

**TOWN OF SUPERIOR**  
**LEGAL ACTION**  
**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, April 11, 2019, 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**

Chaplain Van Gorp

5. **SPECIAL PRESENTATIONS**

1. Proclamation for April as “Promise for the Future” Month.
2. Proclamation for PowerTalk 21.
3. A special “Thank You” to Superior Mining Support for repairing the Town’s Industrial Parking Lot which included repairing the washed out road and drainage problems. They are doing the work free of charge.

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 Meeting on February 11, 2019.
2. Approval of Minutes of Special Meeting on February 14, 2019.

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3. Approval of Minutes of Special Meeting (Strategic Retreat) on March 21, 2019.
4. Approval of Minutes of Special Meeting on March 25, 2019.
5. Approval of Alcohol Permit for Social Club- Olga Lopez on March 16, 2019 for Horseshoe Tournament behind the Sr. Citizens Building.
6. Approval of Alcohol Permit for Legends of the Superior Trails Inc for Thank you BBQ for the Lost at the Magma Club on March 24, 2019.
7. Approval of Alcohol Permit for Janeen Duarte for 8<sup>th</sup> Grade Promotion Party at Magma Club on May 23, 2019.
8. Approval of State Liquor License for Red Bear Outfitters, applicant Francisco V. Moreno, on May 10 & 11, 2019, at Rose's Roses Flowers outside deck.
9. Approval of IGA Agreement for the Creation and Participation in the Arizona Child Abduction Response Team (CART). The primary goal of CART is to provide a pool of specialized investigators which are available to focus dedicated and intensive investigative, preventative, and general law enforcement efforts primarily with regards to cases involving abducted children.
10. Approval of State Alcohol License for Good 2 Go, Highway 60 and Western Ave, Superior, AZ 85173.
11. Approval of Fire Department Safe Baby Haven SOG. The purpose is to outline the policy and procedures to be followed by uniformed Superior Fire Department personnel in the event that a parent or legal agent of a parent leaves an infant baby with a uniformed staff member of Superior Fire Department.
12. Approval of Firehouse Subs Grant. The Superior Fire Department has applied for a grant through Firehouse Subs in the amount of \$22,268.37 for 25 sets of dual purpose Wildland/Extrication PPE (jacket and pant) as well as 30 new Scott SCBA masks. This Firehouse Subs grant is a fully funded grant with no local match.
13. Approval of Valerie Garcia-Denogean, employee of the Superior Unified School District, to serve on the Community Development Committee. Per the the Multi-Generational Center Development Gift Agreement and the Entrepreneurship and Innovation Center Gift Agreement, if the nominated resident is an employee of the Town of Superior or one of the member organizations (SUSD, Chamber of Commerce, RCML), the nominee must be unanimously be approved by the Town of Superior and each of the member organizations.

14. Approval of Pitney Boes NASPO ValuePoint FMV Lease Agreement (Option C) for the Postage Meter in Town Hall. The initial term is 48 months and the monthly payment amount is \$163.28. With the Agreement we will be getting a new Postage Meter.
  
15. Approval of FIRST AMENDMENT TO BATEMAN FOOD SERVICE AGREEMENT. This First Amendment to the Bateman Food Service Agreement (Sr. Center Congregate and Homebound Meals) is made this 18<sup>th</sup> day of February, 2019 by and between the Town of Superior and Bateman Community Living, LLC (“BATEMAN”). The term of the Agreement as set forth in Section 6, first paragraph, is hereby extended for an additional 12 month period, commencing on April 1, 2019 and ending on March 31, 2020. Revising Pricing Schedule effective April 1, 2019 as follows: From \$8.91 to \$9.22 per meal.
  
16. Department Reports:
  - Fire
  - Police
  - Public Works
  - Library
  - Senior Center
  - Sanitation
  - Town Engineer           **APPROVED**
  
- AYES – 6 Mayor Besich, Councilmembers: Navarrette, Estatico, Lopez, Armitage, Aguilar.**
- NOES – 0**
- ABSENT - 1 Vice-Mayor Alonzo**

**8.     NEW BUSINESS**

- A.     Discussion/Possible Approval Easement Agreement (Lost Trail) between BHP COPPER INC, a Delaware Corporation (“Grantor”) and the TOWN OF SUPERIOR, an Arizona municipal corporation (“Grantee”).
  - Request For Action 1
  - APPROVED**
  - AYES – 6 Mayor Besich, Councilmembers: Navarrette, Estatico, Lopez, Armitage, Aguilar.**
  - NOES – 0**
  - ABSENT - 1 Vice-Mayor Alonzo**
  
- B.     Discussion/Possible Approval of Resolution 19-606, A RESOLUTION OF THE TOWN OF SUPERIOR ACCEPTING FROM RUIZ HOLDINGS, LLC, THE DEED OF EASEMENT FOR PUBLIC PURPOSES, AS DESCRIBED HEREIN, AND THE

AGREEMENT TO DONATE EASEMENT AND WAIVER OF APPRAISAL AND  
COMPENSATION FOR SAID EASEMENT.

Request For Action 2

**APPROVED**

**AYES – 6 Mayor Besich, Councilmembers: Navarrette, Estatico, Lopez, Armitage,  
Aguilar.**

**NOES – 0**

**ABSENT - 1 Vice-Mayor Alonzo**

- C. Public Hearing/Discussion /Possible Approval of ORDINANCE 19-154, AN  
ORDINANCE OF THE TOWN OF COUNCIL OF THE TOWN OF SUPERIOR,  
PINAL COUNTY, ARIZONA, AMENDING ARTICLE III, SECTION 3.5 AND  
ARTICLE XIII SECTIONS 13.11 AND 13.12 OF THE TOWN’S ZONING  
ORDINANCE.

Request for Action 3

**APPROVED WITH CHANGE**

**AYES – 6 Mayor Besich, Councilmembers: Navarrette, Estatico, Lopez, Armitage,  
Aguilar.**

**NOES – 0**

**ABSENT - 1 Vice-Mayor Alonzo**

- D. Discussion/Possible Approval of INTERGOVERNMENTAL AGREEMENT (IGA)  
FOR TRANSFER OF TOWN OF SUPERIOR USED LAW ENFORCEMENT  
VEHICLES AND EQUIPMENT TO THE TOWN OF MAMMOTH.

Request for Action 4

**APPROVED**

**AYES – 6 Mayor Besich, Councilmembers: Navarrette, Estatico, Lopez, Armitage,  
Aguilar.**

**NOES – 0**

**ABSENT - 1 Vice-Mayor Alonzo**

- E. Public Hearing/Discussion/Possible Approval of RESOLUTION 19-607, A  
RESOLUTON OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF  
SUPERIOR, ARIZONA, ADOPTING A FAIR HOUSING POLICY, MAKING  
KNOWN ITS COMMITMENT TO THE PRINCIPLE OF FAIR HOUSING, AND  
DESCRIBING ACTIONS IT SHALL UNDERTAKE TO AFFIRMATIVELY  
FURTHER FAIR HOUSING.

Request for Action 5

**APPROVED**

**AYES – 6 Mayor Besich, Councilmembers: Navarrette, Estatico, Lopez, Armitage,  
Aguilar.**

**NOES – 0**

**ABSENT - 1 Vice-Mayor Alonzo**

- F. Discussion/Possible Approval of RESOLUTION 19-608, A Resolution of the Town Council of the Town of Superior, Pinal County, authorizing the submission of a Highway Safety Grant Application to Governor's Office of Highway Safety for Fire Department.

Request for Action 6

**APPROVED**

**AYES – 6 Mayor Besich, Councilmembers: Navarrette, Estatico, Lopez, Armitage, Aguilar.**

**NOES – 0**

**ABSENT - 1 Vice-Mayor Alonzo**

- G. Discussion/Possible Approval of Town of Superior Parks Capital Improvement Plan 2019.

Request for Action 7

**APPROVED**

**AYES – 6 Mayor Besich, Councilmembers: Navarrette, Estatico, Lopez, Armitage, Aguilar.**

**NOES – 0**

**ABSENT - 1 Vice-Mayor Alonzo**

- H. Discussion on proposed Operations of Bronco Creek.

EXECUTIVE SESSION PURSUANT TO A.R.S. § 38-431.03 (A)(3) and (4).

**Direct Staff or Town Attorney to Proceed as Directed in Executive 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 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. § 38-431.03 (A)(3), (4) and (7).
2. Possible executive session on status of negotiations including contracts for Chief of Police pursuant to A.R.S. § 38-431.03 (A)(1), (2), (3) and (4).

**11. REGULAR SESSION**

**12. A. Instruct Town Manager and/or Legal Counsel to Proceed as Directed in Executive Session.**

**B. Possible Appointment of Chief of Police and setting salary.**

**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.**

<b>Emergency Service Committee</b>	<b>04-18-2019</b>	<b>6:00 PM</b>
<b>Community Development Committee</b>	<b>04-25-2019</b>	<b>6:00 PM</b>
<b>Planning &amp; Zoning Committee</b>	<b>05-02-2019</b>	<b>6:00 PM</b>
<b>Town Council Meeting</b>	<b>05-09-2019</b>	<b>7:00 PM</b>

**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).

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