

**MINUTES OF THE REGULAR MEETING OF
THE ELOY CITY COUNCIL
CITY OF ELOY
595 NORTH C STREET
JULY 12, 2021
6:00 P.M.**

Staff Present: Harvey Krauss-City Manager; Stephen R. Cooper-City Attorney; Mary Myers-City Clerk; Jon Vlaming-Community Development Director; Brian Jerome-Police Lieutenant; Keith Brown-City Engineer/Public Works Director; Brian Wright-Finance Director; Paul Anchondo-Community Services Director; Sylvia Payne-HR Director

I. CALL TO ORDER

Mayor Micah Powell called the meeting to order at approximately 6:01 p.m.

II. ROLL CALL

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

Council Members Absent: Councilmember Sara Curtis

III. INVOCATION

Mr. Bob Skier gave tonight's invocation.

IV. PLEDGE OF ALLEGIANCE

Councilmember Guanajuato Rodriguez led the Council and the public in the Pledge of Allegiance.

V. PUBLIC APPEARANCES

A. Scheduled

B. Unscheduled

Barry McCain – Arizona City resident

Mr. McCain gave a brief report on his recent travel to Washington, D.C. He spoke about ending the filibuster, equal rights for all, and implored all Americans to stop the polarization between the two political parties.

VI. REPORTS AND ANNOUNCEMENTS

A. Council Members' Announcements

Vice Mayor Rodriguez conveyed that the CDLU committee is looking for arts and crafts vendors for the upcoming fiestas. He asked those in attendance to please spread the word.

B. Mayor's Announcements

Mayor Powell reminded the Council and the public of the Arizona Strong Families and Kids Town Hall and Resource Fair, tomorrow at city hall sponsored by Congressman Tom O'Halleran. He said the resource fair will be from 4pm to 5pm in the lobby, followed by the town hall from 5pm to 6pm in the Council Chambers. Mayor Powell said Congressman O'Halleran will discuss the expanded child tax credit and other relief for families under the American Rescue Plan, and answer questions from audience members on the topic.

C. City Manager's Announcements

Mr. Krauss did not have any announcements.

VII. CONSENT AGENDA

Mayor Powell requested items B and C removed from the Consent Agenda.

- A. Approval of Minutes: 6/28/2021 (regular) & 6/30/21 (special)
- B. ~~Authorization to purchase Cellebrite cell phone downloading equipment and software for use in the Criminal Investigations Division in the amount of \$20,719.90, using grant funds provided by the Southwest Border Rural Law Enforcement Assistance Program. (Removed for discussion/action)~~
- C. ~~Final Plat of Robson Ranch Arizona, Unit Five subdividing 20.00 acres into 54 single-family residential lots, located west of the intersection of Robson Ranch Boulevard and Harris Hawk Lane in the west half of Section 17, Township 7 South, Range 7 East of the Gila and Salt River Base and Meridian, City of Eloy, Pinal County, Arizona. (Removed for discussion/action)~~
- D. Authorization to purchase eight Panasonic Toughbook computers for use in the Criminal Investigations Division and Vehicular Crimes Unit in the amount of \$26,765.38 from Code 3 Technology, using grant funds provided by the Southwest Border Rural Law Enforcement Assistance Program.

- E. Authorization to purchase two TruNarc handheld narcotics analyzer units from Thermo Scientific Portable Analytical Instruments, Inc., in the amount of \$58,042.34, using grant funds provided by the Southwest Border Rural Law Enforcement Assistance Program.
- F. Approve a contract with Sunrise Engineering in the amount of \$44,000 to prepare Construction Plans, Cost Estimates, Bid Documents, and Right-of-way Dedication Documents for the Houser Road Water Line Extension
- G. Authorization to purchase of a new International Dump Truck from RWC Group for an amount not to exceed \$170,000.
- H. Recommendation for approval of a Cooperation and Coordination Agreement between Pinal County and the City of Eloy for participation in the County Community Development Block Grant (CDBG) Program for Federal Fiscal Years 2022, 2023, and 2024.

There being no other requests, Mayor Powell called for a motion.

Motion by Vice Mayor Rodriguez, seconded by Councilmember Snyder, to remove Consent Agenda items B and C for discussion/action, and approve remaining Consent Agenda items as presented, passed unanimously by roll call vote (6-0).

B. AUTHORIZATION TO PURCHASE CELLEBRITE CELL PHONE DOWNLOADING EQUIPMENT AND SOFTWARE FOR USE IN THE CRIMINAL INVESTIGATIONS DIVISION IN THE AMOUNT OF \$20,719.90, USING GRANT FUNDS PROVIDED BY THE SOUTHWEST BORDER RURAL LAW ENFORCEMENT ASSISTANCE PROGRAM.

Staff Cover Sheet Report: *Council authorize the purchase of Cellebrite cell phone downloading equipment and software in the amount of \$20,719.90 using grant funds provided by the Southwest Border Rural Law Enforcement Assistance Program.*

The Eloy Police Department requests approval to purchase Cellebrite cellphone downloading equipment and software from Carahsoft Technology Corporation. This equipment and software will be used primarily by staff within the Department's Criminal Investigations Division to conduct forensic analysis of cell phones for evidence in criminal investigations. Currently, investigators who wish to analyze a cell phone for evidence pursuant to a search warrant must send the phone to an outside law enforcement agency or other third party. Purchasing this equipment and software will provide the Department's investigators with direct access and remove the need to send the phone to an external source for analysis.

Funds for this purchase are part of the Southwest Border Rural and Tribal Assistance Program grant the Department received in March of 2021. Carahsoft Technology Corporation is a sole-source vendor, and the equipment the Department wishes to

purchase from them is priced pursuant to a cooperative General Services Administration Contract (GSA schedule No: GS-35F-0119Y).

FISCAL IMPACT: *There is no fiscal impact. The equipment and software purchased through this grant is reimbursed 100% and matching funds are not required.*

Mayor Powell wanted to know the annual cost for the cloud base service and maintenance for the equipment and software.

Lieutenant Jerome conveyed because this is a software package, he did not believe there would not be an extended maintenance cost. He explained that the software is cloud based, which would give officers the ability to access the program from any computer that has internet access.

Mayor Powell supported the purchase for the police department.

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

Motion by Vice Mayor Rodriguez, seconded by Councilmember Snyder to authorize the purchase of Cellebrite cell phone downloading equipment and software for use in the criminal investigations division in the amount of \$20,719.90, using grant funds provided by the Southwest Border Rural Law Enforcement Assistance Program, passed unanimously by roll call vote (6-0).

C. FINAL PLAT OF ROBSON RANCH-ARIZONA, UNIT FIVE SUBDIVIDING 20.00 ACRES INTO 54 SINGLE-FAMILY RESIDENTIAL LOTS, LOCATED WEST OF THE INTERSECTION OF ROBSON RANCH BOULEVARD AND HARRIS HAWK LANE IN THE WEST HALF OF SECTION 17, TOWNSHIP 7 SOUTH, RANGE 7 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, CITY OF ELOY, PINAL COUNTY, ARIZONA.

Staff Cover Sheet Report: *Council approve the Final Plat for Unit Five ("5") of Robson Ranch, generally located west of the intersection of Robson Ranch Boulevard and Harris Hawk Lane, subdividing 20.00 acres into 54 residential lots, subject to the following stipulations:*

1. That all development of the property shall comply with the approved pre-annexation and development agreement and any amendments between Sun Lakes-Casa Grande Development, LLC and the City of Eloy; and,

1. That the Drainage Report and the Grading and Drainage Plans be reviewed and approved by the City of Eloy.

This is a request for final plat approval from B & R Engineering, Inc. on behalf of Sun Lakes-Casa Grande Development, LLC proposing final platting of Robson Ranch-Unit Five (5), Case No.: FP2021-014. The subject property is located within the age restricted master planned community of Robson Ranch. Robson Ranch is located on the north side of Highway 84 (Frontier Street), west of Toltec Road, and east of the Overfield Road alignment. More precisely, this project is located west of the half of Section 17, Township 7 South, Range 7 East of the Gila and Salt River Base and Meridian, City of Eloy, Pinal County, Arizona. The proposed subdivision contains a gross area of 20.00 acres.

The Eloy General Plan Land Use Plan identifies the subject property as Medium Density Residential (3.0 to 6.0 dwelling units per gross acre). The gross density of this submittal is 4.2 dwelling units per acre, which makes it generally in conformance with the Eloy General Plan. This property is zoned R1-6 (Medium Density Residential) with a PAD (Planned Area Development) Overlay. The smallest lot is 6,050 square feet and the largest lot is 12,644 square feet. The average lot size is 7,723 square feet which is more than the minimum R1-6 zoning district minimum lot size of 6,000 square feet. Therefore, this request is also in general conformance with the Eloy Zoning Ordinance.

Primary vehicular ingress/egress to this subdivision will be from Robson Boulevard via Harris Hawk Lane, and Luna Drive. The infrastructure for this subdivision, including the streets, water, sewer and open space tracts, will be privately owned and maintained.

FISCAL IMPACT: *The City of Eloy entered into a pre-annexation and development agreement with the developer that provided construction sales tax rebate incentives, and allowed the developer to provide its own utility services to residents. Since Robson Ranch is an age restricted and gated community, the streets will be privately owned and maintained, as well as all landscape tracts and community amenities. The City will provide solid waste collection services contracted through Right Away Disposal (RAD) and police protection to the future residents in this community, as well as the entire area of Robson Ranch.*

Mayor Powell brought to Mr. Vlaming's attention that the final plat lists Southwest Ambulance as the ambulance service for the development. He said that it should list the Eloy Fire District. Mayor Powell wanted to know would an amendment be required before approval.

Councilmember Snyder conveyed that Southwest Ambulance was probably the ambulance service for Robson Ranch before annexing into Eloy.

Mr. Vlaming conveyed that the plat could be revised accordingly to reflect the correction.

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

Motion by Councilmember Snyder, seconded by Councilmember Guanajuato Rodriguez to approve the Final Plat of Robson Ranch-Arizona, Unit Five subdividing 20.00 acres into 54 single-family residential lots, located west of the intersection of Robson Ranch Boulevard and Harris Hawk Lane in the west half of Section 17, Township 7 South, Range 7 East of the Gila and Salt River Base and Meridian, City of Eloy, Pinal County, Arizona, with the change in ambulance service as noted, passed unanimously by roll call vote (6-0).

VIII. BUSINESS

- A. ADOPTION OF ORDINANCE NO. 21-910, LEVYING UPON THE ASSESSED VALUATION OF THE PROPERTY WITHIN THE CITY OF ELOY, SUBJECT TO TAXATION A CERTAIN SUM UPON EACH ONE HUNDRED DOLLARS (\$100) OF VALUATION SUFFICIENT TO RAISE THE AMOUNT ESTIMATED TO BE REQUIRED IN THE ANNUAL BUDGET, LESS THE AMOUNT ESTIMATED TO BE RECEIVED FROM OTHER SOURCES OF REVENUE; PROVIDING FUNDS FOR VARIOUS BOND REDEMPTIONS, FOR THE PURPOSE OF PAYING INTEREST UPON BONDED INDEBTEDNESS AND PROVIDING FOR FUNDS FOR GENERAL MUNICIPAL EXPENSES; ALL FOR THE FISCAL YEAR ENDING THE 30TH DAY OF JUNE, 2022.**

Staff Cover Sheet Report: Council adopt Ordinance No. 21-910 setting the property tax levy upon the assessed valuation of the property within the City of Eloy for fiscal year 2021-2022.

This is the final step in the fiscal year 2021-2022 budget process. On June 30, 2021, a public hearing was held on the property tax levy. No comments were made at this public hearing. Upon approval of Ordinance No. 21-910, staff will send the Ordinance to the Pinal County Board of Supervisors for their approval. The estimated tax levy is \$1.0566 per \$100 primary assessed valuation.

FISCAL IMPACT: *The total amount generated from a primary tax rate of \$1.0566 will be \$1,231,390 annually.*

Mr. Wright conveyed that this is the last step in the FY21-22 budget process. A public hearing was held on June 30th to hear comments from the public about the property tax and at that time, there were no comments. Mr. Wright said upon adoption of the ordinance, the property tax rate for next fiscal year would be \$1.0566.

There being no questions or comments from the Council or the public, Mayor Powell called for a motion to read by title only.

Motion by Councilmember Garcia, seconded by Vice Mayor Rodriguez to read Ordinance No. 21-910 by title only, passed unanimously.

The city clerk read the ordinance title into the record.

Mayor Powell called for a motion to adopt the ordinance.

Motion by Councilmember Snyder, seconded by Councilmember Reuter to adopt Ordinance No. 21-910, passed unanimously by roll call vote (6-0).

B. RECOMMENDATION TO THE ARIZONA DEPARTMENT OF LIQUOR LICENSES AND CONTROL (ADLLC) FOR ISSUANCE OF A SERIES 03 LICENSE (IN-STATE MICROBREWERY) TO ROBSON RANCH HAND BREWING, LOCATED AT 6565 N. TOLTEC BUTTES ROAD, ELOY, ARIZONA

Staff Cover Sheet Report: *Staff recommends the Council forward a favorable recommendation to the Arizona Department of Liquor Licenses & Control for a Series 03 liquor license for Robson RANCH Hand Brewing located at 6565 N. Toltec Buttes Road.*

Mr. George Atwell III, agent for Ranch Hand Brewing, is requesting a favorable recommendation from the Council to the ADLLC for a new Series 03 liquor license (in state microbrewery). The brewery will produce beer for off-sale consumption to retail licensed businesses in the Tucson and Phoenix area. The brewery does not plan to offer on-site sales at this time.

Per the ADLLC, "This non-transferable liquor license allows for on & off-sale retail privileges for a licensed in-state microbrewery which produces more than 5,000 gallons, and less than 6,240,000, of beer during the 12-month reporting period (A.R.S. §205.08(B). Sales of beer produced by other microbreweries may not exceed 20% of the licensee's annual sales by volume on the licensed premises.

With this license, when production is no more than 1,240,000 gallons per calendar year, the in-state microbrewery may make sales and deliveries of beer to any retail license licensed to sell beer except for its retail licenses on or adjacent to the microbrewery".

A notice of intent to sell alcoholic beverages along with the application was posted on the property site for at least 20 days (6/4/2021 - 6/28/2021) for public review and comments. As of July 2, 2021, the City Clerk's office had not received any questions or comments from the public regarding the application.

FISCAL IMPACT: N/A

Mr. Krauss introduced Mr. George Atwell, agent for Ranch Hand Brewing, and Director of Food and Beverage with Robson communities. Mr. Atwell gave an overview of the new microbrewery located within the development of Robson Ranch in Eloy. He wanted it known for the record that the business name is *Ranch Hand Brewing*, and not Robson Hand Brewing. Mr. Atkins said the microbrewery would produce and distribute beer for off sale consumption to retail businesses in the Tucson area. The license would permit the microbrewery to offer tours and tastings at the facility. Mr. Atkins said they are considering adding a beer and wine license in the future to sell packaged beer on site as well as building a tasting room in downtown Eloy to generate more visitors to the area.

Councilmember Snyder wanted to know when would the microbrewery become operational. He said with the winter visitors returning in the fall, there are a number of city activities happening around that time. Councilmember Snyder said it would be great to have something like this to promote as a local product.

Mr. Atwell said he anticipates to be operational by the end of September. He said he is going to get involve with the Eloy Chamber of Commerce to have a grand opening. He said all of the distribution trucks will have the Eloy location on them. Mr. Atwell conveyed that Eloy is a perfect location for the business because it sits halfway between Tucson and the greater Phoenix area.

Councilmember Garcia wanted to know would the microbrewery fill a growler if brought to the facility.

Mr. Atwell said they would fill growlers. He said they are going to start off with their production side then grow it from there. He is hoping to do more of these types of things at the facility by next February.

There being no further questions or comments, Mayor Powell call for a motion.

Motion by Councilmember Garcia, seconded by Councilmember Reuter to give a favorable recommendation to the Arizona Department of Liquor Licenses and Control (ADLLC) for issuance of a Series 03 license (in-state microbrewery) to ~~Robson~~ RANCH Hand Brewing, located at 6565 N. Toltec Buttes Road, Eloy, Arizona, passed unanimously by roll call vote (6-0).

IX. EXECUTIVE SESSION

No executive session requested by the Council or staff.

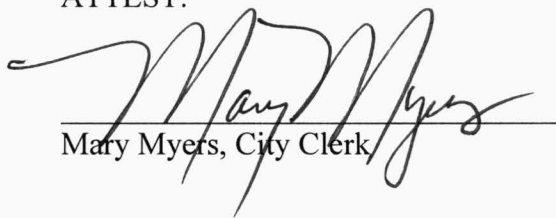
X. ADJOURNMENT

There being no further business, Mayor Powell adjourned the meeting at approximately 6:26 p.m.



Micah Powell, Mayor

ATTEST:



Mary Myers, City Clerk