

TOWN OF SUPERIOR
~~**AGENDA**~~**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, November 12, 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:

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.

LEGAL STATEMENT

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

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3. **PLEDGE OF ALLEGIANCE**

4. **INVOCATION**

5. **SPECIAL PRESENTATIONS**

A. Oath of Office and Seating for Council Member Bruce Armitage, Council Member Olga Lopez and Council Member Vanessa Navarrette.

B. Presentation of a Thank You Letter to FNF Construction, Inc. for their generosity in support of the Construction ADOT parking area, for donating their time and equipment to make this project happen.

A.C. Ruby Cervantes, Town Clerk for the Town of Superior has received her certification from the International Institute of Municipal of Clerks and is recognized as a Certified Municipal Clerk.

B.D. Arlene Diaz-Gonzalez, Admin Assistant for the Town of Superior has completed the Economic Development Academy of Arizona and is recognized as an Arizona Economic Development Professional.

C.E. Presentation of the Superior Optimist Community Champion Proclamation, recognizing Stella San Miguel as the 2020 Spirit of Optimism Community Champion.

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 October 8, 2020.
2. Approval of License Agreement between the Town of Superior (“Licensee”) and BHP Copper Inc. (“Licensor”). Licensor is the owner of a certain real property located in Superior, AZ. Licensor understands that the Licensee seeks to come onto the Parcels for the purpose of parking cars for a laser light show sponsored by the Licensee on October 31, 2020. Licensor desires to grant Licensee access to the Parcels for this light show.

Town of Superior Regular Meeting
November 12, 2020
Page 3 of 5

3. Approval of SEED SPOT and Town of Superior Contract Amendment retroactive to November 12, 2019.
4. Approval of renewal of Contract between SEED SPOT and the Town of Superior effective December 1, 2020 through May 31, 2021. The fee for the scope of work/services to be provided is \$58,500.00.
5. Approval of Emergency Response Plan/Vulnerability Assessment Town of Superior. The United States Department of Agriculture, Rural Development (USDA/RD) requires that all systems that receive USDA/RD funding must complete a Security Vulnerability Assessment (SVA) and Emergency Response Plan (ERP). In addition to the USDA/RD requirements, the preparation of a SVA and ERP will help improve the management of the water system and will increase the system's ability to respond to emergencies.

Approval of Notice of Request for Proposals for a General Plan Consultant to provide best practices and technical expertise to prepare a plan which includes the statutorily required General Plan Elements.

6. Approval of Amendment Letter from TRIO Community Meals for the Senior Center Congregate and Homebound Meals. The new rates for July 2020 – June 30, 2021 are as follows: Congregate and Homebound meals have both gone from \$9.22 per meal to \$9.58 per meal.
7. Approval of One Arizona Opioid Settlement Memorandum of Understanding. This MOU provides a framework for distributing opioid settlement funds fairly and effectively throughout our state.
8. Authorization of Town Council to allow Town Manger to approve on behalf of the Town Council Special Event Liquor Licenses, Events and uses of Town Property for Christmas and New Year's events due to no Town Council Meeting in December 2020.

—Department Reports:

~~8-9.~~ Department Reports:

- Fire
- Police
- Public Works
- Library

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Senior Center
Sanitation
Town Engineer

CONSENT AGENDA APPROVED

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8. NEW BUSINESS

A. Discussion/Possible Approval of Presentation and Acceptance of Fiscal Year 2019-2020 Audit by Hinton and Burdick. Steven Palmer, CPA will call in to present the findings.

ACTION ITEM #1 APPROVED

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B. Discussion/Possible Approval of Intergovernmental Agreement (IGA) between Pinal County and the Town of Superior for Dentition of Municipal-Charge Inmates.

ACTION ITEM #2 APPROVED

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C. Public Hearing/Discussion/Possible Approval of Resolution No.2020-634, A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SUPERIOR, ARIZONA, APPROVING THE NEW STREET NAME OF NORTH COPPER COURT BETWEEN N GARROTT STREET AND N LOBB AVENUE, AND W COPPER STREET AND W PORPHYRY STREET.

ACTION ITEM #3 APPROVED

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~~D. Public Hearing/Discussion/Possible Approval of Ordinance 2020-170, AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF SUPERIOR AMENDING THE TOWN ZONING CODE ARTICLE 11, MANUFACTURED HOUSING OVERLAY DISTRICTS, PARAGRAPH 11.2 PERMITTED USES; PARAGRAPH 11.4, REVIEW CRITERIA; PARAGRAPH 11.5, DESIGN AND CONSTRUCTION STANDARDS; PARAGRAPH 11.7, DENSITY, AREA, BUILDING & YARD REGULATIONS; AS IT RELATES TO MANUFACTURED HOUSING, AND DECLARING AN EFFECTIVE DATE~~

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~~ACTION ITEM #4~~

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E.D. Discussion/Possible Approval of Construction Contract Agreement between the Town of Superior, a political subdivision of the State of Arizona, hereinafter called the "TOWN", and Ellison-Mills Contracting, LLC, hereinafter called the Contractor

ACTION ITEM #4

APPROVED

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

ACTION ITEM #5 APPROVED

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G.F. Discussion/Possible Approval of Commitment Letter to Tonto National Forest regarding Resolution Copper's Environmental Impact Study. (EIS)

ACTION ITEM #6 APPROVED

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G. Discussion/Possible Approval of EDA GRANT
ACTION ITEM #7

APPROVED

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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	11/19/2020	6:00 PM
Community Development Committee	11/24/2020	6:00 PM
Planning & Zoning Committee	<u>01/07/2021</u>	6:00 PM
Town Council Meeting	<u>01-14-2021</u>	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.