

TOWN OF SUPERIOR
LEGAL STATEMENT
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, October 8, 2020 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:

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 September 10, 2020.
2. Approval of Contract #019-6655, Amendment #3 (6/20) for FY 2020-2021 between the Pinal-Gila Council for Senior Citizens for Congregate Meals, Home Delivered Meals, and Transportation Services. The maximum contract reimbursement /payment ceiling for all services provided during the term of contract and/or for the period specified shall be: \$70,205.00.

3. Approval of Contract between the Town of Superior and KIMLEY-HORN AND ASSOCIATES, INC . TOS engages the CONSULTANT to perform professional planning and designing services for the WAY FINDING SIGN PROJECT.
4. Approval of Uniform Video Service License Agreement between The Town Of Superior, an Arizona Municipal Corporation (“Licensor”) and CableOne, Inc. dba Sparklight,, a Delaware Corporation (“Licensee”).
5. Approval of an Amendment (the Amendment”) to the Services Agreement between SEED SPOT and the TOWN OF SUPERIOR (collectively, the “Parties”) is made effective November 12, 2019.
6. Approval of contract between the STATE OF ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY and the Town of Superior. The purpose of this Agreement is to provide, through ADEQ Brownfields State Response Grant, funding on behalf of the Town of Superior for Asbestos Abatement and Oversight of the former Roosevelt School. The site is improved property, located at 199 N. Lobb Avenue, Superior, AZ 85173. ADEQ will provide the total funding from SRG up to the amount of \$15,500.00 for the Asbestos Abatement and Oversight at the site.
7. Approval of Letter of Commitment for Fiscal Year 2021 EPA Brownfields Assessment Coalition Grant.
8. Department Reports:
 - Fire
 - Police
 - Public Works
 - Library
 - Senior Center
 - Sanitation
 - Town Engineer

APPROVED ITEMS 1 -4 AND 6 – 8. ITEM 5 REMOVED.

8. NEW BUSINESS

- A. Discussion/Possible Approval of Resolution 2020-631, A RESOLUTION OF THE TOWN OF SUPERIOR APPROVING THE FISCAL YEAR 2019-2020 GENERAL FUND BUDGET TRANSFERS PROVIDING FOR AN EFFECTIVE DATE.
Call for Action A – 1 **APPROVED**
- B. Discussion/Possible Approval of Resolution 2020-632, A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SUPERIOR, ARIZONA, DECLARING AS PUBLIC RECORDS THOSE CERTAIN DOCUMENTS FILED WITH THE TOWN CLERK AND

ENTITLED THE BUILDING PERMIT MANUAL, BUILDING PERMIT APPLICATION FORMS, BUILDING PERMIT FEE SCHEDULE AND SERVICES, AND PERMIT FEE TABLE AS A REFERENCE TO THE TOWN CODE SECTION 12-3.

Call for Action B – 2

APPROVED

- C. Discussion/Possible Approval of Resolution 2020-633, A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF SUPERIOR, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENTS FILED WITH THE TOWN CLERK AND ENTITLED “TOWN OF SUPERIOR NIMS COMPLIANCE POLICY Effective July 01, 2020”.

APPROVED

Call for Action C – 3

- D. Discussion/Possible Approval of PRE ANNEXATION AGREEMENT WITH RESOLUTION COPPER MINING FOR THE CASTLEBERRY PROPERTY.

Call for Action D – 4

APPROVED

- E. Discussion/Update/Possible Approval on a one-year Option Agreement for the purchase of the Superior High School for the purpose of creating a Multi Generational Center.

Call for Action E – 5

APPROVED

- F. Discussion/Possible Approval of sale of the Belmont Hotel

Call for Action F – 6

EXECUTIVE SESSION

- G. Discussion/Possible Approval of Ordinance 2020-168, A RESOLUTION OF THE TOWN COUNCIL OF SUPERIOR, ARIZONA AMENDING SECTIONS 5-2-1 AND 5-2-3 OF THE SUPERIOR TOWN CODE AND DECLARING AN EFFECTIVE DATE.

Call for Action G – 7

APPROVED

- H. Discussion/Possible Approval of Ordinance 2020-169, AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF SUPERIOR REPEALING SECTIONS 12-1-1 AND 12-1-3 OF THE SUPERIOR TOWN CODE AND ADDING SECTION 12-1-1 TO THE SUPERIOR TOWN CODE AND DECLARING AN EFFECTIVE DATE.

Call for Action H – 8

APPROVED

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

Call for Action I – 9

APPROVED 30 DAY EXTENSION

G. MEETING OF TOWN OF SUPERIOR MUNICIPAL PROPERTY CORPORATION

1) Call to Order

2) Roll Call

- 3) **New Business**

- 4) **Consideration and Possible Approval of loan of \$1,100,000 and grant of \$1,600,000 with United States Department of Agriculture – Rural Development (“USDA-RD”) for wastewater system improvements. Approval includes approval of the following agreements:**
 - A. **Approve Letter of Intent Form 1942-46 to USDA-RD to meet all conditions of loan and grant.**
 - B. **Approve Resolution 2020-02, Form 1942-8 of Members of Municipal Property Corporation to enter into loan and grant agreements with USDA-RD and to sign all necessary documents for the loan and grant;**
 - C. **Authorize Chairman to sign on behalf of the MPC, Town of Superior and Municipal Property Corporation Master Lease and Series 2020 Town Lease at time off loan closing;**
 - D. **Approve Deed of Trust, promissory note and security agreements for grant and loan with USDA-RD to be signed at time of loan closing;**

APPROVED A - D

5) Adjournment of Meeting of Municipal Property Corporation

RETURN TO REGULAR SESSION

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 Svc Committee	10-15-2020	6:00 PM
Community Development Committee	10-22-2020	6:00 PM
Planning & Zoning Committee	11-05-2020	6:00 PM
Town Council Meeting	11-12-2020	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.