

**MINUTES OF THE REGULAR MEETING OF
THE ELOY CITY COUNCIL
CITY OF ELOY
595 NORTH C STREET
SEPTEMBER 12, 2022
6:00 P.M.**

Staff Present: David Malewitz-City Manager; Kazi Haque-Assistant City Manager; Stephen R. Cooper-City Attorney; Mary Myers-City Clerk; Brian Wright-Finance Director; Christopher Vasquez-Police Chief; Paul Anchondo-Community Services Director; Matt Rencher-Public Works Director/City Engineer; Sylvia Payne-HR Director; Jon Vlaming-Community Development Director

I. CALL TO ORDER

Mayor Micah Powell called the meeting to order at approximately 6:00 p.m.

II. ROLL CALL

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

Council Members Absent: None

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

Life Saving Award Presentation – Police Department – Captain Gwaltney presented Officers Andres Patino and Jose Gomez with the Eloy Police Department Life Saving Award. Captain Gwaltney conveyed that the officers administered lifesaving doses of Narcan and performed CPR on an unresponsive 19 year old male on July 4th, who overdosed on fentanyl. By the time paramedics arrived, Captain Gwaltney said the victim was alert and breathing and was transported to the hospital. Captain Gwaltney commended the officers for doing an outstanding job representing the agency with their quick actions and calmness under pressure that resulted in saving a life.

Mayor Powell also commended the officers and the police department for doing an outstanding job. He said he knows from personal experience how courageous the police are in this community when it comes to saving drug overdose victims. Mayor Powell said these officers treat their badge and shield with honor. He thanked them for all that they do to protect the residents and city.

B. Unscheduled - None

VI. REPORTS AND ANNOUNCEMENTS

A. Council Member Announcements

1. Councilmember Guanajuato Rodriguez reminded the Council and public of CDLU's annual Fiestas Patrias celebration at Main Street Park, September 16th from 12:00 p.m. to 10:00 p.m. and September 17th from 9:00 a.m. to 10:00 p.m., with a parade starting at 9:00 a.m. Councilmember Guanajuato Rodriguez encouraged everyone to come out to enjoy the festivities.
2. Vice Mayor Snyder conveyed that he and several members of the Council and city staff attended the League of Arizona Cities and Towns annual conference a couple of weeks ago. He said he spent quite a bit of time networking with Pinal County staff, supervisors and leaders from surrounding communities. He attended several sessions, one in particular on how to successfully conduct polls to find out what residents needs are. He also attended a session on how to manage city expenses and capital projects in a time of inflation.

B. Mayor's Announcements

Mayor Powell made the following announcements:

- He also attended the league conference and did a lot of networking to reestablish professional relationships with other community leaders. Mayor Powell said he was able to meet with Senator Mark Kelly briefly, who was the guest speaker at the conference luncheon.
- Introduced Mr. Haque as the city's new assistant city manager.

Mr. Haque expressed his pleasure to be working for the city. He gave a brief overview of his work experience in municipal government.

- Will be attending the Arizona State Transportation Summit, Wednesday and Thursday this week, at Harrah's Ak-Chin, in Maricopa. Mayor Powell stated that several staff members will also be attending the summit. He said this will be a great opportunity for the city to politic with representatives for our community.

C. City Manager's Announcements

Mr. Malewitz made the following announcements:

- There will be a flu shot clinic at city hall on Wednesday, September 14th, from 10:00 a.m. to 2:00 p.m. Vaccines will be available to all city staff and community members, at no cost. No appointment is necessary.
- The Eloy police department will be hosting *Getting Arizona Involved in Neighborhoods* (G.A.I.N.) night in Eloy, October 6th.
- Gave a brief review of the August report from Pinal County Animal Control. Mr. Malewitz said the city paid \$7,344 for August services. He said 13 cats and 47 dogs were captured. Two cats were adopted; one fostered and seven were transferred. There were 40 stray dogs; 5 were owner surrender; one was euthanized; and one quarantined.

Councilmember Curtis asked Mr. Malewitz to explain to the public some of the things that the city is doing with county animal control to improve the line of communication to the public.

Mr. Malewitz conveyed that in an effort to improve the communication gap that exists between residents trying to communicate directly to county animal control, the city is still encouraging residents to call the police dispatch line, which now has a direct line to animal control. He said communications are improving in getting in touch with animal control directly.

Councilmember Guanajuato Rodriguez wanted to know about the next animal clinic.

Mr. Malewitz said at this time, there is no date set. He explained that at the last meeting held with Captain Brian Jerome, the veterinarian assigned to the area had retired. The county is currently going through the recertification process with the state to conduct public clinics. Mr. Malewitz stated that currently, the county's only capacity is in-house. So, for now, the county is directing owners to go to the Tractor Supply store in Casa Grande for the service.

VII. CONSENT AGENDA

- A. Approval of Minutes: 8/22/2022 (regular)
- B. Approve the purchase of firearm ammunition by the Police Department as part of their annual expenditure for Police Field Supplies at an amount of \$25,159.75 for FY 2022/23.
- C. Council authorize staff to initiate annexation proceedings on parcels 408-01-022B, 408-01-022C and 408-01-022D consisting of approximately 645.7 acres, in addition to their adjacent rights of way, as voluntarily requested by the property owner of record (MDT Investments LTC Partnership), which is generally located at the southwest corner of Milligan Road and Eleven Mile Corner Road.
- D. Acceptance of a proposal from Gosserco, Inc., for the purchase of an Eventide 740 DX recording system for Police and Fire radio, phone, and 911 communications at a cost not to exceed \$70,000.00.
- E. Authorization to enter into an agreement with Biddle & Brown Fence Company for the purchase and installation of one (1) solar swing gate operator for Eloy Memorial Park for the amount of \$29,486.43.

There being no requests from the Council to remove any item(s) from the Consent Agenda, Mayor Powell called for a motion.

Motion by Councilmember Garcia, seconded by Councilmember Guanajuato Rodriguez to approve the Consent Agenda items as presented, passed unanimously by roll call vote (7-0).

VIII. BUSINESS

A. APPROVE THE ANNUAL DEVELOPMENT IMPACT FEE REPORT FOR THE CITY OF ELOY ENDING JUNE 30, 2022.

Staff Cover Sheet Report: *Staff recommends approval of the Annual Development Impact Fee Report for the City of Eloy ending June 30, 2022.*

As required by ARS 9-463.05, the City Manager or designee shall submit the Development Impact Fee Annual Report to the Mayor and Council within 90 days of the end of the fiscal year.

During the fiscal year 2021-2022, the City collected 145 impact fees for Parks and Recreation, 362 for Police, and 145 for Streets for a total collection of Development Impact Fees of \$719,157 while collecting interest revenue of \$556.05. During this same period, the City of Eloy used \$0.00 for related expenses.

Finally, no development impact fee revenues were used to repay either bonds issued by the City or to pay for the cost of a capital improvement project that is subject to a development impact fee assessment or monies advanced by the city from funds other than the funds established for development impact fees in order to pay the cost of a

capital improvement project that is the subject of a development impact fee assessment.

FISCAL IMPACT: *No fiscal impact as it is an annual report.*

Mr. Wright gave a brief PowerPoint presentation of the city's annual development impact fee report to the Council. He said the report would be available for public viewing on the city's website under the finance department link.

Vice Mayor Snyder asked Mr. Wright could impact fees be utilized for something such as wastewater improvements for a new development that may come into the community.

Mr. Wright said yes. If a new development comes to the community and the city needs to oversize the line, the city can utilize impact fees because the city would be oversizing the line for growth.

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

Motion by Vice Mayor Snyder, seconded by Councilmember Garcia to approve the Annual Development Impact Fee Report for the City of Eloy ending June 30, 2022, passed unanimously (7-0).

B. ADOPTION OF RESOLUTION NO. 22-1537 SUPPORTING VOTER AUTHORIZATION OF THE 15% MAINTENANCE OPERATION BUDGET OVERRIDE ELECTION ON NOVEMBER 8, 2022 AS PROPOSED BY THE SANTA CRUZ VALLEY UNION HIGH SCHOOL DISTRICT NO. 840 GOVERNING BOARD

Staff Cover Sheet Report: *The Council adopt Resolution No. 22-1537 supporting voter authorization of the 15% Maintenance and Operation Budget Override Election on November 8, 2022, as proposed by the Santa Cruz Valley Union High School District No. 840 Governing Board.*

The Santa Cruz Valley Union High School District has called a special budget override election for November 8, 2022, to request voter authorization to exceed the maintenance and operation budget limit by 15% for a period of seven (7) years. The increase authorized by this shall be funded by a levy of taxes on the taxable property within the District.

With voter approval of the override, it is estimated that the total amount of the override for fiscal year 2023-2024 will be \$450,697. The estimated secondary tax rate needed to fund the full override is \$0.32 per \$100 of net assessed valuation for secondary tax purposes. The estimated cost for an owner of a home with a limited

property value of \$86,629 (the average value of a home in the District) would be approximately \$28 per year.

The 15% Maintenance and Operation Budget Override would continue funding for programs currently serving District students. This override supports the District's efforts to help maintain present levels of service for the following:

- Increase athletic funding for sports to provide coaches, uniforms, equipment and supplies;*
- Attract and retain highly qualified teachers by maintaining competitive teacher salaries and benefits;*
- Reduce class sizes;*
- Maintain and add additional elective classes for students, such as band, music, art, and culinary arts;*
- Maintain a safe and orderly environment by providing funding for safety*

Quality educational programs and facilities are important to the City of Eloy in its efforts to recruit new and expand existing businesses and industries, which create job opportunities for students graduating from Santa Cruz Valley Union High School.

Staff recommends Council adopt a resolution encouraging residents to support this bond override election.

FISCAL IMPACT: *There is no fiscal impact to the City of Eloy.*

Mr. Malewitz conveyed that the Santa Cruz Valley Union High School District (SCVUHS) has approached the city in the past to support the 15% election override for their maintenance operation budget. He said the city has shown support for the override that would advance the operations, curriculum, and activities at the school. Mr. Malewitz stated that the high school superintendent, Ms. Crystal Reyes, is in attendance to talk more about the override.

Ms. Reyes conveyed that the school is asking voters to approve a 15% budget override. She pointed out that the current formula used for schools was created over 36 years ago and is still being used today, which schools have outgrown. Ms. Reyes said the override will help reduce class sizes, offer competitive teacher salaries, maintain and add electives as well as maintain and fund sports programs that are not currently funded. She said the school has seen a major growth in their school district; up 65 students which is a huge increase compared to past years. She said while the increase is welcomed, the school will not see the benefits of the additional students until years later. Ms. Reyes said the 15% override would cost the average homeowner in the school's district (Eloy, Picacho, Red Rock, Silver Bell) approximately \$28 per year, based on last year's number of \$87,000 average home value. She asked for the city's support of the override and help in getting the word

out to residents. She said the school would be promoting the override by knocking on doors and being at every event in the city.

The following individuals came forward to voiced their support for the SCVUHS budget override:

- Mr. Ralph Atchue – Eloy resident
- Ms. Ruby James – Eloy Elementary School District Superintendent
- Lenora Noble – Robson Ranch resident, retired educator

Mayor Powell asserted the importance of this override being successful. He said the community owes it to the kids to provide them with best educational opportunities to prosper and grow into productive working adults.

Councilmember Curtis also urged the Council and the public to support the override, whether there are children in the household or not. She said the state has been remised in providing the funds needed to schools. So, it is up to the community to pick up the slack. Increasing student programs is so important for the basic health of the community and making it a lifestyle choice early on. Councilmember Curtis reminded everyone that these students are the next generation and future decision makers in this community.

Councilmember Guanajuato Rodriguez thanked Ms. Reyes and Ms. James for being here tonight to stress the importance of the override. She said it shows the dedication and love they have for the community and the kids.

Mayor Powell stated the city can show support for the override via a resolution, but is prohibited from supporting it financially. He pointed out that the Council can individually support the override financially or by volunteering.

Mr. Cooper concurred with Mayor Powell comments.

Mayor Powell wanted to know how the school plan to reach out to the Red Rock community.

Ms. Reyes said there is a plan to have a booth at their fall festival to pass out information. They are also planning to have volunteers go door to door in neighborhoods to talk about the override and hand out literature. Ms. Reyes pointed out that most students from Red Rock do not attend school in Eloy; they attend the high school in Marana because of the convenience. However, she wants the residents to understand that even though their children may not attend school in Eloy, their support or lack of support affects the students who do attend.

Vice Mayor Snyder said the people of Red Rock need to understand that what happens in Eloy does affect them. As Eloy grows, he said Red Rock may venture more towards Eloy. Vice Mayor Snyder pointed out that support for the override from Red Rock would make them look good as well.

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

Motion by Councilmember Garcia, seconded by Councilmember Curtis to read Resolution No. 22-1537 by title only, passed unanimously (7-0).

The city clerk read the resolution title into the record.

Mayor Powell called for a motion to adopt.

Motion by Councilmember Garcia, seconded by Councilmember Guanajuato Rodriguez to adopt Resolution No. 22-1537 as presented, passed unanimously by roll call vote (7-0).

IX. EXECUTIVE SESSION

Mayor Powell called for a motion to go into executive session for approximately one hour.

A motion was made by Councilmember Garcia and seconded by Councilmember Guanajuato Rodriguez to go into an executive session at approximately 6:53 p.m. for approximately one hour with the city attorney, city manager, assistant city manager and city clerk (note taking) for:

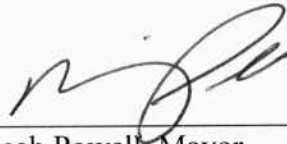
A. Discussion or consultation with the city manager, city staff, city attorney of the public body for legal advice on the possible vacancy on City Council, pursuant to A.R.S. §38-431.03 (A) (3).

Motion passed unanimously (7-0).

Mayor Powell reconvened the public meeting at approximately 7:19 p.m.

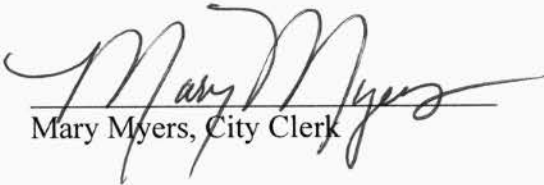
X. ADJOURNMENT

There being no further business, Mayor Powell adjourned the meeting at approximately 7:19 p.m.



Micah Powell, Mayor

ATTEST:



Mary Myers, City Clerk