

**TOWN OF SUPERIOR
MINUTES
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 was held on Thursday, March 9, 2023 at 7:00 p.m. in the Superior Town Hall Auditorium, 199 N. Lobb Ave., Superior, Pinal County, Arizona.

This Meeting was live-streamed on the Town's youtube channel.

<https://www.youtube.com/channel/UCd2f5D2dfTkaazjwNyhAXRA> .

1. **CALL TO ORDER**

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

2. **ROLL CALL**

PRESENT:

Mayor Mila Besich
Vice-Mayor Michael Alonzo
Council Member Vanessa Navarrette
Council Member Bruce Armitage

ABSENT:

Council Member Gilbert Aguilar
Council Member Amy Byrd
Council Member Olga Lopez

STAFF PRESENT:

Todd Pryor – Town Manager
Stephen Cooper – Town Attorney
Ruby Cervantes – Town Clerk
Karla Luedke, Admin Assistant
John P. Perez – Fire Chief

PUBLIC PRESENT:

Jim Schenck

3. **PLEDGE OF ALLEGIANCE**

Mayor Besich led everyone in the Pledge of Allegiance.

Town of Superior Regular Meeting

March 9, 2023

Page 2 of 7

4. INVOCATION

Council Member Armitage gave the Invocation. There was a Moment of Silence for Fire Captain John Allison, Sandra Byrd and Diva from Save Money Market.

5. SPECIAL PRESENTATIONS

- a. Proclamation for Fire Chief John Allison.
- b. Dark Sky Proclamation.

Mayor Besich read both Proclamations.

6. STAFF REPORTS

Mayor – we had a very robust CWG meeting last night to discuss the Good Neighbor Agreement. Things will be getting on track. CWG will have further workshops on what the Good Neighbor Agreement with Resolution looks like. We believe there is potentially some movement coming with the FEIS. The 9th circuit court is about to have their hearing on the Land Exchange -AZ stronghold on March 20th. We have had some interviews with reporters, one from AZ Central on mining and its affects for Superior. Had meeting with Sen Sinoma last week who’s visiting regionally. Mentioned here work on AZ mining industry and its roll in critical mineral development and long term manufacturing in the state. We’re geared up for the mining festival. Vice-Mayor and myself will be going to Washington DC at the end of the month to do our annual lobbying trip. Youth council also getting ready to go out.

Manager Todd Pryor – Waste Water Treatment plant is getting ready to switch over to the temporary circuit. The Main Street and Highway park area is getting done. Last thing is the flag pole.

The Firebreak is in its last month. Finally got permit 2 weeks ago. Try to get it done before Americorp crew goes home on April 8th. We will be able to finish it with our crews.

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 Town Council Meeting on February 9, 2023.
- 2. Approval of ADCRR Inmate Work Contract No. 23-130-28 between the State of Arizona Department of Corrections, Rehabilitation and Reentry and the Town of Superior. This contract shall commence March 15, 2023 and shall continue for a period of five (5) years thereafter, unless terminated, cancelled or extended as otherwise provided herein.
- 3. Approval of updated Surplus Auction List for the Police Department vehicles. These sales will be handled by Enterprise Fleet Management.

Town of Superior Regular Meeting

March 9, 2023

Page 3 of 7

4. Approval of Surplus Auction List for Public Works Vehicle. This will be handled by Sierra Auction.
5. Approval of Town of Superior Alcohol Beverage Permit for David Guzman for a Wedding located at the Magma Club on Friday, March 3,2023 from 4:00 PM to 12:00 PM.
6. Approval of Town of Superior Alcohol Beverage Permit for Angela Villaverde for a Cornhole Tournament for Scholarships located at Besich Park on Saturday, April 22, 2023 from 11:00 AM to 7:00 PM.
7. Approval of Town of Superior Alcohol Beverage Permit for Henry Gutierrez for a Celebration of Life located at the Magma Club on Saturday, May 20,2023 from 10:00 AM to 8:00 PM.
8. Approval of Town of Superior Alcohol Beverage Permit for Ybenize Valdez for a Birthday Party located at the Magma Club on Saturday, May 27, 2023 from 5:00 pm to 12:00 Midnight.
9. Approval of Department Reports:
 - Fire
 - Police
 - Public Works
 - Library
 - Senior Center
 - Sanitation
 - Town Engineer

Motion to approve the Consent Agenda made by Council Member Armitage, second by Council Member Navarrette, Motion Carries.

AYES – 4 Mayor Besich, Vice-Mayor Alonzo, Council Members: Armitage,

Navarrette.

NOES – 0

ABSTINATION – 0

ABSENT – Council Members: Aguilar, Byrd, Lopez

8. NEW BUSINESS

- A. Discussion/Possible Approval of Queen Creek Restoration Project Gift Agreement between Town of Superior and Resolution Copper Mining, LLC.

Subject to the terms of this Agreement RCML agrees to gift the Town an amount up to Seven Hundred and Fifty Thousand Dollars and Zero Cents (\$750,000.00) to be used for engineering activities, materials, and work to complete the Project minus the amounts already expended by RCML set forth in Exhibit 1 (the "Pledged Gift").

Mr. Pryor – Just for clarification we won't be signing this until he sees Exhibit 1. We are approving the draft then we will make sure it is acceptable then we will move forward to sign it.

Council Member Navarrette asked if he had any idea what has been spent so far?

Mr. Pryor stated its mostly for Engineering work. He hasn't seen it. That's why he says lets not sign it until we see it.

Vice-Mayor asked when do you expect it?

Mr. Pryor stated he's been expecting this agreement for 3 months. We got back the agreement and the exhibit wasn't attached. Doesn't want to delay the project waiting for that. If it a reasonable amount, nothing excessive, we can move forward to sign it. If not we will bring it back to Council and discuss it some more.

Mayor Besich stated that because we are working on some pretty tight timeframes, in conjunction with the construction of Queen Creek Bridge, it would be good for council to just approve it and we will not sign it if there is some type of catastrophic issue; we will bring it back to Council. It should all be in alignment. They have had quite a few things going on. They are getting better at getting us paperwork in a timely manner. But this is council's pleasure

Motion to approve Item 1, subject to as long as item doesn't exceed the manager's procurement limit which is \$25,000, made by Council Member Navarrette, second by Council Member Navarrette, Motion Carries.

AYES – 4 Mayor Besich, Vice-Mayor Alonzo, Council Members: Armitage, Navarrette.

NOES – 0

ABSTINATION – 0

ABSENT – Council Members: Aguilar, Byrd, Lopez

B. Discussion/Possible Approval of License Agreement between Arizona Water Company and the Town of Superior.

Licensor owns and operates a water storage tanks and other facilities on an easement between the Licensor and Resolution Copper Company located and more fully describes as shown in attachment A (the Property), where Licensor owns a stilling well and connected horizontal piping infrastructure to divert water from the Queen Creek streambed (Infiltration Gallery). Licensee desires to use the Infiltration Gallery, construct improvements to the Infiltration

Gallery, and use water diverted at the Infiltration Gallery for the purpose or restoring water flows in Queen Creek within the Town of Superior that have been lost due to mine dewatering and other mine activities as part of the Queen Creek Restoration project.

FISCAL IMPACT: A license fee of \$1,000.00 per calendar year.

Motion to approve License Agreement between Arizona Water Company and the Town of Superior made by Council Member Navarrette, second by Vice-Mayor Alonzo, Motion Carries.

AYES – 4 Mayor Besich, Vice-Mayor Alonzo, Council Members: Armitage,
Navarrette.
NOES – 0
ABSTINATION – 0
ABSENT – Council Members: Aguilar, Byrd, Lopez

C. MEETING OF TOWN OF SUPERIOR MUNICIPAL PROPERTY CORPORATION

1. Call to Order

President Besich called the MPC meeting to order at 7:14 PM

2. Roll Call

PRESENT:
President Mila Besich
Vice-President Michael Alonzo
Chairperson Vanessa Navarrette
Chairperson Bruce Armitage

ABSENT:
Chairperson Gilbert Aguilar
Chairperson Amy Byrd
Chairperson Olga Lopez

3. New Business

- a. Consideration and Possible Approval of authorizing the President Mila Besich and/or Chief Financial Officer Todd Pryor to sign United States Department of Agriculture and Rural Community Assistance Corporation pay applications and payout forms for the grant and loan for the Town Wastewater Treatment Plant Rehabilitation Construction Project.**

Motion to approve authorizing the President Mila Besich and/or Chief Financial Officer Todd Pryor to sign United States Department of Agriculture and Rural Community Assistance Corporation pay applications and payout forms for the grant and loan for the Town Wastewater Treatment Plant Rehabilitation Construction Project. Made by Chairperson Armitage, second by Vice-President Alonzo, Motion Carries.

AYES – 4 President Besich, Vice-President Alonzo, Chairpersons:
Armitage, Navarrette

NOES – 0

ABSTINATION – 0

ABSENT – 3 Chairpersons: Aguilar, Byrd, Lopez

4. Adjournment of Meeting of Municipal Property Corporation.

President Besich adjourns the MPC meeting at 7:16 PM.

RETURN TO REGULAR SESSION at 7:16 PM.

9. CALL TO THE PUBLIC - NONE

10. EXECUTIVE SESSION

Motion to move into Executive Session for no more than 20 minutes with Town Council, Town Manager Todd Pryor, Town Attorney Stephen Cooper and Town Clerk Ruby Cervantes, made by Council Member Navarrette, second by Vice Mayor Alonzo, Motion Carries. Council goes into Executive Session at 7:19 PM.

11. REGULAR SESSION - Council Returns to Regular Session at 7:23 PM.

12. A. Direct Town Manager, Town Attorney, Town Staff Counsel to Proceed as Directed in Executive Session.

Vice-Mayor Alonzo makes a motion to direct staff to proceed as directed in the Executive Session, second by Council Member Armitage, Motion Carries.

13. SUMMARY OF CURRENT EVENTS

- A. Council Members - None
- B. Mayor - None
- C. Town Manager – Budget Workshop Session April 13, 2023.

14. SCHEDULING OF MEETINGS AND EVENTS

All meetings are held at Town Hall.

| | | |
|---------------------------------|------------|---------|
| Emergency Services Committee | 03/16/2023 | 6:00 PM |
| Community Development Committee | 03/23/2023 | 6:00 PM |
| Planning & Zoning Committee | 04/06/2023 | 6:00 PM |
| Town Council Meeting | 04/13/2023 | 7:00 PM |

15. ADJOURNMENT

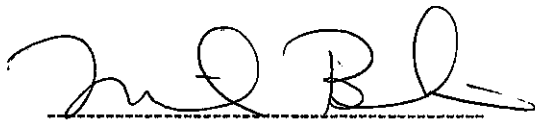
Motion to adjourn the Town Council Meeting made by Council Member Navarrette, second by Council Member Armitage, Motion Carries. Meeting adjourns at 7:28 PM.

AYES – 4 Mayor Besich, Vice-Mayor Alonzo, Council Members: Armitage, Navarrette.

NOES – 0

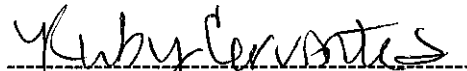
ABSTINATION – 0

ABSENT – Council Members: Aguilar, Byrd, Lopez



Mila Besich, Mayor

ATTEST:



Ruby Cervantes, Town Clerk