-150. Council looked at the Vehicle before the meeting.

6. STAFF REPORTS

Mayor – Mayor Besich-Lira listed the upcoming events for the Council. The Pinal Partnership meeting September 21, 2018 in Gold Canyon. The topic Opportunity Zones. Superior was designated an opportunity zone.

Opportunity Zone Conference at ASU in Tempe on September 27, 2018. Very important to attend. The information is overwhelming.

The Town of Florence and Pinal County Arizona State Transportation Board Dinner on September 20, 2018

Mayor Besich-Lira received invitation from White House in Washington DC to attend Conference of Women Mayors and will be attending.

We have special guests - VFW presentation recognizing the Youth Leaders. Commander Haro and the Auxiliary President presented certificates to the Youth Council recognizing their volunteering with the Cemetery Clean-up, Pancake Breakfast and the Memorial Day Ceremony. Commander Haro then presented a check to the Jr High and Town Youth Councils.

Also a Special recognition for the Town of Superior being Incorporated on September 13, 1976. We have been Incorporated for 42 years.

We will take a brief recess to look at the Fire Dept vehicle and have Anniversary Cake.

Manager - None.

7. CONSENT AGENDA

1. Approval of Minutes of Regular Meeting on July 12, 2018.
2. Approval of Minutes of Special Meeting on August 16, 2018.
3. Approval of Corrected Minutes of Regular Meeting on June 14, 2018
4. Approval Endorsement of Recreation User Group Comprehensive Trail Proposal for Superior Area.
5. Approval of Liquor License for Legends of Superior Trails Inc. for the Magma Club for the Legends of Superior Trails Event on October 6, 2018.
6. Approval of Liquor License for Superior Chamber of Commerce for the Magma Club for the Antique Show held during the Annual Home Tour on January 26 & 27, 2019.
7. Approval of Alcohol Permit for Lisa & Derek Almejo for Anniversary party at Magma Club on October 13, 2018.
8. Approval of Alcohol Permit for Superior Chamber of Commerce for Home Tour/Antique Show at the Magma Club on January 26 & 27, 2019.

Town of Superior Regular Meeting Minutes
September 13, 2018
Page 3 of 8

9. Approval of Special Event Use Permit for John Vasquez/Apostolic Church for Street Community Outreach on October 5th & 6th, 2018 from 8AM to 3 PM.
10. Approval of Contract #019-6655 with PGCSC for FY 18-19.
11. Approval of EMI Health Group Insurance for Full-Time employees for FY 18-19.
12. Approval of Letter of Engagement with Hinton Burdick for the FY 18-19 Audits.
13. Approval of Amended Ordinance No. 18-149, AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF SUPERIOR, PINAL COUNTY, ARIZONA, RE-ZONING CERTAIN PROPERTIES FROM THE URBAN RESIDENTIAL (R1-5) ZONE DISTRICT TO THE PLANNED DEVELOPMENT (PD) ZONE DISTRICT.
14. Approval of Federal Aviation Administration and Arizona Department of Transportation 2020 Five-Year Capital Improvement Program.
15. Approval of Equipment and Supplies from Seal Master-Arizona Pavement Products & Equipment for Main and Magma Street Project.
16. Department Reports
 - Fire
 - Police
 - Public Works
 - Library
 - Senior Center
 - Sanitation
 - Town Engineer

Motion to approve the Consent Agenda made by Councilmember Stephen Estatico, second by Bruce Armitage, Roll Call Vote, Motion Carries.

AYES - 6 Mayor Besich-Lira, Councilmembers: Vanessa Navarrette, Stephen Estatico, Olga Lopez, Gilbert Aguilar, Bruce Armitage.

NOES – 0

ABSENT – 1 Vice-Mayor Michael Alonzo

8. NEW BUSINESS

- A. Discussion/Possible Approval Superior Flood Project IGA
 - Request for Action #1
 - Intergovernmental Agreement for the Design, Construction, Operation and Maintenance of the Church Ave and Copper Mountain Flood Mitigation Project. Per Town Manager we have to make sure cost doesn't go over \$350,000. We should be able to control cost.
 - Motion to Approve the Superior Flood Project IGA made by Councilmember Stephen Estatico, second by Vanessa Navarrette, Roll Count Vote, Motion Carries.

Town of Superior Regular Meeting Minutes
September 13, 2018
Page 4 of 8

AYES – 6 Mayor Besich- Lira, Councilmembers: Vanessa Navarrette, Stephen Estatico, Olga Lopez, Gilbert Aguilar, Bruce Armitage.

NOES – 0

ABSENT – 1 Vice-Mayor Michael Alonzo

B. Discussion/Possible Approval of Planning and Zoning Commissioners.

Request for Action #2

These are Council Appointed Position. The terms of four existing Planning and Zoning Commissioners have expired. The existing four P & Z Commissioners have re-applied and we have one new applicant. A Motion to appoint the following as Planning and Zoning Commissioners: Matt Mashaw, David Gunn, Joy Eveland, and Sherry Figdore made by Councilmember Bruce Armitage, second by Councilmember Stephen Estatico, Roll Call Vote, Motion Carries.

AYES - 6 Mayor Besich-Lira, Councilmembers: Vanessa Navarrette, Stephen Estatico, Olga Lopez, Gilbert Aguilar, Bruce Armitage.

NOES – 0

ABSENT – 1 Vice-Mayor Michael Alonzo

C. Discussion/Possible Approval of Resolution 18-598, a Resolution of the Town Council of the Town of Superior, Pinal County, to participate in the Census 2020 Complete Count Committee and to encourage every person to be counted.

Request for Action #3

Emily Verdugo, Southern Arizona Representative with the US Census Bureau, presented information to the Council. Have asked the Town to form a complete town committee, a board that will be a regional one for the Copper Corridor that insures that everyone gets counted in the 2020 Census. Changes that have come to Census, we will be doing everything online or on the phone. We will not be having Enumerators in the field during the first months of the Census. Enumerators will be coming in towards the end of Census, June or July. What we ask of Committee is that you help recruit from local, so when we do hire, we are able to hire locally. Quantity of Enumerators based on what self-response is. Looking into businesses and Library for those that don't have access to computers.

Motion to approve Resolution 18-598, a Resolution of the Town of Council of the Town of Superior, Pinal County, to participate in the Census 2020 Complete Count Committee and to encourage every person to be counted made by Gilbert Aguilar, second by Vanessa Navarrette, Roll Count Vote, Motion Carries.

AYES - 6 Mayor Besich-Lira, Councilmembers: Vanessa Navarrette, Stephen Estatico, Olga Lopez, Gilbert Aguilar, Bruce Armitage.

NOES – 0

ABSENT – 1 Vice-Mayor Michael Alonzo

Town of Superior Regular Meeting Minutes
September 13, 2018
Page 5 of 8

- D. Discussion/Possible Approval of Ordinance 18-150 , AN ORDINANCE OF THE TOWN OF SUPERIOR, ARIZONA, AMENDING CHAPTER 3, OF THE SUPERIOR CODE BY AMENDING SECTION 3-2-11 POLICE CHIEF.
Request for Action #4
Per Mayor Besich- Lira, we talked about this before when discussing the performance review of
The Police Chief. This gives the Town Manager authority to discipline and structure what goes on in the Police department.
Per Councilmember Navarrette, the Fire Chief position would be in the similar situation. Mayor Besich-Lira stated some of these changes have come about because when Town Code was adopted, there were changes that were accepted that might not best fit the needs for Superior.
Motion to Approve Ordinance 18-150, an Ordinance of the Town of Superior, Arizona, amending Chapter 3, of the Superior Code by amending Section 3-2-11 Police Chief by Olga Lopez, second by Gilbert Aguilar, Roll Count Vote, Motion Carries.
AYES - 6 Mayor Besich-Lira, Councilmembers: Vanessa Navarrette, Stephen Estatico, Olga Lopez, Gilbert Aguilar, Bruce Armitage.
NOES – 0
ABSENT – 1 Vice-Mayor Michael Alonzo
- E. Discussion/Possible Approval of Resolution 18-599, A RESOLUTION OF THE TOWN OF SUPERIOR APPROVING FISCAL YEAR 2017-2018 GENERAL FUND BUDGET TRANSFERS PROVIDING FOR AN EFFECTIVE DATE.
Request for Action #5
Per Todd Pryor, Manager, in past we had adopted an Ordinance allowing these interfund changes to balance individual funds. He explained after Budget adopted, Health insurance went up 20%; PSPRS Pensions for Fire and Police went up; the MPC bond amount was paid but payment not recognized until Bond Holders get paid which was July 1, 2017.
Motion to Approve Resolution 18-599, a Resolution of the Town of Superior, approving Fiscal year 2017-2018 General Fund Budget Transfers providing for an effective date made by Councilmember Olga Lopez, second by Councilmember Bruce Armitage, Roll Count Vote, Motion Carries.

AYES - 6 Mayor Besich-Lira, Councilmembers: Vanessa Navarrette, Stephen Estatico, Olga Lopez, Gilbert Aguilar, Bruce Armitage.
NOES – 0
ABSENT – 1 Vice-Mayor Michael Alonzo
- F. Discussion /Possible Approval of Resolution 18-600, A RESOLUTION OF THE TOWN OF SUPERIOR, PINAL COUNTY, ARIZONA DECLARING AND ADOPTING THE RESULTS FOR THE PRIMARY ELECTION HELD ON AUGUST 28, 2018.
Request for Action #6
Election returns have been presented to and have been Canvassed by the Town Council.
Motion to Approve Resolution 18-600, a Resolution of the Town of the Town of Superior, Pinal County, Arizona declaring and adopting the results for the Primary

Town of Superior Regular Meeting Minutes
September 13, 2018
Page 6 of 8

Election held on August 28, 2018 by Olga Lopez, second by Gilbert Aguilar, Roll Count Vote, Motion Carries.

AYES - 6 Mayor Besich-Lira, Councilmembers: Vanessa Navarrette, Stephen Estatico, Olga Lopez, Gilbert Aguilar, Bruce Armitage.

NOES – 0

ABSENT – 1 Vice-Mayor Michael Alonzo

- G. Possible Approval of Town of Superior, Arizona Strategic Plan 2018 – 2023.
Request for Action #7

Mayor Besich-Lira stated we did have a Work Session on this prior to this meeting. Would like to thank Staff, Chamber and Rebuild Superior for taking the lead; they have the grants to get us consultants to move us in a positive direction. We do have a few edits, primarily typos and style issues.

Motion to Approve the Town of Superior, Arizona Strategic Plan 2018-2023 made by Councilmember Bruce Armitage, second by Olga Lopez, Roll Call Vote, Motion Carries.

AYES - 6 Mayor Besich- Lira, Councilmembers: Vanessa Navarrette, Stephen Estatico, Olga Lopez, Gilbert Aguilar, Bruce Armitage.

NOES – 0

ABSENT – 1 Vice-Mayor Michael Alonzo

- H. Discussion/Possible Approval of RFQ FOR PROPOSAL FOR SALE & DEVELOPMENT AGREEMENT OF BELMONT HOTEL.
Councilmember Vanessa Navarrette has a conflict of interest with this Agenda Item as she is co-owner of Superior Visions, LLC. She will excuse herself for the rest of the meeting.

MAYOR LIRA MOVED ON TO CALL TO THE PUBLIC AND SUMMARY OF CURRENT EVENTS THEN WILL RETURN TO AGENDA ITEM 8 – H.

9. CALL TO THE PUBLIC

John Vasquez/Apostolic Church---- special event request was approved earlier in the Consent Agenda. This permit process does not exempt anyone from noise disturbance, per the Town Manager. Mr. Vasquez said they are going to concentrate on Save Money area and more footwork in the neighborhoods. Also handed out flyer about their annual March route on Saturday, October 6th.

Sue Anderson---Members of Blight litigation will be painting the inside of the Food Bank on Saturday, September 15, 2018. Also they have partnered with the Lowes on Ellsworth Road, which has allocated fund for floor, lights, sinks, water heater & cabinets. Lowes has an employee

volunteer who will be doing the work on October 11,12 & 13, 2018. Come out and say thank you.

10. EXECUTIVE SESSION

A. Confidentiality Statement

B. Discussion or consultation with the attorneys of the public body in order to consider its position and instruct its attorneys regarding the public body's position regarding contracts, contracts subject to negotiation and or in settlement discussions conducted in order to avoid or resolve litigation.

1. 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. Section38-431.03 (A)(3), (4) and (7).

11. REGULAR SESSION

12. Direct Staff or Town Attorney to Proceed as Directed in Executive Session.

13. SUMMARY OF CURRENT EVENTS

Councilmember Armitage – Please note in the Minutes there was no representation from Resolution Copper.

Councilmember Aguilar - None

Councilmember Lopez – The St. Francis of Assisi Annual Fiestas are this weekend. There will be a car show, food court and carhop. Hope you come out to give support.

Councilmember Navarrette – None

Councilmember Stephen Estatico – Superior Hall of Fame golf tournament September 29, 2018. \$60 entry fee. All proceeds go to Hall of Fame Program.

Mayor Besich-Lira – Homecoming is September 28, 2018. The theme is “VACATION”.

Legend of the Lost Trails event is October 6, 2018. It will be celebrating its50th Anniversary of Scenic Trails. Sign up for hike. There will be festivities at Magma Club including music and food trucks.

8. H. CONTINUED

Councilmember Vanessa Navarrette excused herself and left the meeting due to conflict of interest.

Motion by Councilmember Estatico to go into Executive Session with Attorney, Town Manager for 30 minutes. Second by Gilbert Aguilar, Roll Count Vote, Motion Carries. Time is 8:05 PM.

AYES – 5 - Mayor Besich-Lira, Councilmembers Stephen Estatico, Olga Lopez, Gilbert Aguilar, Bruce Armitage.

ABSENT – 1 – Councilmember Michael Alonzo

ABSTENTIONS: 1 – Councilmember Vanessa Navarrette

Motion to open regular session at 8:25 PM by Councilmember Gilbert Aguilar, second by Olga Lopez, Roll Count Vote, Motion Carries:

AYES – 5 - Mayor Besich-Lira, Councilmembers Stephen Estatico, Olga Lopez, Gilbert Aguilar, Bruce Armitage.

ABSENT – 1 – Councilmember Michael Alonzo

ABSTENTIONS: 1 – Councilmember Vanessa Navarrette

Councilmember Armitage commented to Counsel before going into Executive Session that he was related to Councilmember Navarrette. (His wife's cousin's daughter). Counsel said not a conflict.

Mayor Besich-Lira stated we would like to enter into negotiations with Ourtime7, LLC and Superior Visions, LLC and would like to know if we have any commentary from Council before we actually make a motion. Councilmember Estatico commented on bid amount.

Martin Navarrette, member of the Superior Visions, LLC commented that when you go into negotiations into a building like that, there are a lot of unknowns. That's why offer came in like it did. I just wanted to get that statement out.

Mayor Besich-Lira asked if he would like to elaborate on their plan or concept.

Councilmember Estatico commented that in the near future they would have to elaborate on what their plan of operation would be. That's in the contract.

Mr. Navarrette commented that you don't know who the other bidders are, the competition. That's why they want to keep on the download.

For the Record, Council Member Vanessa Navarrette excused herself due to conflict of interest, left the meeting and was not present.

A motion to allow staff to enter into negotiations on behalf of the Town with Ourtime 7, LLC and Superior Visions, LLC on the sale of the Belmont Hotel by Councilmember Estatico, second by Councilmember Bruce Armitage, Roll Count Vote, Motion Carries.

AYES – 5 - Mayor Besich-Lira, Councilmembers Stephen Estatico, Olga Lopez, Gilbert Aguilar, Bruce Armitage.

ABSENT – 1 – Councilmember Michael Alonzo

ABSTENTIONS: 1 – Councilmember Vanessa Navarrette

14. SCHEDULING OF MEETINGS AND EVENTS

Emergency Services Committee Meeting, September 20, 2018, 6 p.m.

Community Development Committee Meeting, September 27, 2018, 6 p.m.

Special Council Meeting, October 2, 2018, 7 p.m.

Planning and Zoning Meeting, October 4, 2018 7 p.m.

Regular Council Meeting, October 11, 2018, 7 p.m.

15. ADJOURNMENT

Motion to adjourn the meeting made by Councilmember Olga Lopez, second by Councilmember Stephen Estatico. Motion carries. Meeting adjourns at 8:30 PM.

Mila Lira, Mayor

ATTEST

Ruby Cervantes, Town Clerk