

**THE REGULAR MEETING
OF THE MAYOR AND CITY COUNCIL OF BENSON, ARIZONA
HELD JANUARY 12, 2009 AT 7:00 P.M.
AT CITY HALL, 120 W. 6TH STREET, BENSON, ARIZONA**

**MAYOR FENN
OPENED THE MEETING AT 7:00 P.M WITH
THE PLEDGE OF ALLEGIANCE.**

**PRESENT WERE: MAYOR FENN, VICE MAYOR KING
COUNCILMEMBERS BONCQUET, LAMBERT, LODZINSKI, McGOFFIN, and SACCO**

INVOCATION:

Mayor Fenn introduced Pastor Lupe Diaz who gave the invocation.

**EMPLOYEE
RECOGNITION:**

None.

Mayor Fenn then indicated there would be two changes to the order of the agenda stating the Public Hearing would be held before the Call to the Public and the Executive Session would be held before New Business Item #4.

PUBLIC HEARING:

Mayor Fenn opened the public hearing to receive comments and questions from the public regarding the proposed rezoning of 25 acres from RT (Rural Transitional) to I-2 (Heavy Industrial), Parcel Numbers 123-10-009C, 123-10-009D, 123-10-009E and 123-10-009F. The property is located south of Aviation Drive, north of the Railroad line, west of Ocotillo and east of the Benson Municipal Airport at 7:04 p.m.

John Whiteside addressed Council in favor of the rezoning request stating the purpose of the project is to create a Solar Park, which will be manufacturing facilities. Mr. Whiteside then stated this is exactly what the City of Benson needs; development of business and jobs inside of Benson.

Mayor Fenn then stated no one else from the audience had requested to speak and asked if anyone present wished to address Council before closing the public hearing at 7:05 p.m.

CALL TO THE PUBLIC:

Thomas Lozzi addressed Council concerning the pre-annexation agreement before Council stating he was involved with property by the San Pedro Partners property. Mr. Lozzi stated he was not there to oppose San Pedro Partners, but that he had been working with the City of Benson for approximately 3 years to get their property annexed into the City and that he was waiting for a "boiler plate pre-annexation agreement" to be developed. Mr. Lozzi then stated when he was in the process of this annexation with Martin Roush, he was told that he could not create a county island, and that they had to address the issue. Mr. Lozzi then asked that if the City annexes San Pedro Partners property, that they please annex his properties at the same time, eliminating the question of creating a county island. Mr. Lozzi also asked to be notified of any Council activity concerning property adjacent to his properties. Mr. Lozzi stated he and his partners were in Benson for the long haul and wanted to be involved in Benson.

Steve Sacco, owner of Postal Annex, addressed Council regarding the status and conditions of the Butterfield Plaza. Mr. Sacco handed out pictures of the plaza and stated the owner of the building told tenants the repairs would only take a few weeks and that was not the case. Mr. Sacco stated the problems included tenants being without restrooms for 6 weeks, separation of the slab and the underlying earth and window frames skewed enough that the glass no longer touches the frames. Mr. Sacco stated the County Health Department had forced the water to be shut off because broken sewer lines as a result of lifting the building were causing raw sewage to flow directly into the dirt below the building. Mr. Sacco stated some patrons are refusing to visit businesses located in the plaza that they believe to be unsafe. Mr. Sacco questioned feeling safe in the facility, keeping a business in the facility, or keeping a business in the facility without restrooms for more than a month, without the owner of the building pro-rating the rent. Mr. Sacco then stated he was present to ask Council for their help in both protecting the remaining tenants and the customers of Butterfield Plaza by recondemning retail space A and force the building owner to tear down that structure before someone gets hurt.

Don Kimball, CEO of Apache Electric Power Co-Op stated he was present to address Council concerning Resolution 3-2009. Mr. Kimball asked Council to consider tabling this item until further information could be given to Council. Mr. Kimball stated part of the resolution is in favor in investment tax credit legislation and part of the resolution is to oppose legislation that has been referred to as re-regulation of the railroads. Mr. Kimball stated in 1980, the Staggers Act passed which basically unregulated the approximate 40 railroads. Mr. Kimball stated today there are now 4 major railroads and that AEPCO ships approximately 1½ million tons each year and is what is referred to as a “captive customer” of the Union Pacific Railroad. Mr. Kimball stated AEPCO has continued to see the shipping cost increase each year with rail rates more than doubling in the past. Mr. Kimball stated AEPCO has filed with the Surface Transportation Board for a rate hearing to obtain relief in their rates. Mr. Kimball encouraged Council to table the item and provide them an opportunity to present more information before Council made a decision concerning this issue.

Thomas Fitzgerald addressed Council ceding his five minutes to Mr. Whiteside.

David DiPeso addressed Council regarding the pre-annexation development agreement stating that annexations should not take 3 years and that Council should give the developer an answer on moving forward or not with the annexation. Mr. DiPeso then stated he was in favor of the annexation. Mr. DiPeso stated the area around the airport would be a good industrial area and was in favor of the rezoning request of Ordinance No. 530.

George Scott addressed Council concerning the pre-annexation development agreement stating this issue was started approximately 2 years ago and felt Council should keep moving the annexation forward, stating it was important the City get projects ready to go. Mr. Scott then stated Councilmember Lodzinski was the Chairman of the Benson Economic Development Subcommittee and that one of the subcommittee’s goals was to have an inventory of shovel-ready projects and that this project should move forward to assist with that goal. Mr. Scott then stated he was in favor of Ordinance No. 530; the rezoning request, which would meet the guidelines of the Benson General Development Plan. Mr. Scott stated it was a good project and encouraged Council to pass the rezoning request.

Julia Robinson addressed Council ceding her five minutes to Mr. Whiteside.

Jim Morrow addressed Council stating he was a lawyer representing McEnery Enterprises and was speaking concerning the pre-annexation development agreement. Mr. Morrow stated they did not take position on the annexation per se, but they did have a problem and issue with the piece of the agreement (Section 10.5) that proposes that Titan Road will be realigned to go through his client’s property just south of Gracie’s Station on over to the property to be annexed.

Mr. Morrow then stated he believed it was not a proper taking for a public use under the Arizona Statutes and would be a problem insofar as not all other avenues have been explored to access the proposed annexation property. Mr. Morrow stated the realignment would considerably damage his client's remaining property, both north and south of the proposed realignment. Mr. Morrow then stated they would like to go on record as being opposed to the realignment of Titan Road as proposed in the pre-annexation and development agreement.

Kathy Suagee addressed Council concerning the pre-annexation and development agreement asking Council to vote no on the agreement. Ms. Suagee's address to the Council is attached.

Mr. Whiteside addressed Council concerning Resolution 1-2009 stating he recommended on page 5 of the resolution to delete the words "to and" from the sentence stating the invocation would be offered "to and for the benefit of Council". Mr. Whiteside then addressed Council concerning the pre-annexation development agreement, stating he was against the agreement. Mr. Whiteside's statement is attached.

A.B. Blair addressed Council concerning Resolution 1-2009 and encouraged the passage of the resolution.

Lupe Diaz addressed Council concerning Resolution 1-2009 stating he was in favor of the passage of the resolution. Pastor Diaz stated he would like to let Council know that he and his colleagues had been praying for Council and uphold them for the jobs that they do.

Dianne Tipton addressed Council offering her condolences to Councilmember Sacco on the recent loss of his wife. Ms. Tipton then stated she was in support of Resolution 1-2009 along with many other residents of Benson, urging Council to approve the resolution. Ms. Tipton then stated she was concerned about the pre-annexation development agreement, stating she agreed with most, if not all, that Ms. Suagee stated. Ms. Tipton then stated annexation was a very important issue and felt Council had not had the opportunity to really look at the issue and discern the importance of the agreement. Ms. Tipton then stated during the September 9, 2008 meeting, that the Council was unaware of the annexation and unaware of the problems that were going with it, but that Mr. DeGrazia, at that meeting, stated that there were meetings in April, 2007, June, 2007 in which there was a petition for annexation and September, 2007 in which the first pre-annexation agreement was submitted for review. Ms. Tipton then stated Mayor Fenn was angry with Martin Roush for not pushing the annexation forward and that all of the Council should have had all the information concerning the annexation. Ms. Tipton then stated taking property from McEnergy Enterprises or any other private citizen was a serious issue and that one of the things to consider was how the City's employers should be treated and that we shouldn't take away their property to benefit a developer, when there isn't any real reason to do so, other than helping the developer. Ms. Tipton then stated she hoped Council would take the advice of Public Works Director Brad Hamilton and City staff and deny the annexation. Ms. Tipton stated Council was to protect and watch out for the best interests of the Benson residents and do what is right.

Matthew McDonald addressed Council concerning the pre-annexation development agreement. He stated he came to the meeting to primarily become informed on the issue and that he was alarmed and felt contempt for the developer and the City for not contacting him with any information regarding the proposed project. Mr. McDonald stated he was opposed to the annexation, stating he was not anti-growth, but had failed to see, at this point in time, the benefits of being annexed into the City. Mr. McDonald then stated he looked forward to the communication in the future that has been absent in the past. Mr. McDonald then stated he felt prayer at the Council meetings was a necessity and that there wasn't anyone at the meetings that did not benefit from prayer.

Mahlon McKenzie addressed Council stating there were a lot of different view points on how to proceed and go forward and that it was advisable to work together. Mr. McKenzie stated in his previous letter to the City Manager expressed concern that there wasn't a lot of effort to work together. Mr. McKenzie then complimented Council on their willingness to make the hard decisions and to help people communicate better, stating he was willing to do that at any point that he could.

CONSENT AGENDA:

- 1a. Approval of Minutes of the December 8, 2008 Regular Meeting
- 1b. Sale of the flag pole located at former City Hall, 160 S. Huachuca Street, Benson to the Visions Unlimited Charter School
- 1c. Processed Invoices for December 2, 2008 through December 15, 2008
- 1d. Processed Invoices for December 16, 2008 through January 5, 2009

Councilmember McGoffin moved to approve the Consent Agenda. Seconded by Councilmember Lambert. Motion passed 7-0.

NEW BUSINESS:

1. **Request of support and sponsorship of the Benson Company of the Arizona Rangers' Arizona Ranger Days, February 14 and 15, 2009, to include requesting the use of the City logo and possible financial assistance**

Councilmember Lambert indicated he had a conflict of interest and stated he would be abstaining from both discussion and action on this item. Mayor Fenn then opened the item with the introduction from Mr. Kevin Rasch of the Arizona Rangers. Mr. Rasch addressed Council that Benson's Territorial Days was an opportunity for the Rangers to be involved in on an annual basis and will now be called "Arizona Ranger Days". Mr. Rasch stated the event would be a two day event and hoped to draw many participants and spectators from the surrounding areas, benefitting the City. Vice Mayor King asked about the legality of a sponsorship, with City Attorney Thomas Benavidez indicating if Council felt a sponsorship would benefit the citizens of Benson, Council was well within their right to approve such a sponsorship. Mr. Benavidez then stated there had been a question regarding the City's rights regarding the use of the City's logo for different purposes and that he would look into the matter. Mayor Fenn then asked Mr. Rasch how the City's logo would be used, with Mr. Rasch indicating they would be advertising the event and would include recognition of the supporting entities. Mayor Fenn then asked Finance Director Jim Cox about the status of the Community Enrichment budget, with Mr. Cox stating there was approximately \$4,000 in unexpended funds. Vice Mayor King stated the Arizona Rangers benefitted the community with their presence at local events. Councilmember Lodzinski then moved to approve the sponsorship of the Benson Company of the Arizona Rangers' Arizona Ranger Days, February 14 and 15, 2009, educating people to the historical legacy of the Rangers in our community in the amount of \$1,000. Seconded by Councilmember McGoffin. Councilmember Lodzinski then amended his motion to include the use of the City logo, as allowed by law. Seconded by Councilmember McGoffin. Motion passed 6-0 with Councilmember Lambert abstaining.

2. **Job Description and Salary Grade for the Position of Accounting Specialist**

Finance Director Jim Cox addressed Council stating each calendar year, he evaluated the personnel assigned to him and in doing this annual review, he noted two jobs that were being performed had no accurate job descriptions; the Accounting Specialist and the Information Technology Specialist. Mr. Cox then stated he wrote new job descriptions that accurately describe the jobs that are being performed and was recommending a change in the salary grade

for both of these positions. Mr. Cox then stated he would like to emphasize these were not personnel additions, but corrections to existing tasks and duties that are being performed. Mr. Cox stated the Accounting Specialist is a backup to all positions in the Finance Department and the individual in that position is trained in every job function in the department up to some support positions for the Finance Director. Mr. Cox then stated he completed a salary comparison survey and spoke with many other finance directors in the State, finding that this position is very common and is a high-growth position that involves financial analyses, supporting every other position, budget work, and other special projects. Mr. Cox then stated he proposed a salary grade of 32, which is the equivalent of the Accounting Supervisor. Councilmember McGoffin questioned the salary grade, stating she felt the Accounting Supervisor should be a higher grade than that of the Accounting Specialist, with Mr. Cox indicating he felt the salary grade of the Accounting Specialist should be equal to the Accounting Supervisor, since the Accounting Specialist backed up the Accounting Supervisor. Councilmember McGoffin then asked when this would be effective, with Mr. Cox stating it would be Council's pleasure with the Council communication showing the effect of the change on the 2009-2010 budget. Councilmember Lambert then asked about personal growth in this position, with Mr. Cox stating Council authorizes any merit raises employees would be eligible for, based on their evaluation. Mr. Cox then stated Council has often demonstrated their commitment to assist employees growing from within, with this position giving the person in it the capability of becoming a finance director, since it has all of the elements of a finance director. Councilmember Boncquet moved to approve the Accounting Specialist job description and salary grade of 32 for the fiscal year 2009-2010. Mr. Cox then requested the job description to take effect immediately, since it currently reflected the job being performed. Councilmember Boncquet then amended her motion to approve the Accounting Specialist job description effective immediately and for the salary adjustment to be made in the fiscal year 2009-2010. Seconded by Vice Mayor King. Motion passed 7-0.

3. Job Description and Salary Grade Adjustment for the Position of Information Technology Specialist

Finance Director Jim Cox addressed Council stating the City utilized contracted Information Technology (IT) services until approximately 2 years ago, when a public works employee with a computer background and interest moved laterally to the IT position. Mr. Cox stated he had written a job description for this position and completed a salary survey, recommending the salary range of 34 for this position. Vice Mayor King moved to approve the Information Technology Specialist job description effective immediately, with the salary adjustment being made in the 2009-2010 fiscal year. Seconded by Councilmember McGoffin. Councilmember Sacco asked Mr. Cox if he had used other entities the same size as Benson for his survey, with Mr. Cox stating both Willcox and Bisbee could not be used since they both utilize contracted IT administrators. Mr. Cox then stated he used the lowest paid IT position with each entity in the survey and that our current salary is well below the minimum paid anywhere else. Motion then passed 7-0.

EXECUTIVE SESSION: Pursuant to A.R.S. Section 38-431.03 (A) (3) & (4) for legal advice from the City's Attorney concerning the Pre-Annexation and Development Agreement between San Pedro Partners, L.L.C., an Arizona Limited Liability Company and Jimmy Harlan and Yoke Lin Harlan, Trustees and the City of Benson, Arizona

Councilmember McGoffin moved to enter into executive session with the Council, Interim City Manager, the City Attorney, the City Engineer, the City Clerk and the Deputy City Clerk at 8:36 p.m. Seconded by Councilmember Lodzinski. Motion passed 7-0.

Council reconvened at 9:04 p.m.

4. Presentation and Discussion regarding the Pre-Annexation and Development Agreement

between San Pedro Partners, L.L.C., an Arizona Limited Liability Company and Jimmy Harlan and Yoke Lin Harlan, Trustees and the City of Benson, Arizona

Mayor Fenn opened this item stating he would like to make it clear that this item was not to discuss or take action on an annexation, stating if the property were to be annexed, there were still several other steps, including a public hearing, which would be required. Mayor Fenn then stated this was a discussion of a pre-annexation and development agreement, or conditions under which the City would annex the property, if indeed, the City annexed the property at all. Mayor Fenn then opened the floor to San Pedro Partners for their presentation.

Mr. Jerry DeGrazia, San Pedro Partners, then addressed Council stating he was amazed by what had transpired at the meeting, indicating he would like a copy of the points Ms. Suagee raised during the call to the public. Mr. DeGrazia stated the pre-annexation and development agreement had been in the works for 1 1/2 to 2 years and had not just come out of the blue. Mr. DeGrazia then stated he owed his partner, Hal Ashton an apology for being insistent on leaving the Titan Road and the condemnation issue in the agreement. Mr. DeGrazia then stated he left the issue in so Council could review it and discuss it in public. Mr. DeGrazia then stated the reason he wanted Council to address Titan Road, because it curves and is a health and safety issue to everyone. Mr. DeGrazia then stated the Arizona Department of Transportation (ADOT) was agreeable in relocating Titan Road north of Interstate 10, but not south of Interstate 10 and that San Pedro Partners looked at the concept of realigning Titan Road so it would be a safer roadway. Mr. DeGrazia then stated in the agreement it states they will be zoned R-3 zoning and that they can request B-3 when and if, the roadway is later extended. Mr. DeGrazia then stated they are not just requesting annexation for just their property but also for another 62 acres and another 10 acres. Mr. DeGrazia stated Mr. McDonald is not in favor of this and that Mr. Harlan's property, by the existing comprehensive plan, shows that area as a gateway area and could be developed for a non-residential use. Mr. DeGrazia stated it made sense to annex the property and that the question of whether the annexation was creating a county island had been discussed with the County Attorney, saying the County Attorney was not going to pursue the issue, since an island would need to be completely surrounded by the City. Mr. DeGrazia then stated it was completely up to the City on whether the property was annexed, stating there were many advantages to annex the property. Mr. DeGrazia then stated he would like to address the issues concerning this agreement and would like to satisfy the people raising the issues and that San Pedro Partners wants to be a good addition to the community, and that they think the agreement makes sense. Mr. DeGrazia then asked Council to table this item, giving them time to address the issues that have been raised by meeting with a committee of the City Council and City staff.

Mayor Fenn then opened the item up for discussion. Councilmember Lodzinski stated he felt the parties should start over on this agreement with more participation and communication. Councilmember Boncquet stated she felt Council did not want to exercise their right of condemnation and that the parties need to work together on the agreement, stating the City Council would be glad to help facilitate a meeting. Vice Mayor King stated he would refuse to exercise any right of eminent domain, unless it was friendly and that all parties involved or affected by the agreement should hold an open forum to work on the agreement together. Councilmember Sacco then stated he agreed with his colleagues and felt additional meetings were required to get everyone together to work on the agreement in a public forum, stating he was not ready to take action on the item. Councilmember Lambert then stated City Council was here to represent the public and that he felt further meetings should be held to address issues in the agreement. Councilmember McGoffin stated there is no reason this agreement should take 3 years, however, there were issues that needed to still be addressed, stating she would not exercise eminent domain.

Mr. DeGrazia then addressed Council, stating he was not aware of some of the issues, but that he welcomed the opportunity to sit down and discuss the issues.

Mayor Fenn then stated he would like to make a few statements to be public record. Mayor Fenn asked Mr. DeGrazia and Mr. Ashton if he had ever received any compensation from them in any way or if he had ever said he would be an agent for San Pedro Partners, with both Mr. DeGrazia and Mr. Ashton indicating Mayor Fenn had not. Mayor Fenn then stated he had acted as an agent for another developer in an item, totally unrelated to San Pedro Partners, which he excused himself from. Mayor Fenn then stated in the September 9 meeting and one other meeting, his presence was to become informed and that any other Councilmember was welcome to attend those meetings to hear the discussions, and that no decisions were made in the meetings. Mayor Fenn then stated Council was aware of this proposed annexation and that he had offered his opinion during the meetings that he didn't think Council would be too excited about eminent domain, just as the Council stated at this meeting. Mayor Fenn then stated as he is learning who all the parties are, he was a little surprised there wasn't more communication between those involved. Mayor Fenn then stated he understood confidentiality, but at the same time, there were issues that could have been ironed out well before this meeting, encouraging San Pedro Partners to make more contact. Mayor Fenn then stated he appreciated Mr. McDonald's position, but to think that everyone will be happy with the outcome is probably unrealistic. Mayor Fenn then stated he agreed that to round out the City boundaries to make it make sense for the commercial core centered around the freeway interchange seems to make sense, stating he supported the property being annexed into the City, in some fashion, but that it could come in cleaner, being worked out more with the neighbors and the issue of the access to the property being looked at again for a possible better solution, without bringing the City into the picture to condemn that land, stating he would not support condemnation. Mayor Fenn then stated a decision was not being made at this meeting, but he was encouraged there seemed to be some openness to discuss it with all the parties involved. Councilmember McGoffin moved to table this item and directed staff to work with the parties involved in the agreement.

5. **Ordinance No. 530 of the Mayor and Council of the City of Benson, Arizona, approving a request to rezone Assessor's Parcel Numbers 123-10-009C, 123-10-009D, 123-10-009E and 123-10-009F located in the Southwest Quarter of the Southeast Quarter of Section 9, Township 17 South, Range 20 East of the Gila and Salt River Base and Meridian, from a zoning district of RT (Rural Transitional) to I-2 (Heavy Industrial)**

Councilmember Lambert moved to approve Ordinance No. 530 provided the applicant sign the Proposition 207 waiver. Seconded by Councilmember McGoffin. Motion passed 7-0.

6. **Resolution 1-2009 of the Mayor and City Council of the City of Benson, Arizona adopting a written policy regarding opening invocations before meetings of the City Council**

Mayor Fenn stated this Resolution formalizes the practice of an invocation at regular Council meetings that was previously approved. Councilmember McGoffin stated she would like to thank Pastor Lupe Diaz for his assistance with this Resolution. Vice Mayor King stated he was proud to pass this Resolution and that the invocation and the ability to pray was very important. Councilmember Lambert suggested changing item 9, on page 5 to reflect: "Any invocation that may be offered before the start of the regular Council business shall be a voluntary offering of a private citizen ~~to and~~ for the benefit of the Council **and the citizens present.**" Mayor Fenn then indicated he would like to see the deletion in item 7, of inviting everyone to stand, not making it a requirement to stand. Mayor Fenn then moved to approve Resolution 1-2009 with Councilmember's Lambert's suggestion and his proposed deletion in item 7. Seconded by Vice Mayor King. Motion passed 7-0.

7. **Resolution 2-2009 of the Mayor and Council of the City of Benson, Arizona, appointing Interim City Manager Glenn Nichols as the City's representative to Coronado Resource Conservation and Development Area, Inc.**

Interim Glenn Nichols stated he would gladly accept the appointment unless a Councilmember

was interested in the position, in which case he would gladly step aside. Vice Mayor King moved to approve Resolution 2-2009. Seconded by Councilmember Lambert. Motion passed 7-0.

8. **Resolution 3-2009 of the Mayor and City Council of the City of Benson, Arizona, endorsing federal investment tax incentives to increase freight rail hauling capacity and authorizing the submission of letters to state representatives advocating the City's endorsement**

Councilmember Lodzinski indicated he had a conflict of interest and removed himself from the Council chambers. Mayor Fenn stated he had placed this item on the agenda after a presentation concerning the railroad, but after speaking to Mr. Kimball prior to the Council meeting; he felt Council should have more information before making their decision. Mayor Fenn then moved to table this item.

9. **Purchase of a Well Site currently in an Easement to the City of Benson for a Nominal Fee**

Public Works Director Brad Hamilton addressed Council stating the City had a well site on this property, as well as water lines in the easement, which was never conveyed to the City. Mr. Hamilton then stated the owner of this property would like to have this property conveyed to the City, relieving him of the property taxes. Councilmember Lambert asked if the well was currently in use, with Mr. Hamilton indicating it was. Vice Mayor King moved to approve the purchase of the well site currently in an Easement to the City of Benson for the nominal fee of \$1.00. Seconded by Councilmember Lodzinski. Motion passed 7-0.

CITY MANAGER REPORT:

Interim City Manager Glenn Nichols addressed Council with upcoming meetings:

- January 12, 2009 – Arts Commission Meeting, 2:00 p.m., City Hall with a Community Cultural Inventory being conducted over two days at City Hall.
- January 13, 2009 – Arts Commission Meeting, 4:00 p.m., City Hall
– Library Advisory Board, 4:00 p.m., City Library
- January 17, 2009 – Historic Preservation Commission Meeting, 9:00 a.m., City Hall
- January 19, 2009 – HOLIDAY – City Offices Closed
- January 26, 2009 – City Council Meeting, 7:00 p.m., City Hall, with the probability of a City Council Worksession

Mr. Nichols then stated the art in the Council chambers would be on display from January 9, 2009 through February 5, 2009, entitled the “Benson...then and now” photography exhibit. Mr. Nichols stated the exhibit was sponsored by the Benson Arts Commission, the Benson High School, Photography teacher Linda Lamb, the San Pedro Valley Arts and Historical Museum and the City of Benson’s Visitor Center. Mr. Nichols stated many people had donated their old photographs of Benson with the photography students then taking the same picture in the present day.

Mayor Fenn then stated he believed Mr. Cox would be addressing Council with the state of the City’s finances.

COUNCIL DIRECTIVES:

None.

DEPARTMENT REPORTS:

None.

ADJOURNMENT:

Vice Mayor King moved to adjourn at 9:46 p.m. Seconded by Councilmember McGoffin.
Motion passed 7-0.

Mark M. Fenn, Mayor

ATTEST:

Vicki L. Vivian, City Clerk



Slab Separation in 583 W. 4th
(Old RadioShack Location)



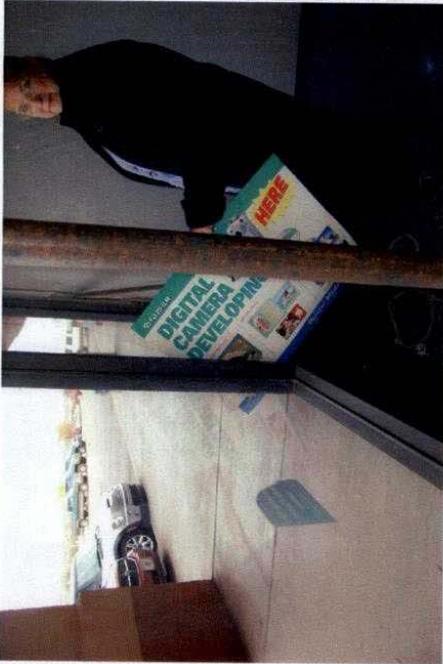
Separated Pipe In Wall of 581 W. 4th
(Old PostalAnnex+ Location)



Hole Dug in 583 W. 4th
(Old RadioShack Location)



Hole Dug in 581 W. 4th Bathroom
(Old PostalAnnex+ Location)



Window Frame 583 W. 4th
(Old RadioShack Location)



High Tech Movement Monitor
(Old RadioShack Location)

Comments

1. Would you feel safe in business that looks like these pictures?
2. Would you keep your business in a facility that looks like this?
3. Would you keep your business in a facility that has been without a restroom for more than a month?
4. Do you really want to trust that this facility is safe and if you do, are you willing to put the city's liability at risk?



Gap in Walls Between Suites
(Old RadioShack Location)

ADDRESS TO BENSON CITY COUNCIL

January 12, 2009

E. Kathy Suagee

Mayor, Honorable Council,

I am Kathy Suagee, and I reside in Benson at 374 West Duane Street.

I want to speak to the red flags all over agenda item number 4. Contrary to what the blue page tells you—that a former city council directed staff to proceed with annexing 115 acres—staff was not so directed. They were directed to spend time investigating the annexation. Rewriting past history in this way is your first red flag that someone may be trying to manipulate you.

The second red flag is the statement at the bottom of your blue sheet. You do still have a few professionally trained staff members, and one of them is Brad Hamilton. His recommendation is, “Staff prefers that Mayor and Council move to deny the Pre-Annexation Agreement...until the legal issues regarding the territory can be resolved. It is preferred that right-of-way be acquired as a civil agreement between property owners without the City’s direct involvement.”

Red flag # 3 is the poor excuse for a map provided to you. Your documentation refers to parcel numbers 123-47-206, 123-47-204, 123-47-203B, 123-47-203C, 124-1-010P, 124-1-010N. Neither map in your packets identifies these parcels. How are you supposed to make an informed decision without this information? Also not shown is the proposed new right of way DeGrazia wants the City to take from their neighboring property owners, the McEnerys. The timeline given you ending at December 21, 2008, states staff is concerned that the document offered by San Pedro Partners still does not include all land parcels and still contains a reference to city’s support of the realignment of Titan Road, which is an ADOT roadway.

Red flag #4. Despite Mr. DeGrazia promising to do due diligence and contact other property owners, you have a letter from the MacKenzies that they were never contacted, and other property owners are adamantly against annexation. Law suits are on the horizon, my friends.

Red flag #5. Look at the minutes of the meeting on September 9, 2008, second to the last paragraph on page one. Mr. DeGrazia admits that condemnation of his neighbor’s property for a road “will likely lead to a lawsuit.” And in the next paragraph he states that the owner will expect to be compensated “by the *city*” (emphasis mine). Mr. DeGrazia generously states he will pave the road—something a developer is obligated to do.

Red flag #6. Please note that this September 9 meeting was attended by Mayor Fenn, who has been pushing staff for this rezoning for over a year. Mayor Fenn stated in a Council meeting a year ago that he was “acting as agent” for developers. He has acted as an agent for San Pedro Partners for over a year, and when item 4 comes up, Fenn should leave the dais. And another thing. When Mr. Fenn is acting as an agent to represent a developer, **who** in the room is acting as **our** agent? The taxpayers of Benson pay Mayor Fenn to act in their interests, not those of the developer. Let me add that the Attorney General has the minutes of the September 9 meeting and is considering this evidence against Mr. Fenn along with all the other evidence of his conflicts of interest..

Red flag #7. The pre-annexation agreement mentions that property owners will later apply for B-2 zoning. Rezoning to B-2 basically opens the door to any and all types of development on this property, from light industrial to apartments to amusement parks as well as housing units. Why not just say that property owners will later apply for rezoning, and leave it at that?

Red flag #8. See in your materials a letter from the MacDonalds. They emphatically have stated they do not want to be annexed. The City of Benson is opening itself to further law suits by writing this hostile taking into the pre-annexation agreement.

Red flag #9. This agreement states the City will reimburse the owners for all impact fees collected from them for road and water improvements when roads and water systems are completed. The City Council has struggled for six years to move away from this type of payback, which burdens current taxpayers with the costs for new taxpayers’ infrastructure. Impact fees are meant to compensate current taxpaying citizens of the City for the cost of monitoring new infrastructure as well as for fire and police protection, use of city services, and a myriad of other smaller impacts. The developer should be responsible and bear the cost, which he passes along to new residents so that they bear the cost. This “precedent” will put us back twenty years in planning and development. This development would also cause our wastewater system to top out, requiring a larger facility.

Red flag #10. The letter dated October 13, 2008, on behalf of the McEnerys from their regional manager, Martha Bersano, states the property in question for a right of way was purchased to develop a conference center—something that Benson sorely needs. The McEnerys’ loss of its use will be costly for the City. The logic of taking this property has not even been given. Mr. DeGrazia has Titon Road at the north end of his property, and Janella Road at the southern end, so why does he want this road as well? City Council will be creating an enormous problem solely for DeGrazia’s benefit.

This is a contract, people. It is binding. Once approved, there will be no changing it unless all parties agree. Mr. DeGrazia is reported to have said, "...this annexation will set the precedence for future annexations," –and it will! The City Council has spent six years trying to amend these loopy policies that benefit the developer more than they do the taxpayers of the City. Now the City is looking at an agreement that may spawn at least three law suits—two for hostile annexations and one for a hostile taking of a right of way—a taking that impedes that property owner's future plans. You are throwing to the wind six years of expensive study and hard work.

And finally, what is the ultimate goal of this annexation? Right next door is the Don Diamond property. Does Mr. DeGrazia's "precedent" include annexation all the way to J-Six? Contrary to popular belief, housing growth does not equal economic development. You just end up with a lot of houses no one can afford.

Contrary to what your mothers told you, you don't have to eat everything on your plate. Please vote NO on the pre-annexation agreement.

Comments to Benson City Council

01/12/09

CC-1

Mr Mayor, Council members, ladies and
Gentlemen; GOOD EVENING! ^{My name is John Winters} and I live @ 1001 W. Pecos,

Due to time constraints, I will
try to cover as much ground as swiftly
as I can.

REF: Agenda Item 6: I believe I under-
stand the secular need for Policy on
Invocations. On page 5, item 2, 4th line
down after "private citizen," DELETE "to
and". Most clergy will not pray "to"
people, even City Council.

REF: Agenda Item 5; Rezone land near
Airport for a business, Solar Park.
DO IT!!! This is exactly what
we need; i.e. development of business and
jobs ~~in~~ INSIDE Benson.

REF; Agenda Item 4: First some definitions,
SEE your handout sheet SPP-16/08. Some
highlights: Conspiracy: an evil, unlawful,
treacherous, or surreptitious plan formulated
in secret by two or more persons; plot.
[This is an absolutely perfect description
of the San Pedro Partners pre-annexation

01/12/09

CC-2

agreement you have in your pocket.]
IN LAW; an agreement by two or
more persons to commit a crime,
fraud, or other wrongful act.

Conspire; to agree together,
especially secretly, to do something wrong,
evil, or illegal. 2; to act or work together
toward the same result or goal. 3; to
plot something wrong, evil, or illegal.

I have been researching this for
over 10 weeks. It is designed to put
me into a moral and ethical dilemma,
I have decided to put personal prefer-
ences, hurt feelings, and such, aside.
And, that I would rather see you
people sitting there as City Council,
than to see you sitting in prison. You
may not like how I am trying to
do it, BUT, MY PURPOSE HERE TONIGHT
IS TO TRY TO KEEP YOU OUT OF JAIL!!!

~~look at your history sheets. On Oct 31,
2008, the targeted victim~~

01/17/09
CC-3

long prior to bring this proposal for annexation to Council, several people entered into, AND PREPLANNED, a Conspiracy to commit Grand Larceny, Robbery by Force (which I interpret as Armed Robbery) and Criminal Fraud, since the act of Criminal Conspiracy it sets is a felony, this brings the count of charges up to 4. And then, in 3 cases (plus tonight) we add Malfeasance in Office (this will be specified and be a felony). This means at least 7 Felony counts. . . . LET'S READ EVIDENCE!!

How is this ??? Point 1: Titan

Road belongs to ADOT, and they are NOT going to relinquish it. Therefore, all references to Titan Road are a lie, and constitute FRAUD upon City of Benson.

They are NOT talking about re-aligning Titan Road; they are talking about a NEW road. All references to Titan Road are both OBFUSCATION and Mis-direction; which is very carefully planned and executed. What NEW Road??

01/12/09

CC-4

SFH: your packet Recent History
Sheets, September 9, 08; a Conspiracy
planning meeting attended by
several City persons. Mayor Ferris
clearly understood that the developer
intended to force Benson to use
Eminent Domain to rob Benson corporate
citizen McEnery Enterprises of
their land to build a new road tying
from SR90 ~~via~~ via Village Loop to
Harlan/SPP properties. Mayor Ferris
stated that City Council HAD NOT
(Conspiracy) been made aware of
this potential annexation and ~~any conflicts~~
conflicts. It was left to McEnery
Regional Manager Martha Benson
to do this by letter to City Council
on 13 October, 08. At the September
9 meeting, Mayor Ferris could have
shut down the entire process, but,
chose to proceed and keep Council
in the dark as long as possible. WHY???

Why a NEW ROAD?

You people are on City Council
because you chose to be. If you

01/12/09
CC-5

don't want to be played for suckers,
you are going to have to start
doing your homework, OR, listening to
someone who does!!

San Pedro Partners part of the
land proposed for annexation is 43
acres; for which they paid \$1,290,000
in February, 06; or ~~over~~ \$30,000/acre.
So far as I can find, they have not
told anyone what they are planning to
do with it; except they want the General
Development Plan ammended to B-2 zoning;
to which Martin had agreed. You people
are going to make a BHM annexation??
Even the last council we had wasn't
that gullible. (If I were standing
out there smoking one of these little
stone pipes, I couldn't even hallucinate
\$15,000/acre for that land!) This is
obviously a HI-DOLLAR heist, and that
NEW Road is considered ~~essent~~ essential
for it.

So Sorry, Charley! We cooperated
with San Pedro Partners pncursively in

01/12/09

CC-6

getting them Nuovo Janella roadway which, by the way, goes on out to Smith Ranch; 60% of Benson voters not with standing. We can feed ~~the~~ ALL infrastructure including 4 lanes of traffic to San Pedro Pantmens property via Nuovo Janella Road.

THERE IS NO VALID FOR A NEW ROAD!!!

Developer has access on North end of Property from Titan Road, which is a public thoroughfare and, on South end of Property from Nuovo Janella Road.

This proposed road will stop development INSIDE BENSON of a new Conference Center and expansion of Holiday Inn.

Within the next few Council meetings, you will be asked to ratify the City of Benson Strategic Development Plan, which, incidently, was written by the same twisted mind that wrote this agreement.

I gather, from this, that we want possible incoming businesses to understand clearly that they will subject their investments to rape/robbery to feed extra millions of dollars to outside developers.

alligator
COT

who are hit and run operators
If that is what we want, I'll help
get the word out. Ever heard
of the Internet???

Lady Dianne Tipton and I stood
before you in fall, 2006, and established
that "Benson will honor its contracts!"

You have never seen me stand
before you with gloves on. ~~THE~~ TAKE
A GOOD LOOK! The gloves are ~~off~~!!!
And, they will stay that way.

Listen up, for here is how you stay
out of jail. First: you need to go on
record for your own protection. Make
a motion rejecting this, AND, any further
dealings involving these annexations;
WITH PREJUDICE, meaning they can not
come back to City of Benson. This puts
each of you on record. If you vote
to continue ANY further action with these
developers, you suck yourselves into the
Conspiracy, which is exactly what the
August one still intends for you to do.
This vote, on record, will add to the

8/12/09
CC-8

preponderance of evidence in Criminal Court. ~~As of right~~ A vote to stop this action will absolve you (individually) of guilt in the conspiracy.

As of right now, you can not plead ignorance. First: Ignorance of the law is no excuse. Second: You have just been Ad-vised; there is NO WAY you can plead ignorance.

The Conspiracy ~~part~~ ^{first} should go to Criminal Court ~~part~~ (probably about 2 years from now) ~~part~~. After Criminal Court resolution, it will be time for Civil suit. I will suggest going for Punitive Damages in the amount of \$20,000,000. And there are good reasons for going so high; it is called sending a message.

Next: the purpose of the Executive Session is to browbeat/sighten you into submission. If they threaten a Prop 207 suit, tell them to Bring It On.

In order for them to sue a government for depriving them of profit, they should be under the jurisdiction of that government.

01/17/09
CC-9

They are not under Benson's jurisdiction ~~to~~ unless you annex them out of the county. DON'T DO IT! The August One ^{may be} here tonight, but his faithful mouthpiece is!

Motion to cancel Executive Session, and save yourselves some harassment

Incidentally, if you do go into Executive Session, you may invite whom you please therein. BUT, failure to invite affected parties will ADD to the Preponderance of Evidence in Criminal Court.

This agreement is, in and of itself (along with supplemental evidence I have) Prima Facie Evidence. My understanding is that means True (Prima) on the Face (~~and~~) (Facie) of it. The Judge can decide to accept it without heavy supplementation.

Thank you for your time and attention. This should be More Than Enough Said.

John L Whiteside 586-9085



• FREEDOM IS NOT FREE •
 Mr John L. Whiteside
 1091 W Possum Ln
 Benson AZ 85602

SPP PreAnnex

SPP-1

- 2 C Ref
 As of 8 Jan, City had not received written documentation from Harken Trust designating SPP to act as their Power of Atty.
- 2 D With line DELETE "and the City" after "beneficial to Properties",
 (✓ Exhibits A, B, & C)
- F 3rd line up DELETE "City" after "benefit of"
 COMMENT: last sentence creates a partnership between owners and City.
 SEE pg 10-22
- 4 1.1 HAS NOT HAPPENED, partic Public Hearing.
- 4 1.3 ^{last line} L/E!!! This agreement constitutes City pre-agreement to change Gen Dev Plan and Zoning to Higher Density,
- 4 2 Ref: ^{1.4} 1.3 HERE IT IS!

SPP

R. Ret

4 3

2 lines after "department" or "entity";
HERE'S THE FIRST PUFF FROM
THE SMOKING GUN.

THIS section, COMMITS BENSON
to commit Grand Larceny,
Armed Robbery (Robbery by Force),
and FRAUD.

Notice line 2 "potential future
plans of" and "or entity".

This refers to the Conspiracy
to ~~Rob~~ Benson Business Citizen
McEnergy Enterprises of a chunk of its
property, which will preclude
development of that property
into a Conference Center adjacent to
the Holiday Inn. THIS CONSTITUTES
ROBBERY AND FRAUD on the part
of City of Benson. These are

Expand →

3/2/11

CRIMINAL violations of law. After
the Criminal trial, Benson will have
to try to negotiate a long term
pay off settlement to the Civil Suit.

SFE: your packet letter of 13 Oct '02
from Martha Bersano, PAY ATTENTION!!!!

SPP

REF
4 41st line after "Owners" DELETE
"and the City"4 5.1 2nd line "without limitation" DELETE
Criminal Conspiracy language.4 5.1 2nd line up "align public roads, trails, and
rights-of-way located on or affecting
the Properties in such a manner to minimize
the impact on the development and use
of the Properties."1st Question: How about impact
on other people's properties???COMMENT: Benson cooperated with
SPP in providing for right-of-way
called Nuevo Javelina from SR 90 to
SPP properties. This easement, taken
~~from~~ from Az State Trust land, is 80'
wide, which would carry a 4 lane
road, trail, and all utilities.4 5.3 NYHL and VOID. Arizona Dept of Transportation
owns Fitan Road.

SPP

P Ref

5 6 line 3 up starting with "If the 2008 Amendment benefits any other properties within the City, Owner shall be responsible only for its prorated share of the costs, ~~not~~ based on the relative acreage of the various properties included in said 2008 Amendment."

COMMENT: Well and good. But, if you try to change the remaining costs to existing wastewater customers, you are ~~the~~ liable for perpetrating Fraud, AND civil suit.

5 7.1 Interesting; we should have this analysed by a very good lawyer who specializes in Water law.

7.2. 2nd line up "including water sources currently being pumped by private wells, as of the effective date of this agreement. COMMENT: This robs private property owner(s) of their well. SEE my Report to City Council, 9 September, 2008 including Notes on 29 May's Conversation with

SPP

Ref
to 7.2

Martin Rausch; and I quote "Wildcat subdivisions must be wiped out. Individual property owners HAVE NO RIGHT to their own wells and septic systems, I WILL NOT PERMIT THESE WILDCATS TO HAVE THEIR OWN SYSTEMS."

The same August One wrote this document. (think Caesar Augustus)
(Incidentally, the most affected Property ~~Owner~~ Owner is on Record as being opposed to being Annexed. SEE: 30 July '08 letter from Mathew J. McDonald. Speaking of which, Mr. McDonald raises livestock, without even checking zoning code, I am very confident that in the event of (hostile) annexation, SPP will order Benson to rob Mr. McDonald of his livestock operation.

6 8.2 COMMENT: That's nice (for the developer). If the ~~Developer~~ guaranteeing the developer's profits requires upsizing of utilities to meet ADEQ requirements, BENSON will pay!!

SPP

| Pg | Ref | |
|----|-----|---|
| 6 | 9 | 1st sentence, <u>HAS ALREADY BEEN MET</u> with Nuovo Janella Road, 3rd sentence up "power of eminent domain" |

TITIS CONSTITUTES ARMED ROBBERY!
The pre-annexation conspiracy makes it criminal. Of course, you can argue that with the Judge. It'll be interesting to hear his ruling.

| | | |
|---|---|---|
| 7 | 9 | 3rd sentence: "condemnation power" As plotted, this includes Armed Robbery and Fraud. SEE Above Comment. |
|---|---|---|

| | | |
|---|----|---|
| 7 | 10 | FIRST: Null and Void. ADOT owns Titus Road, SECOND: Access, improvements, utilities, etc. <u>already provided</u> for by Nuovo Janella Road. |
|---|----|---|

THIRD: 2nd line up "City will require"
Here's Armed Robbery (Robbery by Force) again. Are we willing to be criminals to protect the developer's millions?!

SPP

2 Ref

7 10.1 2 line-up "or, (ii) the need for the right of way for development of vacant other land to the West of the Properties.
 DELETE!! Those properties/owners are not involved in this Conspiracy.

2 11.2

OBFU SCATION (a favorite of the August line). ADOT owns Titan Road, and they are not now interested in relinquishing it.
 DELETE ALL references to Titan Road.
 1st sentence 2nd line "extending west from SR 90 onto the Properties," The maps I've seen show a NEW road running south of Gracie's station restaurant from SPP/Harlan to intersect @ the southern curve of Village Loop; thereby giving access to SR 90. Buy into this Conspiracy and developer will use this paragraph to force Benson to Rob and Force this road through, AND try to further ROB McEnergy Enterprises for "their share" of the cost 4th line down after "Dedication." The Owners (this has to mean Property Owners) shall

SPP

Pg 4 Ref 10.2 (In law, "shall" is MANDATORY) each bear the cost of construction of the re-aligned roadway improvements on their respective properties; "I'm not an engineer; but, based this, I could do the drawing for the ~~set~~ so called "Realignment of Titan Road" (read Relocation).
 You STILL have not gotten away from the fact that AADT owns Titan Road. I don't know what they are smoking in those little stone pipes, but, in this case, it isn't strong enough!

7 10.3 2nd line after "by" "development of adjacent or other properties or developments, the City" or the owner of the adjacent properties or developments shall (there's that mandate again) fund and cover the costs of the construction of additional traffic lanes and related improvements."
 COMMENTS: FIRST; this is intended to further Rob McEnery Enterprises.
 SECOND: HELLO THERE! Here's our old friend the Diamondback. I wondered where he has been, ~~that~~ Would you believe, that

7 Ref

10.3 by some UNIMAGINABLE COINCIDENCE,
 † an adjacent property, already serviced
 by Newco Janella Reed; is now
 telling Benson that Benson ^{"OR the owner"} ~~is going to~~
 "shall (MANDATE) fund and cover the costs
 of the construction of additional traffic
 lanes and related improvements." That
 little "or" in the last sentence covers
 a whole lot of territory.

7

10.4 COMMENT: This is the August one
 at his dictatorial best. Notice the last
 line: "Owner shall, at its sole expense, dedicate
 the necessary right-of-way." Not only
 is the victim to be ROBBED of his
 property, but he is to sign off on
 the robbery, and pay for it; like a
 good little slave.

8

10.5 FIRST: Null and Void. ADOT owns Titan Rd.
 This is an OBFUSCATION Smoke Screens
 for Relocation of (formerly) Titan Rd.
 SECOND: This entire paragraph is
 an evil, twisted, attempt to sell
 the idea of ROBBING an existing

SPP

P. RES

D 10.5 Good Citizen business inside Benson for the sake of an outside developer's profits; AND WHOSE ELSE'S PROFITS???

I have a general understanding of the United States Supreme Court's WELD decision. Whereas that decision may permit such criminal actions, it DOES NOT MANDATE them.

8 12 COMMENT: You may very confidently expect that items (i) (ii) (iii) and (iv) WILL APPLY!

9 14 2nd line starting with "this Agreement 'shall take precedence' over the 'applicable ordinances, rules, regulations, permit requirements, development fees, other requirements and/or official policies of the city' in effect upon the date of acceptance."

COMMENT: Evidence Read of initial thinking: Create the Kingdom of DeGrazia which shall be nourished by Benson in infrastructure, but, in all other respects, ABSOLVED of any nuisances, such as law, !!! DELETE in Entirety !!!

SPP

Ref

9 15 COMMENT: This entire paragraph is FRAUD against City of Benson. Under this paragraph, they can create ANY document they want and add it to this agreement merely by shuffling signature pages. (Anybody for a staple remover, and a stapler??)
Needless to say: DELETE!!!

9 18 COMMENT: under Further Acts, it talks about "promptly" executing and delivering documents. GEE, THAT WOULD BE NICE!
In the first place, it took 3+ weeks to get the draft copy emailed back from City Attorney. There was no request at that point for changes; BUT, all of the stat and Records copies were MYSTERIOUSLY missing. We had NO IDEA what had been proposed or agreed to. Of course, in the mind of the August one, it is very difficult to read the evidence IF WE DON'T HAVE IT!!!
~~S~~ Second place: The lawyers played games (including Misdirection) and did not supply copy for City Council

SPP

SPP-12

Py
18

Res

18 until late^{in day} Wednesday, 7 January, thereby holding up preparation of Council packets, this ran into overtime.

On morning of 8 January (Thursday), LO and BEHOLD!!! Another revision E-mailed from City Attorney, necessitating reprint and substitution in Council packets.

Needless to say, I have both, but due to time constraints, have not been able to do page by page comparison.

My COMMENTS tonight are based on the January 8th edition.

19 COMMENT: The August one has a sense of humor. He says "Time is of the essence," HOW TRUE!! As is long standing past practice, it is of the essence to permit as little time as possible for Public scrutiny before something goes to City Council. Lets get rid of this nasty, inconvenient Public Input.

SPP

Res 22

COMMENT: For the developer, this is war. And the first casualty of war is TRUTH!

This Entire Document creates and outlines a partnership between the Developer and City Council (in the present case),

2nd line up starting with "no such other person, organization, or entity shall have any right to cause of action hereunder."

#1: like it or not, the Public is party here to.

#2: the use of the word "entity" was specifically intended to deprive McEnergy Enterprises of the Right to Legal remedy. Not to mention the Public.

10 23

2 line and etc "All prior..... oral or written are superceded and merged into this Agreement,

COMMENT: This clause is intended to invalidate evidence of Criminal Conspiracy, and (thereby) Criminal Malfeasance. I personally expect the Judge to rule that Prima Facie evidence is not hereby excluded.

SPP

P₁₃ Ref
10 23

My understanding is that Priming
Facie evidence is accepted as evidence
that is true (Prima) on the face (facie) of
it.

10 26 COMMENT: This garble about "police power
of the City" translates to requirement
that City use its (supposedly overwhelming)
power to commit Larceny, Robbery,
and Fraud.

Here is the August One at his
obfuscating best.

11 28 COMMENT: Reference COMMENT on Pg 9,
~~Item~~^{REF} 18. By George, and my bullfrog!
They (if this is ratified) actually did
have 20 days to ~~deliver~~ deliver the
Agreement. How about that? However,
return of a document without requested
changes SHOULD HAVE BEEN DONE same
or next day! Let's talk about this
with our NEW City Attorney during
interviews.

SPP-15

SPP

REF
11 20

COMMENT: The approval as to Faruq
may be valid. The approval as to
Authority is lacking. ... ADD after "Benson"
"in ^{full} compliance thereof."

SPP-18

The Random House Dictionary
of the English Language
© 1973

Library Ref Dictionary

megalomania 1. Psychiatry: a form of mental illness marked by delusions of greatness, wealth, etc. 2. an obsession with doing extravagant or grand things.

megalomaniac: a person afflicted with megalomania, (usually delusions of godhood).

conspiracy: the act of conspiring.
2. an evil, unlawful, treacherous, or surreptitious plan formulated in secret by two or more persons; plot.
3. a combination of persons for a secret, unlawful, or evil purpose.
4. IN LAW: an agreement by two or more persons to commit a crime, fraud, or other wrongful act.
5. any concurrence in action; combination in bringing about a given result.

SPP-17

SPP

Conspire: to agree together, especially secretly, to do something wrong, evil, or illegal.

2. to act or work together toward the same result or goal.
3. to plot something wrong, evil, or illegal.