



STATEMENT OF LEGAL ACTIONS

PUBLIC NOTICE THE ELOY CITY COUNCIL

Meets

MONDAY, SEPTEMBER 13, 2021

6:00 PM

ELOY CITY COUNCIL CHAMBERS

595 NORTH C STREET

ELOY, ARIZONA 85131

For a
REGULAR MEETING

AGENDA (Amended)

- I. Call to Order 6:00 p.m.
- II. Roll Call *Councilmember George Reuter; Mayor Micah Powell;
Councilmember Sara Curtis; Councilmember Dan Snyder;
Councilmember Sylvia Guanajuato Rodriguez; Vice-Mayor
Andrew Rodriguez; Councilmember Jose Garcia*

III. Invocation

The invocation shall be voluntarily delivered by an eligible member of a religious/spiritual organization in the incorporated limits of the City of Eloy, Arizona, and shall not exceed three (3) minutes in length. Invocations are not intended to affiliate the City Council with, or express the City Council's preference for, any religious/spiritual organization, or to disparage the religious faith or non-religious view of others. If the selected invocation speaker does not appear at the scheduled meeting, the Mayor may ask for an adult volunteer from the audience to deliver the invocation or call for a moment of silence.

IV. Pledge of Allegiance

V. Public Appearances

Those wishing to **ADDRESS THE CITY COUNCIL** may do so by signing in on a form provided by the City Clerk, identifying the topic(s) or agenda item(s). **ACTION** taken as a result of public comment regarding non agenda items will be limited to directing staff to study the matter or rescheduling the matter for further consideration and decision at a later date.

SPEAKERS SHALL BE LIMITED TO THREE (3) MINUTES.

- A. Scheduled
- B. Unscheduled

VI. Reports and Announcements

- A. Council Members' Announcements

- B. Mayor's Announcements
- C. City Manager's Announcements

VII. Consent Agenda *Approved 7-0 (Roll Call) item G moved to Executive Session*

ALL ITEMS LISTED WITH AN ASTERISK(*) ARE CONSIDERED TO BE ROUTINE MATTERS AND WILL BE ENACTED BY ONE MOTION AND ONE ROLL CALL VOTE OF THE COUNCIL. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS A COUNCIL MEMBER SO REQUESTS, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED IN ITS NORMAL SEQUENCE ON THE AGENDA.

- *A. Approval of Minutes - 8/23/2021 (regular)
- *B. Authorize the purchase of a BMW motorcycle from Go AZ Motorcycles in Scottsdale, AZ, for the amount of \$37,734.74 under Arizona State Contract # AZDSPO18-205712, using funds provided by a Proposition 207 grant from the Arizona Governor's Office of Highway Safety.
- *C. Authorization for the City to enter into an Intergovernmental Agreement (IGA) with Pinal County for detention of municipal-charged individuals.
- *D. Adoption of Ordinance No. 21-915 approving an amendment to the Eloy City Code, Chapter 21, Zoning; Article V. Administration, by repealing Sections 21-5-2, 21-5-3, 21-5-4 and 21-5-7 related to the powers and duties of elected and appointed bodies that preside over planning and zoning matters and replacing with direct references to the Eloy City Code, Chapter 2, Administration; Article I, Sections 2-11 and 2-11.1, and Article IV, Sections 2-80 to 2-88 and Sections 2-105 to 2-105.5 related to the powers and duties of elected and appointed bodies in the City of Eloy that preside over planning and zoning matters.
- *E. Authorization to enter into a Letter of Engagement with Michael J. Pearce of the law firm of Gammage & Burnham, PLC to assist in the preparation of an application to modify the City's Designation of Assured Water Supply, and cost-sharing agreements with landowners seeking assurance of a future water supply from the City.
- *F. Adoption of Resolution No. 21-1510, acknowledging and accepting a grant from Gila River Indian Community for \$125,000 for one year for an Owner- Occupied Housing Rehabilitation Program.
- *G. Authorize the rehiring of Mary Myers as City Clerk as a regular full-time City employee, effective September 25, 2021, at an annual salary of \$101,694, plus benefits, including a phone stipend of \$50.00 per month. *Approved 7-0 (Roll Call)*

VIII. Business: Possible Discussion and/or Action on the Following:

- A. Authorize staff to develop and implement a financial incentive program to encourage City employees to receive COVID-19 vaccinations, and appropriate up to \$65,000 from the American Rescue Plan Act funding in the FY2021-2022 budget for this program. *Approved 4-3 (Roll Call)*
- B. Adoption of Resolution No. 2021-1509 supporting the Interstate 10 Widening Improvement Project from Casa Grande to Chandler. *Approved 7-0 (Roll Call)*

IX. Executive Session *Approved 7-0 6:58pm – 8:55pm*

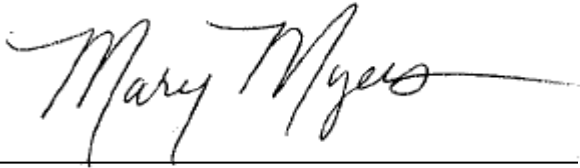
- A. Discussion or consultation with the City Manager, City Staff and the attorneys of the public body in order to consider its position and instruct its staff and attorneys regarding the public body's position regarding PEK Properties property tax foreclosure litigation, specifications and contracts that are the subject of negotiations, in pending or contemplated litigation or in discussions conducted in order to avoid or resolve litigation and legal advice, pursuant to A.R.S. 38-431.03

(A) (3) and (4).

- B. Discussion or consultation with the City Manager, City Staff and the attorneys of the public body in order to consider its position and instruct its staff and attorneys regarding the public body's position regarding contracts that are the subject of negotiations regarding a Development agreement with Project Rock, pursuant to A.R.S. §38-431.03 (A) (3) and (4).
- C. Pursuant to A.R.S. §38-431.03 (A)(1) , (3) and (4) performance evaluation including discussion and/or negotiation of salary and/or an employment contract of a public officer - City Manager, including legal advice (if requested by City Council) with City Attorney and possible contract negotiations.
- D. Discussion of legal matters/consultation with the City Attorney, City Staff and/or the public body in order to consider its position and instruct its attorneys regarding any matter on the agenda, pursuant to A.R.S. §38-431.03 (A) (3) and (4).

X. Adjournment 9:00 p.m.

REPOSTED ON THURSDAY, SEPTEMBER 16, 2021, BY 5:00 P.M. TO CITY WEBSITE: www.loyaz.gov

A handwritten signature in black ink, appearing to read "Mary Myers", with a long horizontal line extending to the right.

Mary Myers, MMC, CPM
City Clerk

INDIVIDUALS WITH SPECIAL ACCESSIBILITY NEEDS MAY CONTACT LORENA LaSALDE-RIOS, ADA COORDINATOR FOR THE CITY OF ELOY AT 520-466-9201 OR 520-466-7455 (TDD). IF POSSIBLE, SUCH REQUESTS SHOULD BE MADE 72 HOURS IN ADVANCE. ONE OR MORE MEMBERS OF THE COUNCIL AND/OR STAFF MAY PARTICIPATE BY TELEPHONIC OR VIDEO MEANS.