

**Town of Superior
Regular Council Meeting
Thursday, May 3, 2012, 7:00 P.M.
Superior Senior Center
360 W. Main Street, Superior, AZ 85173
MINUTES**

A. CALL TO ORDER

Mayor Jayme Valenzuela called the meeting to order at 7:11 p.m.

B. SALUTE TO THE FLAG

Mayor Valenzuela led the Salute to the Flag.

C. OPENING PRAYER

Council Member Chris Tomerlin led the opening prayer. His prayer included a request for God to be with the families of the shooting victims in Mesa, one of which was the daughter of a person from Superior.

D. ROLL CALL

Present: Council Members Hank Gutierrez, Chris Tomerlin, John Tameron, Gilbert Aguilar (participated telephonically, logged off at 8:30 p.m.), Soyla “Kiki” Peralta, Mayor Jayme Valenzuela, and Vice Mayor Olga Lopez (arrived at 7:25 p.m. following roll call); **Absent:** N/A

E. CONSENT AGENDA

1. Approval of Minutes for Regular Meeting of April 19, 2012

Mayor Valenzuela asked if there were any questions or comments in reference to the minutes. There being no questions, he entertained a motion.

MOTION: Council Member Tomerlin moved to approve the consent agenda. Council Member Tameron seconded. **VOTE:** The motion passed unanimously.

F. REPORTS

N/A

G. COMMUNICATION

1. Manager’s Report—Interim Town Clerk Rita M. Wentzel

Correction to April 19 Agenda I Business, Action Item 8—ROW Permit 201 Main:

Ms. Wentzel said an incorrect statement in the action item had been pointed out. A building permit was actually obtained September 16, 2011 and construction was done by end of October, 2011.

Update on Senior Center Director Position: Ms. Wentzel said they had 13 applicants and interviewed five potential candidates. Debbie Casillas was the successful candidate and started work May 1. She introduced Ms. Casillas who said she was born in Superior, left for a time and was back. She was very happy to have gotten the position and would do her best.

Update on Recreation Position Posting: Ms. Wentzel said they received no applicants for additional commissioners and would need to repost. Their two commissioners were Pete Casillas and Nancy Jung. Ms. Jung resubmitted her resume but did not need to as her term was not up.

Update on Cobre Valley Regional Medical Center Construction: Ms. Wentzel said the preliminary application had been processed through the Arizona Corporation Commission. She also updated on further project progress details.

Project Update #7 from BHP Billiton regarding the northwest Study Area Soil Excavation: Ms. Wentzel referred them to information in their packet.

Update on the Town 09-10 FYE Audit: Ms. Wentzel gave details of the progress of this audit that is currently being conducted. She did not anticipate they will be able to meet the May 31, 2012 deadline predefined by the Auditor General's Office. Town Attorney Christopher Wencker would contact the AG's Office re the status.

Update on Community Clean-up Day at Superior Fairview Cemetery: Ms. Wentzel said that Ms. Mila Lira and Council Members Peralta, Tomerlin, Tameron and Mayor Valenzuela have worked hard to put this event together. A nice press release was done and appeared with a nice photograph in the newspaper. Color flyers were created and posted around the town. She personally paid for flyers to be printed and put in the town sewer bills. BHP, Resolution Copper and Republic Services have each donated a roll-off. Tameron Ice has donated ice. Tameron Plumbing & Septic has donated Port-A-Potties. She further listed donations and volunteers. Everyone seemed to be working together to coordinate a successful event. She asked everyone who can to come to the clean-up day on May 12, starting at 6 a.m. Lunch would be provided.

Additionally, Mayor Valenzuela commented that there had been a lot of questions on why they do not utilize inmates in the cemetery. Right now they do not have any money in their general fund. Inmates are paid out of the HURF fund. Those are only for streets and alleys, not dedicated to the parks and the cemetery or anything like that.

Regarding the project update with BHP, he said he, Ms. Wentzel and Mr. Tameron met with BHP a couple of weeks ago. They referenced some of the properties that were not being cleaned. They asked why. BHP said they would be back in touch in a couple of weeks. They are still waiting for the response. They will be meeting with ADEQ also on this issue.

2. Public Works Report—Public Works Director—Jed Lant

Update on Lifeguard Position: Mr. Lant reported and responded to council questions on the lifeguard posting, requirements, certification and timeline.

Update on Energy Efficiency Grant for the Wastewater Treatment Plant Air Conditioning: Mr. Lant said in cooperation with the Department of Energy for a Conservation Block Grant they are in a bid process. There would be a pre-bid conference at Town Hall and from there they would go to the work site, which is the wastewater treatment plant. Council Member Tameron asked if they planned to air condition the whole building or just the office and restroom. Mr. Lant said the whole building.

Update on the Renewal Application for the Wastewater Treatment Plant AZPDES Permit: Mr. Lant said all data had been compiled and turned in to ADEQ along with a \$2000 check. ADEQ would review and ask for additional information, then come out and do an inspection. Eventually, they will approve the permit.

Update on Superior Unified High School Variance Request—Marquee Sign: Mr. Lant said the town had advised the school of the process. An application had been filed and posting requirements met. There would be a public hearing before council May 17.

Update on U.S. 60 Highway Improvement Projects/Bypass: Mr. Lant gave information on Phase I and Phase II of the project. He said in the near future ADOT will hold a public meeting. Mr. Tameron asked where the meetings would be held. Mr. Lant said he assumed in Superior. Mr. Tameron asked if he thought they could pressure them to hold them in Superior and Mr. Lant replied in the affirmative.

Update on Magma Avenue/SR 177 Overpass Repairs: Mr. Lant said he contacted ADOT on issues they were having at the overpass. A temporary patch has been put in place. There have been discussions of redesign and concrete but for now they are on a temporary basis. He will apprise ADOT when a new patch is needed.

H. CALL TO THE PUBLIC

Fred Miramon: Said he had a concern on Item I-6 on the agenda. He asked what happens next after ADEQ reports on the transfer station inspection. He also had concerns about people taking trash out to the desert. There had been dumping in the past and now it seems to be on an increase. Agreements made with contractors in the future had to achieve a comprehensive plan and be responsible, economical, sound and in cooperation with the transfer station.

Elizabeth Magallanez: Reminded everyone of the Superior Substance Abuse Coalition's Cinco de Mayo event on Saturday. This event is talked about in the county and the only one she knows of that is alcohol and drug free.

Additionally, Ms. Wentzel made a clarification of her discussion of flyers put in bills for the cemetery event. She had personally paid for this. It did not come out of the town's coffers. She wanted to make sure everyone understood that. It was her donation.

I. BUSINESS, POSSIBLE DISCUSSION AND/OR ACTION ON THE FOLLOWING:

1. Presentation: Resolution Copper Mining officials will provide a Resolution Copper Project Update

Ms. Wentzel introduced Jon Cherry, Resolution Project Manager and Vice President. He expressed appreciation for support for the project by many members of the council. He said this ore body was the third largest undeveloped copper resource in the world today. By the end of this year they will have invested \$950 million in the project. They were there for the long term. Right now it is estimated it will be \$6-7 billion dollars to build this project. He gave an overview of recent expenditures and activities. They have approximately 550 people coming to work on the project every day. He broke that down into numbers of employees and contractors and wages, etc., and number of workers from Superior. He referred to an overhead chart and handouts on Resolution's community giving and said 94 percent of that budget was spent on Superior. Arizona Highways is doing a feature story on the project and also for Superior they are featuring the Jade Grill. On the education front, Resolution had invested an additional \$51,000 in 2011. That is mainly focused on helping students with math and science and also some of the arts. He discussed the Childsplay theater program and also scholarships. He provided an overview of other topics including the land exchange, reclamation, shaft sinking, facility siting, etc. He thanked the mayor and council.

2. Discuss/Approve/Reject: Alcohol Beverage Permit from Ms. Connie Bogenschutz for a family reunion at the U.S. Highway 60 Park on September 29, 2012

Ms. Wentzel said Ms. Bogenschutz completed both an Alcohol Beverage Permit Application and a Special Use Permit for the U.S. 60 Park. She paid her refundable cleaning deposit of \$45, a rental fee of \$25 for the park and the liquor permit fee of \$50. Approximately 200 to 250 individuals may be present for this reunion, which will begin at 10 a.m. and end no later than 10 p.m. The fiscal impact is \$95 revenue and \$45 refundable deposit. There was a question last meeting as to who is "staff." When she says staff recommends approval of the Alcohol Beverage Permit, in this instance staff would be herself because when anything like this comes to her attention, she brings it to council and makes a recommendation.

MOTION: Council Member Peralta moved to approve the alcohol beverage permit for the family for September 29. Vice Mayor Lopez seconded.

Council Member Gutierrez pointed out it goes back to their drug coalition group about having Cinco de Mayo without alcohol or drugs. He has made this comment before and is taking the opportunity to do it again. They are always talking about how their kids have nothing to do; they turn to alcohol and drugs. His recommendation has been in the near future and he has told a lot of people this—he has said they need to set an example as adults, both as parents, as this body, as the community to their younger generation. He knows at parties like this it is a big deal because of the culture to have adult beverages, which is fine. What he leans to now, because they have all these issues with their young generation, is the town not issuing permits for alcohol at public parks, even the schools, to kind of set an example going forward. He is not saying forever, but they need to draw a line somewhere and sometimes families can't take that responsibility themselves because it's hard to break away from that. It is really up to them, as this body, and some of their community members, to say it is a cultural change to not allow alcohol permitting whether it is the Cinco de Mayo, the Fiestas, or Cowboy Days or anything like that having to do with

Main Street or public right-of-ways, parks, those types of things. If they are really serious this is the one avenue to do something for their kids. He knows they are going to have a mining operation coming on line shortly that is going to require kids who have an opportunity to work on that to actually go through drug testing. A lot of times even he as a business owner can't hire people who can't pass a drug test. So why don't they set that example now. He knows it is going to pass because it is a tough nut to make that change but he doesn't support that just for that one reason; he thinks they need to draw that line in the sand for maybe the next five or six years or longer, however long it takes, to set the example for those kids and find other ways to show them that families can be entertained without alcohol in public. He is not talking about the homes; he is not talking about the forest; he is talking about in town. In regard to Ms. Bogenschutz, he can't support that based on that because he feels very strongly about it.

Council Member Tameron asked if they had issued permits to have alcohol at the park before. Ms. Wentzel said, "Yes." Mr. Tameron said he knew they had also had the permits for the Chamber of Commerce beer garden and it was a very successful event. He thought the responsibility falls back on the adults. This is one way to see if it is going to happen. If it doesn't happen, then they know not to issue this again to this particular party. They will have to put them to the test to see if it is going to work and so far it has been working.

Mayor Valenzuela asked if there was any further discussion. There being none he said there was a motion. Ms. Peralta said her motion stood. There was a discussion with Council Member Aguilar (attending telephonically) who asked a question about responsibility. His voice became inaudible. Mayor Valenzuela said they would proceed with the motion.

VOTE: The mayor stated that the motion passed 4-1. Council Member Gutierrez voted no. Council Member Tomerlin abstained. Council Member Tameron voted yes. Council Member Peralta voted yes. Mayor Valenzuela voted yes. Vice Mayor Lopez voted yes.

3. Discuss/Approve/Reject: Renew listing for the property at 271 Main Street, Superior, Arizona with Dalton Realty

Ms. Wentzel said the current listing with Dalton Realty for sale of the old town hall located at 271 W. Main Street expired on April 22, 2012. Ms. Pamela Rabago indicated she would like to renew this listing; however, she feels the sale price should come down as most interested parties won't even consider an offer—especially since there is no estimate on what any mold abatement may cost. The fiscal impact is a 5 percent commission on sales price if the realtor represents the buyer and seller or 6 percent commission on sales price if realtor represents the seller only. They are asking council to give direction regarding the renewal or nonrenewal of the listing.

Mr. Tameron asked the price. Ms. Wentzel said \$175,000. Mr. Gutierrez asked about the marketing and discussed this with Ms. Rabago. There was more discussion. Town Attorney Chris Wencker advised an executive session regarding pricing rather than discussing it.

MOTION: Council Member Peralta moved to not renew the listing with Dalton Realty. Council Member Tomerlin seconded. **VOTE:** The motion passed 6-1 with Council Member Gutierrez voting no.

4. Discuss/Approve/Reject: Change the name of the street between Pisano and San Juan Streets from Alley to San Juan Street.

Ms. Wentzel said there was currently a sale of real property on a parcel of land that has no mailing or street address. The buyer and the title company were confused regarding the street name of "Alley." There have not been active utilities for this property and there is no mail delivery. Due to the fact that there is no way to identify this particular property with the street name of "Alley," staff feels that this should simply be a continuation of the street "San Juan." Since this roadway is perpendicular to San Juan Street, the Alley designation will differentiate the east and west from the north and south directions for U.S. Postal Service delivery. In this instance, staff would be herself, Mr. Lant, the zoning administrator from Willdan, with recommendations from Pinal County, the title company and the postal service. Staff recommends that the street currently known on the County Assessor's records as "Alley," which is actually a continuation of San Juan Street to Pisano Street, be renamed as "San Juan Alley" and notify Pinal County agencies, local utilities and the U.S. Postal Service.

Mr. Gutierrez asked if they were saying there is an address there. Ms. Wentzel said no, they had to create an address but to create an address they needed a street. There is one parcel of land there. Mr. Gutierrez asked if there was a residence. Ms. Wentzel said it was a vacant property and to the best of their knowledge there was never postal service there. The utilities haven't been turned on. Mr. Gutierrez asked if there was a structure. Ms. Rabago said there was a structure. It had never been connected to sewer. Mr. Gutierrez asked about the responsibility of the community to get tapped to that sewer if someone wanted to build there. Ms. Wentzel said it was the responsibility of the property owner. Mr. Gutierrez asked where the closest tap is. Ms. Wentzel said she didn't think they could tell him that. Mr. Tameron said he could. Ms. Wentzel said the sewer line was across the street. Mr. Tameron said in the alley. Mr. Gutierrez asked what about the back side of the property.

Mr. Gutierrez said it seemed like it was pretty straightforward but when something is so obvious, red flags go up. He asked Ms. Wentzel if she had said she had talked to the county. She said yes. Mr. Gutierrez asked if the county was saying this continuation was not a problem. Ms. Wentzel said they are saying it is up to the town.

Mr. Tameron said there was a sewer tap to that property. Ms. Wentzel said it has not been connected to the sewer. Mr. Tameron said it has not been connected but the tap goes up to the property. Mr. Gutierrez asked if somebody was looking to purchase it. Ms. Wentzel and Ms. Rabago said yes. Mr. Gutierrez asked Ms. Rabago if she was involved in this sale and she replied in the affirmative. Mr. Gutierrez asked if someone was looking at building there. Ms. Rabago said she did not represent the buyer. She represented the seller. Mr. Gutierrez asked if the current structure is tied to a septic tank. Ms. Wentzel said they did not know; if somebody were to live in it, it would need to be hooked up to the sewer for their code. Mr. Gutierrez said what they do not want to see is someone rolling up in a motor home and hooking to the old septic tank.

MOTION: Vice Mayor Lopez moved to change the name of the street between Pisano and San Juan Streets from Alley to San Juan Alley. Council Member Tameron seconded.

Mr. Gutierrez asked if anyone on this body knew the seller. Ms. Wentzel said he was deceased. Mr. Gutierrez asked if anyone on this body is familiar with the family that is selling this. Ms. Wentzel said yes. Mr. Gutierrez asked if the seller was related to anyone on the Council. Mr. Gutierrez asked if the attorney knew. Attorney Wencker said he was not privy to who the parties are.

VOTE: The motion passed 6-1 with Council Member Gutierrez voting no.

5. Discuss/Approve/Reject: Main Street closure from Magma Avenue to Lobb Avenue on May 26, 2012 for the Optimist Club "Cruisin' Night for Kids"

Ms. Wentzel said that Ms. Olga Lopez would provide input regarding this event and answer any questions that might arise on behalf of the Optimist Club.

Ms. Lopez said they are not requesting alcohol for this event. It is strictly for kids. She gave details of the event, including lowriders, music, food, and cruising and hoping everyone came out and enjoyed themselves. Mr. Gutierrez said that what she was saying to them was there were not going to be any beer coolers on the cars. Ms. Lopez said what she is saying is she did not put in a permit for alcohol.

Ms. Wentzel said the fiscal impact is two public works employee salary and vehicles for two hours, barricades as provided by the town and signage.

MOTION: Ms. Peralta moved to approve the closure of Main Street from Magma Avenue to Lobb Avenue on May 26, 2012 from 5 p.m. to 10 p.m. for "Cruisin' Night for Kids." Council Member Tomerlin seconded. **VOTE:** The motion passed unanimously (6-0) with Vice Mayor Lopez abstaining.

Ms. Wentzel said staff in this instance was herself and Jed Lant.

6. Discuss/Approve/Reject: Authorize the staff and Town Attorney to contact Arizona Department of Environmental Quality (ADEQ) in follow-up to the recent inspection report.

Ms. Wentzel said the Superior Waste Transfer Station (SWTS) was closed and the gates were locked on Friday, April 20, 2012 subsequent to the last council meeting. This action was taken subsequent to an inspection report received from ADEQ citing numerous conditions that needed attention. Mr. Larry Jochai was notified of the situation on Friday morning at a meeting held at the Town Hall and he was given a copy of the inspection report. Mr. Jochai was allowed to remove two bins of metal he had collected for recycling and his trailer. The town has refrained from additional activity at the SWTS until they get some additional information from ADEQ and develop an action plan to remedy the situation to their satisfaction. They believe that time is of the essence and they need to act quickly to develop an action plan to move forward. In several discussions she has had since the closure of the transfer station, she found out that this isn't a simple matter of sending a loader and a few public works employees out there. They had tried to have Republic Services remove one dumpster that Mr. Jochai had filled and Republic balked because of that inspection report and the fact that they believed that ADEQ would require a sample of anything leaving the

transfer station to ensure there was no contamination and no type of hazardous material. They would not remove it until an action plan was in place.

She said based on the type of remediation they were looking at, this is a bigger project than she anticipated. They cannot do anything until ADEQ is satisfied with their action plan and the timeframe. She detailed the requirements and said they did not have the knowledge or staff to do it. She did talk to Republic Services, which doesn't do that kind of work, and another vendor that did some work for them at the Magma Club, and the estimates were upwards of \$200,000.

There is a need for an action plan within 30 days and cleanup within 60. They have not yet spoken to ADEQ. They have not received a final report as to what they expect of the town or what any sanction may be.

The vendor's recommendation is that the town talks to ADEQ and force them to provide the next steps in a written report. All they got was the inspection report. That is what they are looking for the council to authorize that evening. Also, just to be fair, Mr. Jochai would like to stop by the transfer station and they need to find out where they are going to go with that and which things are his.

So the recommendation was to authorize the necessary staff—to include the town attorney—to contact Arizona Department of Environmental Quality in follow-up to the recent inspection report.

Mr. Gutierrez said he did not think any of them were surprised by this. They all knew the magnitude of this was not going to be easy, so this is not a surprise. This is the bullet that they decided to bite. He thought it was a good decision because environmentally it was a disaster and you don't want to go on piling on top of a disaster, so they have to stop it right there, knowing that they are dealing with a mitigation problem of environmental issues. This is not a surprise. He didn't think any of them thought it was a surprise. The dollar amount: he was surprised that it wasn't higher. Ms. Wentzel said it might be. That was one of the estimates. Mr. Gutierrez said he thought that was a low estimate. He is kind of looking for maybe twice that amount. That is what they should be looking at somewhere down the road. He didn't know how they were going to do it but there is no surprise there. It was the right thing to do, though. Stop the pain. Stop the bleeding and start the healing. Ms. Wentzel said continuing the process probably exacerbated the mitigation.

Mr. Gutierrez said before they take the vote he noticed this was on for executive session. Ms. Wentzel said it could be if they would like to discuss it, as well as Item I-7.

MOTION: Mr. Tameron moved to take Item I-6 into executive session and combine with Item I-7. Vice Mayor Lopez seconded. **VOTE:** The motion passed unanimously.

Council Member Aguilar left the meeting, which he had been attending telephonically, for the rest of the proceedings.

Council moved to executive session at 8:30 p.m. and returned at 9:11 p.m.

MOTION: Mr. Tomerlin moved to approve authorizing the staff and town attorney to contact the ADEQ and follow-up the recent inspection report. Ms. Peralta seconded. **VOTE:** The motion passed unanimously (6-0).

7. Discuss/Approve/Reject: Consider a settlement agreement between Larry Jochai, Orion Recycling, LLC and the Town of Superior regarding the Superior Transfer Station Contract.

Ms. Wentzel said the Town of Superior entered into a three-year Recycle Collection Center Contract with Orion Recycling, LLC on July 9, 2008. This contract expired on July 9, 2011 and Mr. Jochai has been allowed to continue as the operator of this facility on a month-to-month basis. Effective February 2012, his liability insurance provided through a third party was cancelled. Mr. Jochai was initially notified of the inspection when ADEQ arrived on site March 1, 2012. Mr. Larry Jochai was notified that the town had approved closure of the SWTS on April 20, 2012 at a meeting held at the Town Hall and he was given a copy of the inspection report. Mr. Jochai was allowed to remove two bins of metal he had collected for recycling and his trailer. Pinal County also removed two bins of tires. At Mr. Jochai's suggestion, the town was working with Phoenix Weld to remove two canisters of liquid oxygen that remain on site. Mr. Jochai has asked to remove his equipment and vehicles. Ms. Wentzel said she asked if he could provide her with proof of ownership and she would discuss removal of any items with the town's legal counsel. Mr. Jochai had not provided any ownership documents to date. However, on April 27, 2012, they did receive a communication from Nearhood Law Offices on behalf of Orion Recycling, LLC offering a mutually agreeable settlement. The letter has been forwarded to the town's insurance company by Mr. Chris Wencker. The fiscal impact is that cleanup efforts may cost upwards of \$200,000. Staff recommended that the town's legal counsel respond to this claim and explore the possibility of entering into negotiations with Mr. Jochai's legal representatives to ensure the contract is terminated and that all obligations under the contract are fulfilled.

MOTION: Mr. Tameron moved to reject the settlement agreement between Larry Jochai and the Town of Superior. Ms. Peralta seconded. **VOTE:** The motion passed unanimously.

J. EXECUTIVE SESSION

The Town Council may or may not vote to go into Executive Session pursuant to ARS 380-431.03 (A-1), A-3) & (A-7)

1. A-1—PERSONNEL
2. A-3—LEGAL ADVICE WITH ATTORNEY: Discussion or consultation for legal advice with attorney or attorneys of the Town regarding the Superior Waste Transfer Station **(AN EXECUTIVE SESSION WAS HELD, SEE ITEMS I-6 & I-7)**
3. A-7—LEGAL ADVICE WITH ATTORNEY REGARDING SALE, LEASE OR PURCHASE OF REAL PROPERTY: Discussion or consultation for legal advice with attorney or attorneys of the Town regarding the 957 S. Stone Avenue property

MOTION:Mr. Tomerlin moved to return to executive session. Vice Mayor Lopez seconded.
VOTE: The motion passed unanimously. Council entered executive session at 9:12 p.m. and returned at 9:28 p.m.

K. COUNCIL COMMENTS

Council Member Peralta: Thanked everybody who gave donations for cemetery cleanup and hoped everybody is out there to help.

Council Member Aguilar: Not present.

Council Member Gutierrez: No comment.

Council Member Tomerlin: No comment.

Council Member Tameron: Had a concern and a comment that he would like to be placed on the agenda. What are the reasons for the police vehicles to be driven home by the police officers and what is the expense they are incurring and the wear and tear on the vehicles? He had asked the question several times and never got an answer. He clarified to Police Chief Lou Digirolamo that he hadn't asked him but the person before who was here. Now people are still calling him and wanting to know what it is costing them and why there is exposure out of town instead of in town and if there could just be a rundown on why and how much it is costing and why are the vehicles driven out of town.

Vice Mayor Lopez: No comment.

Mayor Valenzuela: The only comment he had was getting out and supporting the Cinco de Mayo celebration. Also, as Mr. Tomerlin mentioned earlier, their hearts go out to the relatives in Superior who lost a loved one in that tragedy in Mesa the other day. Also, regarding all the articles in the newspaper lately, he is not going to get into a debate in the newspaper and he has said that numerous times and he still won't get into a debate in the newspaper over those articles. They had Resolution Copper there tonight to address the issues, talk about the issues, and he guesses the people who write these articles don't find it in their heart to drive back to Superior as "he is not a resident of Superior." He wished they would check when they sign "residents of Superior." Reporter Betsy Quinn asked from the audience if he was referring to the letter to the editor. Mayor Valenzuela said he was just referring to the letters in the paper, because they (council) are there to be transparent. They are being as transparent as they can and they are moving forward and that's all.

L. FUTURE AGENDA ITEMS

1. Open Meeting Law Refresher for Town Council and Appointed Commissioners—tentatively scheduled for May 17, 2012 at 6 p.m.
2. Budget Work Session
3. Medical Marijuana Ordinance—Scheduled for Public Hearing May 17, 2012 at 7 p.m.

Ms. Wentzel referred to Item L-1 (Open Meeting Law Refresher for Town Council and Appointed Commissioners) and asked council to let her know if they are available for that. Vice Mayor Lopez said she would not be available.

Ms. Wentzel referenced Item L-2 (Budget Work Session) and said she has not forgotten about the budget. State Shared Revenue has increased and been signed into law. Staff will start preparing and they will have a work session later in the month.

Ms. Wentzel referenced Item L-3 (Medical Marijuana Ordinance) and said it was scheduled next Thursday with Planning and Zoning and May 17 at 7 p.m. with the Board of Adjustments.

M. ADJOURNMENT

MOTION: Vice Mayor Lopez moved to adjourn. Council Member Tomerlin seconded. **VOTE:** The motion passed unanimously. Mayor Valenzuela adjourned the meeting at 9:35 p.m.

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Council Meeting of the Town Council of the Town of Superior held on the 3rd day of May, 2012. I further certify that the meeting was duly called and held and that a quorum was present.

/s/

Rita M. Wentzel, Interim Town Clerk

These minutes were compiled and transcribed by Cindy Tracy, an independent contractor. Final editing of these minutes and their content is completed and verified by Town of Superior staff members.