

**MINUTES OF THE SPECIAL MEETING OF
THE ELOY CITY COUNCIL
CITY OF ELOY
595 NORTH C STREET
MONDAY, OCTOBER 3, 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

I. CALL TO ORDER

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

II. ROLL CALL

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

Council Members Absent: None

III. PLEDGE OF ALLEGIANCE

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

IV. PUBLIC APPEARANCES

The following members of the public came forward to voice their support for Councilmember Reuter to be appointed to fill Councilmember Rodriguez's vacant seat, effective November 14, 2022, for two years:

- Mr. Steve Reeves – Robson Ranch resident
- Mrs. Betty Peterson – Robson Ranch resident
- Mrs. Cecilia Levatino – Robson Ranch resident

Councilmember Curtis and Vice Mayor Snyder read into the record emails they received from the following residents who also voiced their support for Councilmember Reuter:

- Ms. Ann Howard
- Ms. Wendee Hill
- Mr. Larry Hill
- Ms. Julia Wilde
- Ms. Amy Chmelecki
- Mrs. Jaine Toth

V. **BUSINESS**

A. DISCUSSION AND POSSIBLE CONSIDERATION OF PROCEDURE TO FILL A COUNCILMEMBER VACANCY OR CONSIDERATION OF APPOINTMENT OF A COUNCILMEMBER TO A TWO (2) YEAR TERM EFFECTIVE NOVEMBER 14, 2022.

Staff Cover Sheet Report: *Council to discuss the options to fill the office vacancy declared vacant by Council at the September 12, 2022, City Council meeting due to Councilmember Andrew Rodriguez's August 26, 2022 announcement of his declining to accept and serve as a newly elected Councilmember.*

The City Council has directed a special meeting to determine how to fill a Council seat effective November 14, 2022. The Council has several options available to them:

- 1. The current City Council can have the newly elected City Council seated at the November 14, 2022, Council meeting appoint a new Councilmember and direct city staff to advertise a vacancy in the office, effective November 14, 2022; or*
- 2. The current City Council can direct city staff to advertise a vacancy on the City Council effective November 14, 2022, and have an individual appointed as Councilmember prior to November 14, 2022. If this occurs, it is suggested the new Council seated at the November 14, 2022, City Council meeting ratify the appointment of the newly appointed Councilmember; or*
- 3. The current City Council could appoint at tonight's meeting an individual to serve as Councilmember effective November 14, 2022. The individual should agree to accept the appointment prior to the appointment being made. If this occurs, it is suggested the new Council seated at the November 14, 2022 Council meeting, ratify the appointment of the appointed Councilmember;*

Historically, the City Council has directed the City Clerk to post a notice of vacancy and seek statements of interest from eligible city electors. We have a situation arising out of the August 2022 primary election which, to my knowledge, has never occurred involving Councilmember George Reuter. Councilmember Reuter was not elected at the August 2022 primary election even though he did receive a majority of the votes

at said election. Councilmember Reuter did not have the third highest vote total for the three (3) council seats that were up for election. Also, the City Council is well aware of the problems arising from the primary election as to whether all eligible voters received a primary election ballot. A question was posed as to whether he (Reuter) would now be elected as a result of the vacancy of Councilmember Elect Rodriguez, who renounced his election. It is my opinion that he would not be automatically elected to the vacant seat on the new Council in November because the canvass of votes approved by the Council did not declare him to be elected to the Council. Therefore, any appointment to the vacant council seat in November would be made pursuant to Section 2-7 of the Eloy City Code.

Procedure for filling Council Vacancies from the City Code:

2-7: FILLING VACANCIES IN OFFICES:

The Council shall fill vacancies by appointment in any City office as provided by State law. (Ord. 11-803, 10-24-2011)

ARIZONA REVISED STATUTES:

9-235. Vacancies in Council

A. The council shall fill a vacancy that may occur by appointment until the next regularly scheduled council election if the vacancy occurs more than thirty days before the nomination petition deadline. Otherwise, the appointment is for the unexpired term. This subsection does not apply to a charter city.

B. The member appointed shall meet the qualifications established in section 9-232.

SECRETARY OF STATE ELECTION MANUAL:

FILLING A COUNCIL VACANCY

If a vacancy occurs on your city or town council and the incumbent has more than 2 years remaining on his or her term, you are required to put the remainder of the term on your next council election ballot. This only applies if you have 4-year terms and does not affect charter cities. The law provides that if a vacancy occurs more than 30 days before nomination petitions are due for your regular election, then the vacancy is filled by election for the remainder of the unexpired term. A separate nomination petition must be prepared for a 2-year term in addition to the regular petitions for the 4-year terms. To distinguish the petitions, the clerk should print a 2-year term on the top of the petition for those wishing to fill the vacancy. On the ballot, there must be a separate section for the 2-year term listing those candidates who filed 2-year term nomination petitions. Consult with your attorney to determine when a candidate who is elected to fill a vacant position is seated.

Once a resignation occurs, the seat is filled by a person who has to run at the next general election (2 years later) to serve the balance of the four-year term of office.

Mr. Cooper gave a brief overview of the appointment process for filling a council vacancy according to Arizona state law. He said any appointment made by the Council would be for a term of two years. The remaining two years on the seat would be placed on the 2024 primary election ballot for voters to elect a person to serve out the remaining two years of the term.

Mayor Powell stated that Council has been given four options tonight as to how they wish to fill the position. He explained that he would call for a motion for each option, one at a time. If there is no motion or a second, the item will die and he will move on to the next option and so forth.

At this time, Mayor Powell gave each member of the Council the opportunity to comment on how the position should be filled.

Councilmember Garcia wanted to know would the person appointed to serve two of the four-year term be required to run for the same two-year seat or would the person have the option to choose to run for a four-year or the two-year term in 2024.

Mr. Cooper said the individual would have the choice of running for a two-year term or a four-year term.

Mayor Powell wanted to clarify that in 2024, there would be a total of five seats open; one two-year term for mayor, three four-year terms for councilmember, and one two-year term for councilmember.

Vice Mayor Snyder asked would there be problems with the existing Council appointing someone to serve on a future Council.

Mr. Cooper conveyed that the way the statute is written, the Council decides to fill the vacancy. There is an argument as to whether a Council can fill a future seat that a new Council would do. He said the current Council would have the ability to appoint someone to serve in the seat, but recommends that when the new Council is seated on November 14, 2022, the new Council should ratify the appointment. This way, both Councils would have approved the appointment. Mr. Cooper said the reason for this is because the city has a number of projects going on where funds are being used from WIFA and Rural Development. One of the things the city has to certify is that it has a duly elected Council, which is why ratification is needed.

Councilmember Curtis supported Council making a decision tonight about the appointment and supported the comments made by members of public to appoint Councilmember Reuter to the seat.

B. COUNCIL TO APPROVE TAKING NO ACTION ON FILLING VACANCY IN OFFICE EFFECTIVE NOVEMBER 14, 2022.

Mayor Powell called for a motion.

No motion made. No action taken on this item.

C. COUNCIL TO DIRECT CITY STAFF TO ADVERTISE A VACANCY IN OFFICE FOR A TERM OF TWO (2) YEARS, EFFECTIVE NOVEMBER 14, 2022 AND RECEIVE STATEMENTS OF INTEREST FOR THE VACANT SEAT WITH APPOINTMENT TO OCCUR AT A LATER DATE DETERMINED BY THE NEWLY ELECTED COUNCIL ON NOVEMBER 14, 2022.

Mayor Powell called for a motion.

No motion made. No action taken on this item.

D. COUNCIL TO DIRECT CITY STAFF TO ADVERTISE A VACANCY IN OFFICE FOR A TERM OF TWO (2) YEARS, EFFECTIVE NOVEMBER 14, 2022, AND TO RECEIVE STATEMENTS OF INTEREST FOR THE VACANT SEAT. COUNCIL TO SET A DATE TO HOLD A SPECIAL MEETING PRIOR TO NOVEMBER 14, 2022 FOR POSSIBLE APPOINTMENT.

Mayor Powell called for motion.

No motion made. No action taken on this item.

E. COUNCIL TO APPROVE THE APPOINTMENT OF AN INDIVIDUAL TO FILL THE OFFICE VACANCY FOR A TERM OF TWO (2) YEARS, EFFECTIVE NOVEMBER 14, 2022.

Mr. Cooper informed the Council that if there is a motion and a second for Councilmember Reuter's appointment, Councilmember Reuter would need to abstain from voting on this item because the appointment would be a salaried office. He said the Council would need a majority of four to appoint.

Councilmember Garcia asked would the motion need to include the ratification.

Mr. Cooper said unless directed by the Council, staff will have ratification of the appointment as an agenda item on November 14, 2022.

Mayor Powell asked Councilmember Reuter if he was interested in the appointment and if so, would recommend that he abstain from voting on this item.

Councilmember Reuter conveyed that he is interested in the appointment and had planned to abstain from voting.

It was at this time that Mayor Powell called for a motion.

Motion by Councilmember Guanajuato Rodriguez, seconded by Councilmember Curtis to appoint George Reuter to fill the office vacancy for a term of two (2) years, effective November 14, 2022, passed 6-0 by the following roll call vote:

Yeas: Councilmember Rodriguez, Councilmember Garcia, Vice Mayor Snyder, Councilmember Curtis, Councilmember Guanajuato Rodriguez, Mayor Powell

Nays: None

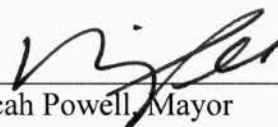
Abstain: Councilmember Reuter

V. EXECUTIVE SESSION

No executive session requested by the Council or city staff.

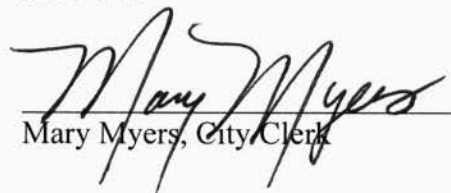
VI. ADJOURNMENT

There being no further business, Mayor Powell adjourned the meeting at approximately 6:30 p.m.



Micah Powell, Mayor

ATTEST:



Mary Myers, City Clerk

**MINUTES OF THE REGULAR MEETING OF
THE ELOY CITY COUNCIL
CITY OF ELOY
595 NORTH C STREET
OCTOBER 10, 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 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

Council Members Absent: Councilmember Sylvia Guanajuato Rodriguez

III. INVOCATION

Pastor Debbie Miller gave tonight's invocation.

IV. PLEDGE OF ALLEGIANCE

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

V. PUBLIC APPEARANCES

A. Scheduled

B. Unscheduled

Fredrick Thomas – 102 N. Washington St., Eloy

Mr. Thomas went before the Council to complain about the weeds on Martin Luther King Street and Alsdorf Road. Mr. Thomas said the sidewalks look terrible and gas meters cannot be seen on Alsdorf. He said people have to walk in the streets because of all the overgrowth on the sidewalks. He encouraged the Council to take a ride in the area to see how bad the streets are. Mr. Thomas said he gets emotional about this because of his love for the city.

VI. REPORTS AND ANNOUNCEMENTS

A. Council Member Announcements

Councilmember Reuter announced the following communications:

- Subcommittee interviewed four applicants for the alternate seat on the Planning and Zoning Commission. He said all the candidates were very good. He suggested to Mr. Haque that he speak to the applicants who were not recommended for the alternate position to apply for the vacant seat on the Airport Advisory Board. Councilmember Reuter said he is pleased to see residents from all parts of the city applying to serve on city boards and commissions.
- He would like the city to consider installing four-way stop signs on Battaglia and Eleven Mile Corner Roads and Main Street and Battaglia Road. He said small children play in the area, in particular between Adams and Washington Streets. Councilmember Reuter said speed bumps or rumble stripes should be installed in those areas to slow down drivers. He pointed out that since installing four-way stop signs at Tumbleweed and Shedd Roads, there has not been any more accidents in that area.

Councilmember Curtis had the following announcements:

- She along with Mr. Haque and Mr. Jeff Fairman attending a meeting hosted by the Phoenix Business Journal last week. The topic of discussion was about how Pinal County is becoming the new manufacturing region. She said representatives from Lucid, Nikola and other large companies served as panelists. Councilmember Curtis said there was also discussion about the water issue Arizona is currently facing and the real possibility of desalination in the future.
- Skydiving World Championships starts this week. Opening ceremonies is tomorrow from 5:30 p.m. to 6:30 p.m. Councilmember Curtis conveyed there are competitors from all over the world here to compete. She encouraged the public to come out to watch some great skydiving competition.

Councilmember Reuter conveyed that the current USA team which happens to be from Eloy has a good chance of winning world champion and taking it back from Belgium.

Councilmember Garcia had the following announcements:

- Attended the NALEO Policy Institute on the Latino Workforce and Economic Opportunities, September 28-30, 2022. Topics of discussion included poor access to internet technologies for rural communities; lack of critical digital skills for the American workforce; and income inequality. Councilmember Garcia conveyed that the policy institute was paid for by NALEO.
- The annual Heroes for Hunger 5K was held yesterday (10/9). Councilmember Garcia said participation was lower than in the past, but attributed it to not having the event the last two years due to Covid. He said overall it was a great event and everyone had a good time.
- He agreed with Councilmember Reuter's suggestion of installing four-way stop signs at locations mentioned by Councilmember Reuter.

B. Mayor's Announcements

Mayor Powell made the following announcements:

- Attended the Owens Corning open house October 3rd. The company, located on Battaglia Road, reopened its doors for business.
- The Eloy police department's annual G.A.I.N. event was canceled last week due to rain. Mayor Powell said he hopes the event will be rescheduled.
- Attended a Pinal Partnership event at the Apex Motor Club in Maricopa last Friday. He, along with Mr. Vlaming were able to drive or ride in vehicles on the race track. Mayor Powell said it was a good networking event.
- Attended the annual Honoring, Hiring, Helping Our Heroes of Pinal County (HOHP) event on Saturday in Casa Grande. Mayor Powell said the organization provides free services to veterans. He said mayors from Coolidge and Maricopa also attended. Mayor Powell said he was happy to see Support Our Troops from Robson Ranch at the event who handed out shoes to veterans.
- Mayor Powell supported Councilmember Reuter's recommendation for installing four-way stop signs at the locations he mentioned. He said he would also like to see a flashing stop sign at Eleven Mile Corner and Frontier Roads. He said there was a serious accident at that location recently.

Proclamation declaring October 2022 as National Code Compliance Month

Mr. Malewitz read into the record a proclamation declaring the month of October as National Code Compliance Month in Eloy.

C. City Manager's Announcements

Mr. Malewitz announced the following communications:

- Mr. Wright introduced Ms. Briezeda Medina as the city's new grant specialist. He said Ms. Medina is a University of Arizona graduate and worked as a case manager at the Arizona Children's Association before coming to work at the city.

Ms. Medina conveyed that she was born and raised in Eloy and is excited to be working for the city.

- ABC 15 News did an amazing story on the Santa Cruz Valley Union High School football team and the community. Mr. Malewitz said the video is available on YouTube.
- Arizona Cities and Towns Week is October 16th. Mr. Malewitz said he reached out to department directors to see what can be put together to promote Eloy.
- Mr. Vlaming hosted a public hearing last Wednesday for the two submissions related to the 2022 General Plan Amendment. Mr. Malewitz said no one from the public attended. The next public hearing will be October 19th at 6:00 p.m., at the Planning and Zoning Commission meeting.
- Gave a brief update on the ongoing code violations at the Sky rider Motel. Mr. Malewitz stated that staff is working with the owners on the use of the motel and making sure they are in conformance. He, along with Mr. Cooper, Mr. Vlaming and Mr. Haque, will be meeting with the owners this week to discuss the operations of the property and concerns from the city and the public about what is happening on the property.
- The Eloy Santa Cruz Valley Historical Museum will be hosting its 18th annual dinner dance November 5th. Mr. Malewitz said the public can contact Ms. Kristin Gramando or the Eloy Chamber of Commerce for more information.
- Provided the Council and public with brief overview of the September report from Pinal County Animal Control. He said the county had a total of 64 calls; 6 cats and 12 dogs were brought into the shelter. Mr. Malewitz stated that staff is working on posting past and current monthly reports from the county onto the city's website for public viewing.

Vice Mayor Snyder asked Mr. Malewitz how far back would reports be posted.

Mr. Malewitz said reports from contract inception to current would be posted to the website.

Councilmember Garcia conveyed that there have been complaints made by residents since the county took over animal control. He wanted to know if this could be brought back to Council to address. Councilmember Garcia said Council should not have to see the same complaints over and over again.

Mayor Powell said he plans to have a work session in the future when the new Council is seated.

Councilmember Curtis asked Mr. Malewitz to find out if county animal control is back to full staff. She said at one point, part of the problem was that there was not enough staff to provide the services that the city had contracted for. She also wants to know does the county need to commit another person to the city, if city decides to continue to allow the county to provide services. Councilmember Curtis said having one person servicing Eloy may not be enough. However, this cannot be determined until it is known that the person assigned to Eloy is truly servicing the city.

Councilmember Reuter conveyed that when animal control was under the city, the budget was around \$300,000 for two people, and a large number of animals were euthanized. He said the entire budget for county animal control is \$600,000, with 10 to 15 more times the employees than the city. Councilmember Reuter said he has stated in the past about giving the county more money. He pointed out that the city went from a 70 to 80 percent killing rate to nearly zero. Councilmember Reuter said the city has to make sure that the money is put where it is needed which would include code enforcement at the city. Councilmember Reuter said it is not animals who are bad, but the humans who have them.

VII. CONSENT AGENDA

Councilmember Rodriguez requested item D removed from the Consent Agenda for discussion.

- A. Approval of Minutes: 9/26/2022 (regular)
- B. Acceptance of a proposal from Peoria Ford to purchase one (1) 2022 Ford Explorer Unmarked Police SUV under Arizona State Contract # CTR059322, at a cost not to exceed \$38,426.98.
- C. Appointment of Kathryn Meyers as an alternate member of the Planning and Zoning Commission for a three-year term, with the term of appointment expiring on October 10, 2025.
- D. ~~Recommendation to the Arizona Department of Liquor Licenses and Control (ADLLC) for issuance of a Series 15, Special Event Liquor License to the Eloy Chamber of Commerce, located at 601 N. Main Street, Eloy, Arizona, on November 12, 2022. (Removed for discussion)~~

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

Motion by Councilmember Garcia, seconded by Councilmember Reuter to remove agenda item VII-D from the Consent Agenda for discussion and approve remaining Consent Agenda items as presented, passed unanimously by roll call vote (6-0).

D. RECOMMENDATION TO THE ARIZONA DEPARTMENT OF LIQUOR LICENSES AND CONTROL (ADLLC) FOR ISSUANCE OF A SERIES 15, SPECIAL EVENT LIQUOR LICENSE TO THE ELOY CHAMBER OF COMMERCE, LOCATED AT 601 N. MAIN STREET, ELOY, ARIZONA, ON NOVEMBER 12, 2022.

Staff Cover Sheet Report: *The Council forward a favorable recommendation to the ADLLC for issuance of a Series 15 Special Event liquor license to the Eloy Chamber of Commerce for a fundraising event on November 12, 2022.*

The Eloy Chamber of Commerce has contracted with Arizona Events Group, LLC to bring an "Eloy Glow" event to the city on November 12, 2022 at Main Street Park. Mr. Andrew Rodriguez, executive director of the Eloy Chamber of Commerce, submitted a Series 15, special event liquor license application to the city for the purpose of selling alcoholic beverages to the public at the event to raise funds for the Chamber. Mr. Rodriguez is requesting a favorable recommendation from the City Council to the ADLLC for issuance of a special event liquor license. All alcoholic beverages will be purchased and consumed in a secure fenced-off area from 4:00 p.m. to 9:00 p.m. and monitored by police and security personnel to ensure there are no violations of Arizona liquor laws. There will be no off-site purchases or consumption. The Eloy Chamber of Commerce will receive 70% of the revenue generated from the sales; Arizona Events Group will receive 30%.

Per A.R.S. §4-203.02, E. - "The director may issue the special event license only to a government entity or a political party or campaign committee supporting a candidate for public office or a ballot measure, or a nonprofit entity that is organized as a nonprofit entity in this state or pursuant to the laws of another state and that is a nonprofit entity under section 501(c) of the internal revenue code of the United States."

FISCAL IMPACT: *There is no fiscal impact to the city with the recommendation for a special event liquor license.*

Councilmember Rodriguez conveyed to the Council and public that his name is on the liquor license application, but the license is for his employer, the Eloy Chamber of Commerce. He said because of this he would be recusing himself from voting on this item.

Mrs. Myers conveyed that Councilmember Rodriguez, on behalf of his employer, Eloy Chamber of Commerce, submitted a special event liquor license application to sell alcohol at the Eloy Glow event at Main Street Park, November 12th, from 4:00

p.m. to 9:00 p.m. Mrs. Myers said all alcohol would be consumed on site in a secured fenced off location with police officers and security personnel monitoring the activity to ensure Arizona liquor laws are followed.

A motion was made by Vice Mayor Snyder and seconded by Councilmember Curtis to recommend approval to the ADLLC for issuance of a Series 15, Special Event liquor license to the Eloy Chamber of Commerce on November 12, 2022, passed 5-0 by the following roll call vote:

Yea: Mayor Powell, Councilmember Curtis, Vice Mayor Snyder, Councilmember Reuter, Councilmember Garcia

Nay: None

Recused: Councilmember Rodriguez

VIII. BUSINESS

A. COUNCIL TO CONDUCT A PUBLIC HEARING REGARDING THE POSSIBLE ANNEXATION OF 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.

Staff Cover Sheet Report: Council authorize Staff to initiate annexation proceedings on parcels 408-01-022B, 408-01-022C and 408-01-022D and their adjacent rights of way within Section 13, Township 8 South, Range 7 East, of the Gila and Salt River Base and Meridian, Pinal County, Arizona.

This public hearing is required, pursuant to Arizona Revised Statutes, to conduct the annexation process in Arizona. This annexation has been voluntarily requested by 301AK 8me LLC, who received written authorization from MDT Investments LTD Partnership, the property owner, to bring approximately 645.7 acres of land comprised of three Pinal County Assessor's Parcel Numbers: 408-01-022B, 408-01-022C and 408-01-022D in Section 13, T.8 S., R. 7 E. into the City of Eloy. The subject parcels are currently within a "county island" which is bounded on all four sides by the City of Eloy.

Annexation is the process by which a city may assume jurisdiction over unincorporated territory adjacent to its incorporated boundaries. As such, annexation represents a significant step in the overall growth of a city. In Arizona,

*annexation requires the consent of the **owners of at least one-half of the value** of the real and personal property and the consent of **more than one-half of the number of property owners** in the territory to be annexed as documented by the latest county assessor data. In this case, the area to be annexed is held by one owner. Completed petitions must be filed with the County Recorder within one year after the last day of the thirty-day waiting period. In addition, the consent and action of the city council are required.*



The three parcels are currently held by one ownership entity and are under agricultural production. The existing zoning on all three subject parcels (as per Pinal County) is General Rural (GR), which allows one residential dwelling unit per 1.25 acres of land. If successfully annexed, this property would be designated as R1-54 (one residential dwelling unit per 54,450 square feet (1.25 acres) as the translational zoning into the City of Eloy. The Eloy General Plan identifies Section 13 as Estate Density Residential/0.2-1.0 du/ac for approximately 480 acres and Medium Density Residential/3-6 du/ac for approximately 160 acres (Northeast Quarter of the Section). The property owners' intent is to annex the property and entitle it to allow for long term (estimated at 20-30 years) solar generation use.

FISCAL IMPACT: *The fiscal impact of this annexation would increase the incorporated area of the City, which would then be subject to enhanced services to maintain perimeter roads and police protection at this time. However, because the subject property is bounded on all four sides by the City, and the city's current boundary extends approximately five miles to the south, these costs would be minimal.*

If the property is developed as requested by the property owner (solar generation), the improvements to the land would translate to higher property taxes accruing to the city as well as the applicable construction sales tax as a result of the construction of the solar arrays and other related improvements to the property.

Mr. Vlaming gave a brief overview of the proposed annexation request. Mr. Vlaming stated that the purpose of the annexation is to combine it with a section immediately to its west for a solar generation facility, called *Avantus*, formally known as *8minute Solar Energy*.

Mr. Vlaming stated that a representative for the applicant is present to answer questions from the Council and public.

Mayor Powell declared a public hearing open to hear comments and questions from the public and Council regarding the proposed annexation request.

Mr. Omar Abdallah, from Rose Law Group, who is representing the applicants, thanked the city for working so closely with him and his clients. Mr. Abdallah said he and his clients look forward to bringing a CUP application to the Council in the future for the solar use.

There being no further comments or questions, Mayor Powell closed the public hearing.

B. AUTHORIZE IN-KIND SERVICES FROM THE CITY OF ELOY FOR THE SANTA CRUZ VALLEY UNION HIGH SCHOOL HOMECOMING PARADE ON FRIDAY, OCTOBER 28, 2022 WITH THE CLOSURE OF MAIN STREET FROM 3RD STREET TO 11TH STREET (INCLUDING CROSS STREETS) AS WELL AS MAIN ST. PARK, GAZEBO, AND USE OF ELECTRICAL POWER AT MAIN STREET PARK FROM 1:00 P.M. TO 4:00 P.M.

Staff Cover Sheet Report: *Council to authorize In-Kind Services from the City of Eloy for the Santa Cruz Valley Union High School Homecoming Parade on Friday, October 28, 2022 with the closure of Main Street from 3rd Street to 11th Street (including cross streets) as well as Main St. Park, gazebo, and use of electrical power at Main Street Park from 1:00 p.m. to 4:00 p.m.*

The annual Homecoming Parade for the Santa Cruz Valley Union High School (SCVUHS) is planned for Friday, October 28, 2022, from 1:00 p.m. to 4:00 p.m. The parade participants will assemble along E. 3rd Street and proceed along Main Street to 11th Street and the high school property. The parade will take approximately 30 minutes. SCVUHS has requested that the City provide assistance in setting up barricades for the closure of Main Street for this event. SCVUHS will be hiring five (5) local off-duty police officers to assist with traffic control and security. Additional requests are to use Main St. Park, the gazebo, electrical power at the park, and

provide trash cans for waste. Since this is a nonprofit event and supports the local high school, the staff recommends that the City provide the in-kind contribution and services at no cost to the high school.

FISCAL IMPACT: *The cost for the City to rent and install the barricades for the street closure is approximately \$500. Traffic control and security by the Police will be paid for by SCVUHS.*

Mr. Malewitz conveyed the high school is requesting the closure of Main Street from 3rd to 11th Streets for the school's annual homecoming parade on October 28th, from 1:00 p.m. to 4:00 p.m. The school is also requesting use of the park and park electricity. Mr. Malewitz stated a school representative is present to answer questions from the Council.

The high school representative came forward to thank the Council for the in-kind services.

There being no questions or comments from the Council, Mayor Powell called for a motion.

Motion by Councilmember Garcia, seconded by Councilmember Curtis to authorize in-kind services to Santa Cruz Valley Union High School for a homecoming parade on October 28, 2022, passed unanimously by roll call vote (6-0).

IX. EXECUTIVE SESSION

There were no requests from Council or city staff to hold an executive session.

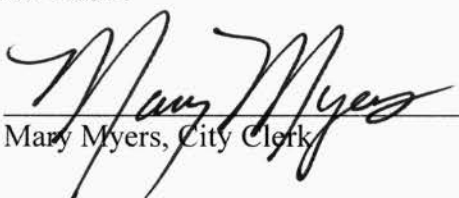
X. ADJOURNMENT

There being no further business, Mayor Powell adjourned the meeting at approximately 6:55 p.m.



Micah Powell, Mayor

ATTEST:



Mary Myers, City Clerk