

**MINUTES OF THE REGULAR MEETING OF
THE ELOY CITY COUNCIL
CITY OF ELOY
595 NORTH C STREET
FEBRUARY 22, 2021
6:00 P.M.**

Staff Present: Harvey Krauss-City Manager; Stephen R. Cooper-City Attorney; Mary Myers-City Clerk; Jillian Childress-Management Assistant; Christopher Vasquez-Police Chief; Jon Vlaming-Community Development Director; Brian Wright-Finance Director

I. CALL TO ORDER

Mayor Micah Powell called the meeting to order at approximately 6:04 p.m.

II. ROLL CALL

Council Members Present: Councilmember George Reuter; Councilmember Sara Curtis; Vice Mayor Andrew Rodriguez; Mayor Micah Powell; Councilmember Dan Snyder; Councilmember Jose Garcia; Councilmember Sylvia Guanajuato Rodriguez

Council Members Absent: None

III. INVOCATION

Mr. Bob Skier gave the invocation.

IV. PLEDGE OF ALLEGIANCE

Vice Mayor Rodriguez led the Council and the public in the Pledge of Allegiance.

V. PUBLIC APPEARANCES

A. Scheduled

B. Unscheduled

VI. REPORTS AND ANNOUNCEMENTS

A. Council Members' Announcements

1. Councilmember Guanajuato Rodriguez was concerned about her inability to reach someone from the Pinal County Animal Control over the weekend. She said while walking, she came upon a dead cat that way lying in the middle of the sidewalk. She called county animal control only to hear a recording directing callers to contact the police department, only to be redirected by to the original recording. Councilmember Guanajuato Rodriguez said the cat was eventually picked up, however, no one from animal control or the police department knew who did it when she inquired about it. Councilmember Guanajuato Rodriguez conveyed that she would like to know the protocol or have a representative from Pinal County Animal Control come before the Council to explain their protocol for picking up dead animals in the city.
2. Vice Mayor Rodriguez conveyed the following communications:
 - The Corazon De Latinos Unidos organization has set the date of September 17 and 18, 2021, for the Fiestas Patrias. He said this is contingent on the ban on public gathering is lifted.
 - ReCon will be hosting their annual conference in Las Vegas, December 5-7, 2021. Vice Mayor Rodriguez conveyed that he along with Jeff Fairman, former vice mayor Micah Powell and former mayor, Joel Belloc, attended the conference in 2019 and were successful in getting Circle K and several hotels to visit Eloy. Vice Mayor Rodriguez said he would like Eloy representation at the conference this year.
 - He posted information on his Facebook page over the weekend, about a new development in Eloy for 90 lots. Vice Mayor Rodriguez said he received over 200 'likes' and over 60 comments. He said people wanted to know who to contact for more information. Vice Mayor Rodriguez said citizens are happy to see progress happening in Eloy.

B. Mayor's Announcements

1. Mayor Powell updated the Council and public on the number of COVID-19 cases and deaths in Pinal County and Eloy. He said there has been a total of 2,914 cases reported in Eloy and a total of 40 deaths; Pinal County reported a total of 45,535 cases and 742 deaths. The total number of COVID tests taken in Pinal County is 248,579. Mayor Powell said COVID-19 cases have been decreasing, however, stressed the importance of the public's continued adherence to the CDC guidelines. He also encouraged everyone to get vaccinated when given the opportunity.

2. Mayor Powell announced that he would be giving the "State of the City" address tomorrow at 6:00 p.m. He said due to the pandemic, the address would be broadcast via Facebook live. Mayor Powell encouraged the public to watch his address. He said a recording of the address would be made available for viewing on the city's website for those who do not have Facebook.

C. City Manager's Announcements

1. January 2021 Check Register – Mr. Krauss said the register is included in the Council's packet for review.
2. The Council will have a work session on Monday, March 1, at 6:00 p.m. for a presentation from the Boys and Girls Club and a presentation on the Dust Bowl Theater.

VII. CONSENT AGENDA

Mayor Powell said a Councilmember requests items E, F and G removed from the Consent Agenda.

- A. Approval of Minutes: 2/8/2021 (regular)
- B. Acceptance of the 2020 Operation Stone Garden grant in the amount of \$305,705.00 for police officer mileage and overtime expenses from the Arizona Department of Homeland Security.
- C. Authorization to enter into an Intergovernmental Agreement (IGA) between Pinal County and the City of Eloy for the purpose of funding a sworn officer position with the Pinal County Narcotics Task Force's ACJC Grant # DC-21-010
- D. Approval of the 2021 Major General Plan Amendment Schedule for processing major amendments to the Eloy General Plan.
- E. ~~Reappointment of William B. Carnell and Ramon Lopez as regular members of the Building Code Board of Appeals for three-year terms, with the terms of appointment for Mr. Carnell and Mr. Lopez expiring on January 1, 2024. (Removed for discussion)~~
- F. ~~Reappointment of Marlo Schuh and Allen J. Crawford as regular members of the Planning and Zoning Commission for three-year terms, with the terms of appointment for Mrs. Schuh and Mr. Crawford expiring on January 1, 2024. (Removed for discussion)~~
- G. ~~Reappointment of Marlo Schuh and Felix Bermejo as regular members of the Board of Adjustment for three-year terms, with the term of appointment for Marlo Schuh expiring on January 1, 2024 and the term of appointment for Felix Bermejo expiring on March 1, 2023. (Removed for discussion)~~
- H. Authorization to enter into an Intergovernmental Agreement (IGA) with Pinal County for the purpose of continued participation in the Multi-Agency Special Weapons and Tactics (SWAT) Team.
- I. Authorization for the Eloy Police Department to apply for traffic safety, enforcement, and equipment grants from the Arizona Governor's Office of Highway Safety (AZGOHS).

- J. Approval of a contract with Cactus Asphalt in the amount of \$792,552.65 and an owner's allowance of \$40,000 for various road pavement improvements throughout the City.
- K. Acceptance of the Special Warranty Deed for Milligan Road, submitted by Rheems Ranch LLC, for the dedication of Public Rights-of-Way along the north half of Milligan Road from Fast Track Road to Wheeler Rd.
- L. Approval of a professional services agreement with Coffman Associates, Inc. for airport planning and environmental consulting services for a term of 3 years commencing as of the date of this Agreement.

Motion by Councilmember Garcia, seconded by Councilmember Snyder to remove items E, F and G from the Consent Agenda and approve the remaining Consent Agenda items as presented, passed unanimously by roll call vote.

E. REAPPOINTMENT OF WILLIAM B. CARNELL AND RAMON LOPEZ AS REGULAR MEMBERS OF THE BUILDING CODE BOARD OF APPEALS FOR THREE-YEAR TERMS, WITH THE TERMS OF APPOINTMENT FOR MR. CARNELL AND MR. LOPEZ EXPIRING ON JANUARY 1, 2024.

Staff Cover Sheet Report: *Staff recommends that the Mayor and Council re-appoint William B. Carnell and Ramon Lopez as regular members of the Building Code Board of Appeals for three-year terms, with the terms of appointment for Mr. Carnell and Mr. Lopez expiring on January 1, 2024.*

The terms for both William B. Carnell and Ramon Lopez have recently expired. The re-appointment of new three-year terms would extend William's and Ramon's term of office to January 1, 2024. There are two (2) alternate seats available on the Building Code Board of Appeals. Jose Garcia is the new Building Code Board of Appeals Ex-officio member selected from the City Council.

With these reappointments, the terms of the members of the Board would be as follows:

01/2024	William B. Carnell (Chairperson)
01/2022	Porfirio Pantoja (Vice-Chairperson)
09/2022	Jose Antonio Chacon
01/2022	Roy Garrison
01/2024	Ramon Lopez
01/2021	(Alternate member position open)
02/2023	(Alternate member position open)
12/2022	Jose Garcia (Ex-Officio-City Council)

The Building Code Board of Appeals consists of five (5) members, plus two (2) Alternate and one (1) ex officio non-voting City Council member. If Mr. Carnell and

Mr. Lopez are approved, the Board will consist of five (5) members with two (2) Alternate open member positions. All members are appointed by a majority vote of the City Council, and serve without compensation.

The members of the Building Code Board of Appeals serve for three (3) year terms, with the terms of members staggered in a manner that no more than two (2) members shall expire on January 1 in any one year. The incumbent member(s) continue to serve after the board member's term of office has expired, or until a successor has been appointed by the City Council.

FISCAL IMPACT: N/A

Mayor Powell asked Mr. Cooper could the Council discuss all three items together or would separate discussions be required.

Mr. Cooper conveyed if the Council plan to talk about the process of the appointments for all of the items, Council can discuss together. He said Council can have a motion to approve all three items under one motion if there is no objection from the Council. Mr. Cooper recommended a roll call vote since the items are under the Consent Agenda. If the Council choose to vote on each item separately, a roll call vote would not be required.

Councilmember Snyder conveyed that at a January work session Council discussed the make up of the various city boards and commissions. Based on discussion, there were several boards the Council wanted revised, deactivated or combined. Councilmember Snyder stated the Council also wanted more community involvement on the boards and commissions. This was going to be accomplished by staff being proactive in advertising and announcing board vacancies.

Councilmember Snyder said he noticed the individuals listed on the three agenda items whose terms have expired are all reappointments. He suggested tabling the three items and have staff follow through on what was discussed at the January work session. Councilmember Snyder said staff can resubmit the items with names of the applicants for Council to decide who to appoint.

Mayor Powell pointed out that term limits were also discussed at the work session.

Vice Mayor Rodriguez conveyed that some of the board members terms have expired. He wanted to know would the members be allowed to vote if the board meets before Council appointment.

Mr. Cooper explained that the general rule is that when someone serves in a public office, that person serves until the successor is duly qualified and appointed. He said even though the terms may have expired for some of the members, those members would still be considered voting members until Council action is taken.

Vice Mayor Rodriguez wanted to know if the individuals expressed interest in reappointment.

Mr. Vlaming said yes.

There being no further questions, Mayor Powell called for a motion.

Motion by Councilmember Snyder, seconded by Councilmember Garcia to table agenda items VII- E, F and G, in order for staff to review Council discussion on the appointment process from the January work session, passed unanimously by roll call vote.

F. REAPPOINTMENT OF MARLO SCHUH AND ALLEN J. CRAWFORD AS REGULAR MEMBERS OF THE PLANNING AND ZONING COMMISSION FOR THREE-YEAR TERMS, WITH THE TERMS OF APPOINTMENT FOR MRS. SCHUH AND MR. CRAWFORD EXPIRING ON JANUARY 1, 2024.

Staff Cover Sheet Report: *Staff recommends that the Mayor and Council re-appoint Marlo Schuh and Allen J. Crawford as regular members of the Planning and Zoning Commission for three-year terms, with the terms of appointment expiring on January 1, 2024.*

The terms for both Marlo Schuh and Allen Crawford have recently expired. The re-appointment of new three-year terms would extend Marlo's term and Allen's term of office to January 1, 2024. There is currently a second alternate seat available on the Planning and Zoning Commission. Sara Curtis is the new Planning and Zoning Commission Ex-officio member selected from the City Council.

With these reappointments, the terms and composition of the Commission would be as follows:

01/2024	Marlo Schuh (Chairperson)
01/2022	John Peterson (Vice-Chairperson)
01/2023	Larry Brown
01/2022	Kirk Tatom
03/2023	Steven Paulson
01/2024	Allen J. Crawford (Alternate)
01/2023	(Alternate member position open)
12/2022	Sara Curtis (Ex-Officio-City Council)

The Planning and Zoning Commission consists of five (5) members, plus two (2) Alternates and one (1) ex officio non-voting City Council member. If Mrs. Schuh and Mr. Crawford are approved, the Board will consist of five (5) members and one (1) Alternate with one Alternate open member position. All members are appointed by a

majority vote of the City Council, and serve without compensation at the pleasure of the City Council.

The members of the Planning and Zoning Commission serve for three (3) year terms, with the terms of members staggered in a manner that no more than two (2) members shall expire on January 1 in any one year. The incumbent member(s) continue to serve after the commissioner's term of office has expired, or until a successor has been appointed by the City Council.

FISCAL IMPACT: *N/A*

Formal Council action taken in item VII-E.

G. REAPPOINTMENT OF MARLO SCHUH AND FELIX BERMEJO AS REGULAR MEMBERS OF THE BOARD OF ADJUSTMENT FOR THREE-YEAR TERMS, WITH THE TERM OF APPOINTMENT FOR MARLO SCHUH EXPIRING ON JANUARY 1, 2024 AND THE TERM OF APPOINTMENT FOR FELIX BERMEJO EXPIRING ON MARCH 1, 2023.

Staff Cover Sheet Report: *Staff recommends that the Mayor and City Council re-appoint Marlo Schuh and Felix Bermejo as regular members of the Board of Adjustment for three-year terms, with the term of appointment for Marlo Schuh expiring on January 1, 2024, and the term of appointment for Felix Bermejo expiring on March 1, 2023.*

The terms for both Marlo Schuh and Felix Bermejo have expired. The re-appointment of a new three-year term would extend Marlo's term of office to January 1, 2024 and a new three-year term would extend Felix's term of office to March 1, 2023. There are not any alternates on the Board of Adjustment. Andrew Rodriguez is the new Board of Adjustment Ex-officio member selected from the City Council.

With these reappointments, the terms and composition of the Board will be as follows:

01/2024	Marlo Schuh (Chairperson)
05/2022	Ezequiel Cazarez (Vice-Chairperson)
09/2022	Natasha Tidwell
01/2022	Gavino L. Rojas
03/2023	Felix Bermejo
12/2022	Andrew Rodriguez (Ex-Officio-City Council)

The Board of Adjustment consists of five (5) members and one (1) ex officio non-voting City Council member. If the reappointments of Marlo Schuh and Felix Bermejo are approved, the Board will consist of five (5) members and no open member positions. All members are appointed by a majority vote of the City Council, and serve without compensation at the pleasure of the City Council.

The members of the Board of Adjustment serve for three (3) years, with the terms of members typically staggered in a manner that no more than two (2) members shall expire on January 1 in any one year. The incumbent member(s) continue to serve after the board's term of office has expired, or until a successor has been appointed by the City Council.

FISCAL IMPACT: N/A

Formal Council action taken in item VII-E.

VIII. BUSINESS

A. PRESENTATION FROM NICK DODD OF PIPER SANDLER ON THE ISSUANCE OF AN EXCISE TAX AND STATE SHARED REVENUE OBLIGATIONS SERIES 2021 FOR FINANCING THE CONSTRUCTION OF THE POLICE FACILITY.

Staff Cover Sheet Report: *On October 12, 2020, the City Council adopted Resolution 20-1488, designating the City Manager and the Finance Director of the City to declare official intent on behalf of the City with respect to reimbursement from proceeds of tax-exempt obligations pursuant to Treasury regulations section 1.150-2. Nick Dodd of Piper Sandler has prepared a presentation for the issuance of a 2021 Excise Tax and State Shared Revenue Bond Obligation. The bond would be for the total construction cost by capturing the capital construction expenditures 60 calendar days prior to October 12, 2020, to completion. Information in the presentation assumes a \$4,970,000 bond with a 20-year term that would have an annual bond payment of \$332,000.*

An analysis has been conducted by staff and Piper Sandler on issuing a bond and using City cash reserve balances to pay down Public Safety Personnel Retirement System (PSPRS) unfunded liability. As of June 20, 2020, the City's PSPRS unfunded liability is approximately \$5.9 million, and the projected 2021 annual payment toward this debt is \$436,219. Further, the annual payment is projected to almost double within the next ten years.

By the issuance of the 2021 Excise Tax and State Shared Revenue Bond and applying the cash used to fund the new Police Facility's construction to pay down the unfunded liability, the City will be able to reduce the unfunded liability up to \$4.9 million dollars. This payment will reduce the current PSPRS employer contribution rate of 36.73% to approximately 15.13%. This would be a reduction of 21% or approximately \$375,000 -\$400,000 annually to the City's operational budget.

The City also reduces risks associated with future PSPRS payment fluctuations and the potential of the potential return being reduced. This issuance provides the City with significant budget savings for future budgets.

What is Next

Staff will bring a resolution and required documentation to the City Council on March 8, 2021 allowing the City Manager and Finance Director to proceed with the issuance of the 2021 Excise Tax and State Shared Revenue Bond Obligation. Staff recommends moving forward with this bond issuance.

FISCAL IMPACT: *No Fiscal Impact regarding this information. Should the City move forward with the debt issuance the annual debt payment would be approximately \$332,000 annually. The debt obligation would be paid from City excise taxes and state shared revenues.*

Mr. Wright introduced Mr. Nick Dodd from Piper Sandler who gave a PowerPoint presentation on the issuance of 2021 excise tax and state shared revenue bonds for financing the construction of the police station.

After his presentation, Mr. Dodd opened the floor for questions from the Council.

Councilmember Snyder asked Mr. Dodd about the city's ability to issue bonds for future projects.

Mr. Dodd said from a practical standpoint, he does not believe this would consume capacity for future projects.

Mr. Wright told the Council that tonight's presentation was only to provide information to the Council about the excise tax and bonds. He said staff will present a resolution to the Council for consideration at the March 8 meeting.

B. PRESENTATION FROM AMY MORAN OF WILSON AND COMPANY AND TRAVIS ASHBAUGH OF CAG ON RECOMMENDATIONS FROM THE DRAFT FINAL REPORT OF THE PINAL COUNTY TRANSIT GOVERNANCE STUDY.

Staff Cover Sheet Report: *Council to receive a presentation from Amy Moran of Wilson and Company and Travis Ashbaugh of CAG on the recommendations from the draft Final Report of the Pinal County Transit Governance Study.*

In the Fall of 2019, Pinal County and the Central Arizona Governments (CAG) commissioned a Transit Governance Study as part of efforts to implement the Pinal County Regional Transportation Plan. This study evaluated several transit governance models in an effort to recommend a supportable framework to guide

future governance, management, and implementation of public transportation services in Pinal County. The analysis demonstrates not only how existing and future public transportation services could coordinate and collaborate on service delivery, but also how the region should manage, structure, and oversee public transportation service development.

Recommendations were developed with leadership provided by the Pinal Regional Transportation Authority (PRTA), CAG, and Pinal County in collaboration with a Technical Working Group (TWG) as well as a larger group of stakeholders that included elected officials. The TWG included staff from Pinal County municipalities, area nonprofit agencies, and regional and state governments. Technical work was conducted by a project team comprised of consultants led by Nelson\Nygaard Consulting Associates and supported by Wilson & Company and the Gordley Group. Amy Moran from Wilson & Company and Travis Ashbaugh from CAG will be making this presentation to Council.

Pinal County faces challenges as it moves forward with the public transportation elements of the Regional Transportation Plan. One challenge is the need to create a framework to manage and govern future public transportation services. This governance study considered different models and options for collaboration across communities and coordination between existing and potential new transportation services. Recommendations also addressed the needs of communities already providing transit services and considered how models could offer flexibility to incorporate new services in other communities that may be added as Pinal County adds people and jobs. In identifying a governance structure, the study considered the following questions:

- How can individual cities, towns, and other partners collaborate to guide transit service development in Pinal County?*
- What are the different governance and organizational models that could be used to guide future collaboration?*
- What are the costs and benefits of individual models?*
- How do they help existing service providers?*
- How does each model support and encourage development of new public transit services?*

These five questions are symbiotic-the costs and benefits of different governance models depend on how cities and towns want to collaborate. Likewise, how partners collaborate will determine the composition and structure of individual governance structures.

The key work tasks of this study included a review of existing transit services and an analysis of the market in Pinal County for transit. It also consisted of a peer review of transit governance structures and systems used by similarly positioned regions, which

included a review of Arizona transit agency governance and finances. The study was developed with extensive stakeholder and community input through stakeholder interviews, presentations, and stakeholder workshops. A total of three possible governance models (i.e. Independent, Consolidated and Hybrid Models) were developed by the consultant team for vetting with the TWG, elected and appointed officials and the public. The Independent Model offers the most local control and maintains the status quo, but is the least efficient structure overall. The Consolidated Model offers the most potential for cost efficiency and strongest opportunity for service expansion; these advantages are balanced against reduced local control. The Hybrid Model balances cost efficiency and local control.

The Hybrid Model, was ultimately selected, with the Pinal Regional Transportation Authority (PRTA) anticipated to serve in a leadership role in the development and management of regional transit services. Advancing this transit governance model requires confirmation from the PRTA regarding intent to lead regional transit planning in Pinal County. It also will require setting aside adequate resources anticipated to accomplish the PRTA's established goals.

The Study is organized into six chapters including:

- Chapter 1: Introduction*
- Chapter 2: Existing Transit Services and Markets*
- Chapter 3: Peer Review: Transit Governance Structures*
- Chapter 4: Stakeholder Engagement: Interviews, Presentations and Workshops*
- Chapter 5: Transit Governance Models*
- Chapter 6: Recommendations*

FISCAL IMPACT: *There is no direct fiscal impact from this presentation. There is a direct fiscal impact of implementing a transit governance system in the City, but specific costs would be contingent on the transit system selected and its administration, as approved by Council.*

Mr. Vlaming introduced Mr. Travis Ashbaugh, from CAG, and Ms. Amy Moran from Wilson and Company, who presented (via PowerPoint) the results of the Pinal County Transit Governance Study.

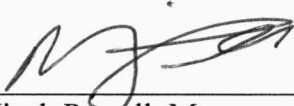
After the presentation, several members of the Council posed questions to Ms. Moran about the study.

IX. EXECUTIVE SESSION

No executive session requested by the Council or staff.

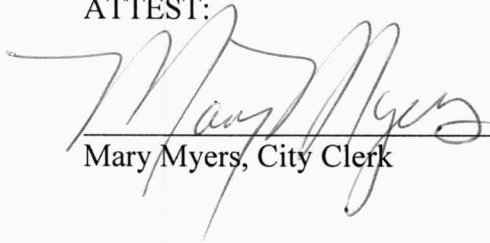
X. **ADJOURNMENT**

There being no further business, Mayor Powell adjourned the meeting at approximately 7:20 p.m.



Micah Powell, Mayor

ATTEST:



Mary Myers, City Clerk