

**MINUTES OF THE REGULAR MEETING OF
THE ELOY CITY COUNCIL
CITY OF ELOY
595 NORTH C STREET
JANUARY 23, 2023
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; Paul Anchondo-Community Services Director; Matt Rencher-Public Works Director/City Engineer; Sylvia Payne-HR Director; Jon Vlaming-Community Development Director; Jeff Fairman-Economic Development Specialist; Christopher Vasquez-Police Chief

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, Councilmember George Reuter, Councilmember Sara Curtis, Councilmember Dan Snyder, Councilmember Jose Garcia, Councilmember Michelle Tarango

Council Members Absent: Vice Mayor Sylvia Guanajuato Rodriguez

III. INVOCATION

Pastor Leo Holt gave tonight's invocation.

IV. PLEDGE OF ALLEGIANCE

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

V. PUBLIC APPEARANCES

A. Scheduled - None

B. Unscheduled - None

VI. REPORTS AND ANNOUNCEMENTS

A. Council Member Announcements

- Councilmember Reuter announced that through his contacts, he was able to obtain a donation of bullet proof vests from London Bridge Trading in Virginia Beach for the police department. Councilmember Reuter thanked the company for their generous donation.
- Councilmember Reuter conveyed that he would like staff to contact internet service providers about the poor internet service throughout the city. He has received a number of complaints from the public about the service from providers like AT&T, T-Mobile and Verizon.

Councilmember Curtis said she read that the poor connections have something to do with the networks changing from 3G to 5G.

Mr. Malewitz conveyed that he spoke to Captain Gwaltney who is the city's telecommunications point of contact at the police department. He said this is due to the desire of service providers to install on the police department tower located behind the police station. He said T-Mobile has reached out to Captain Jerome to express their intent to upgrade their system. There is also a contract that staff will bring to Council at a future meeting for AT&T to install services on the tower for customers to upgrade to 5G. Mr. Malewitz said staff would work on getting Verizon to locate on the tower as well. Mr. Malewitz anticipates better service for businesses and residents within the next six to seven months.

- Councilmember Snyder conveyed that he attended a ribbon cutting event last week for a family whose home was rehabbed through the city's owner-occupied housing rehab program. He said the family of five lived in a home that did not have central heating or air. Councilmember Snyder said due to limited funds, there are 20 to 30 families on the waiting list for housing rehab in the city. He said this family was on the waiting list for four years before the city received funding.
- Councilmember Snyder stated that he participated in a meeting last week with the general manager of the Robson Ranch Homeowners Association, Mr. Malewitz and police staff regarding creating a reliable communication system for residents to use for emergencies. He said there were a number of people at Robson Ranch who wanted to help during the power outage last summer, but found no reliable communication to reach out to. He said there was also discussion at that meeting on a process for Robson Ranch residents to follow in case of a railroad derailment with possible hazardous materials or police

activity. Councilmember Snyder stated that as more people move to Eloy, having something like this in place would be good to have.

Mayor Powell said he is glad to see discussion on this, but pointed out that this should apply to all residents of Eloy and not just Robson Ranch residents.

B. Mayor's Announcements

Mayor Powell had the following announcements:

- Thanked everyone who attended the State of City address last Wednesday. He received positive feedback about the event He also thanked the Eloy Chamber of Commerce for sponsoring the event and city staff for providing information for his speech. Mayor Powell said a video of the address would be available on the chamber and city websites soon.
- Recognized Councilmember Curtis' television appearance on "Hell's Kitchen." He said Councilmember Curtis was one of several skydivers who parachuted on the show. Mayor Powell said the video is available on YouTube.
- Requested "blinking lights" and rumble strips on both sides of Battaglia Road and Frontier Street. He said there has been a number of accidents and near misses at this location.
- Viewing for Vice Mayor G. Rodriguez's mother will be held Thursday evening at Heritage Funeral Home, followed by rosary and mass Friday morning at St. Helens Church.

C. City Manager's Announcements

Mr. Malewitz conveyed the following announcements:

- A Revitalization Commission meeting is scheduled for Wednesday, at 3:00 p.m., at city hall.
- City code enforcement officers will be partnering with CAHRA once again for the Homeless Point in Time count on Friday. Mr. Malewitz said code enforcement officers will be assisting with counting the homeless in the community.
- A farmers market will be held on Saturday, sponsored by the Eloy Chamber of Commerce
- He and Mr. Haque will be out of the office Wednesday through Friday this week to attend the ACMA winter conference in Sedona. Mr. Malewitz said both he and Mr. Haque would be available via email or cell phone should Council or staff need to reach them.
- The Council budget retreat is scheduled for Saturday, February 4th, from 9:00 a.m. to 4:00 p.m. at city hall. He said additional information will be sent to Council a week prior to the meeting.
- Council will hold a work session on Monday, February 6th at 5:30 p.m., at city hall to discuss solar and its impact to the community. Staff has invited all businesses and companies that are dealing with solar to the meeting. Mr.

Malewitz stated that an invitation has also been extended to members of the Planning and Zoning Commission to attend to be part of the discussions.

- Asked Council if they were available February 21st for a work session on FOIA, conflicts of interest, council/manager form of government, and ethics. Mr. Malewitz said staff contacted the League of Arizona Cities and Towns staff and they have agreed to assist in the training. He stated that if the League is not available on the 21st, he would contact Council to reschedule the training sometime in March.
- Staff would like to hold a work session in March, at 5:30 p.m., on current animal control practices. Discussion would include a review of the current agreement with Pinal County Animal Control, service delivery, budgeting, and other possible options.

Several members of the Council had scheduling conflicts with some of the proposed dates. Mr. Malewitz asked Council to email the dates they are available in March to him and the city clerk. He would then come back to Council with a date that is good for everyone.

Councilmember Curtis asked Mr. Malewitz to provide information on manpower this year versus the city's previous setup and cost to the city to provide the service versus contracting with the county. She also added that she wants to know what services the county actually provided to the city - not what they are supposed to provide the city. Councilmember Curtis said she was aware of some staffing problems with the county.

Councilmember Snyder conveyed that he would also like information on cost to upgrade the city's animal facility should the city consider providing the service again.

Councilmember Reuter wanted to know would representatives from the county be attending the work session.

Mr. Malewitz said no, he had not planned for anyone from the county to be present.

Councilmember Reuter said he would like staff to obtain statistics from the county. He said not what the city pays to the county; the county has a budget of \$600,000 for 20 people and the city operated animal control services with two employees for \$300,000. Councilmember Reuter said the service the city provided was substandard.

VII. CONSENT AGENDA

- A. Approval of Minutes: 12/29/2022 (special) & 1/9/2023 (regular)
- B. Adoption of Resolution No. 23-1552 accepting a grant-in-aid agreement from the Tohono O'Odham Nation 12% local revenue-sharing contribution and acting as the fiscal agent on behalf of Sun Life Family Health Center.

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

Motion by Councilmember Garcia, seconded by Councilmember Tarango to approve the Consent Agenda as presented, passed unanimously by roll call vote (6-0).

VIII. BUSINESS

- A. DISCUSSION AND CONSIDERATION OF AUTHORIZING THE CITY OF ELOY TO REGISTER AS A PLAINTIFF IN THE NATIONAL RURAL WATER ASSOCIATION PFAS COST RECOVERY PROGRAM; TO RETAIN THE LAW FIRM NAPOLI SHKOLNIK TO REPRESENT THE CITY OF ELOY IN THE PFAS COST RECOVERY PROGRAM; AND AUTHORIZING THE MAYOR (OR CITY MANAGER OR PUBLIC WORKS DIRECTOR) TO SIGN THE NECESSARY AGREEMENTS AND COMPLETE THE NECESSARY APPLICATIONS AND/OR REGISTRATION FORMS**

Staff Cover Sheet Report: *Staff recommends that Council authorize the Public Works department to register the City of Eloy as a Plaintiff in the National Rural Water Association PFAS Cost Recovery Program.*

The National Rural Water Association (NRWA) is the recipient of numerous Federal Program Awards designed to assist rural water and wastewater systems through technical assistance, administrative support, environmental training, and workforce development through the various State Rural Water Associations. Every year the NRWA hosts a national conference for water and wastewater professionals. One of the topics that came up frequently during the course of the most recent conference was the ongoing lawsuit against chemical manufacturers responsible for creating per- and polyfluoroalkyl substances (PFAS). PFAS are synthetic chemicals that have been manufactured and used by a broad range of industries since the 1940s. PFAS are used in many applications because of their unique physical properties such as resistance to high and low temperatures, resistance to degradation, and nonstick characteristics. Products using PFAS include non-stick cookware, fabrics treated for stain resistance, and food packaging. PFAS have also been widely used as a surfactant in chrome plating, firefighting foam, and other industrial applications.

However, within the last few years, more information has been made available regarding the adverse effects caused by exposure to these chemicals. Current scientific research suggests that exposure to high levels of certain PFAS may lead to

adverse health outcomes such as reproductive effects such as: decreased fertility or increased high blood pressure in pregnant women; developmental effects or delays in children, including low birth weight, accelerated puberty, bone variations, or behavioral changes; increased risk of some cancers, including prostate, kidney, and testicular cancers; reduced ability of the body's immune system to fight infections, including reduced vaccine response; interference with the body's natural hormones; and increased cholesterol levels and/or risk of obesity. Research is still ongoing to determine how different levels of exposure to different PFAS can lead to a variety of health effects.

The Environmental Protection Agency (EPA) is moving towards regulating these hazardous materials and may hold the individual water systems responsible for remediation efforts to remove these chemicals from the drinking water systems, and may potentially hold individual wastewater systems responsible for PFAS found in the wastewater streams if the wastewater treatment systems are operating under aquifer protection permits. The National Rural Water Association has partnered with a national law firm, Napoli Shkolnik, and filed a lawsuit against the primary manufacturers of PFAS for mitigation and remediation.

Registration as a Plaintiff in the case is available to municipalities, utility districts, and utility providers at no cost. If the City of Eloy registers as a plaintiff in this case, and if the case reaches a settlement, the City of Eloy may be entitled to reimbursement of the costs incurred for testing the drinking water for PFAS and other chemicals, and could be eligible for compensation should mitigation efforts be required.

FISCAL IMPACT: *No cost to register as a plaintiff in the litigation.*

Verbatim

Rencher: This presentation that we have is something that I've become aware through my association with the Rural Water Association of Arizona. And I believe we have Sam Wade on the phone from Napoli Shkolnik.

Wade: Yes, I'm here and I think Hank is on as well.

Naughton: This is Hank Naughton. I'm a partner with the Napoli firm.

Rencher: There have been some contaminants that have been discovered in water systems throughout the United States. These are from manufacturing companies; they are artificial chemicals and EPA is looking to regulate these to the tune of 4 parts per quadrillion, which is they have some serious concerns about the health effects with this. However, there are also quite a few unknowns with these chemicals because we're only just starting to see now the adverse health impacts from these chemicals. These chemicals, they're known as PFAS or PFOS – they're per-and polyfluoroalkyl

substances. They're manufacturing chemicals that are used in stain wear resistant fabrics, in cookware, in firefighting foam, in shampoos, in a lot of other areas that we are being exposed to on a daily basis. And, the EPA now is regulating these and as such, we as a public water system will be required to be testing for these. We actually just got notification from the EPA, Environmental Protection Agency, that we will be required to submit testing as of February and March of 2024. The firm of Napoli Shkolnik has partnered with the National Rural Water Association and has filed a litigation against the primary manufacturers of these compounds. These compounds are known as the "forever chemicals" because they don't degrade, they stay in the systems, they stay in the products that they're in and there's really no way to eliminate them. It's just a matter of treating them and then what do we do with the treated wastewater. Hank Naughton and Sam Wade are the representatives from Napoli Shkolnik and they can provide any additional information on this. What we are proposing is Napoli Shkolnik has offered an opportunity to public water systems to partner with them to register as plaintiffs in this litigation against these 30 some odd manufacturers who are responsible for creating and developing these chemicals. If the litigation goes to a settlement, there may be recompense for systems who are impacted by this through mitigation or through testing. We had a discussion with the two gentlemen that are on the line; myself, the city manager, Mr. Malewitz, and Mr. Cooper, our city attorney as to whether or not the City of Eloy is eligible (first and foremost) to register as a plaintiff in this litigation. And second of all, if we are, should we. And the consensus between the five of us is that yes, we should because if we are impacted by these chemicals, we could face millions of dollars in mitigation and treatment costs. Does that mean to say that if there is a settlement, we'll have everything paid for? No, but maybe not necessarily, but we may have some compensation for that, if we do need to entertain and undertake mitigation strategies. As far as how prevalent are they? There are systems that have been sampled throughout Arizona. ADEQ, the Arizona Department of Environmental Quality, has undertaken a sampling program and even though we are not showing any hits right now, we did reach out to Arizona Water and they said that they have hits on these chemicals in their water system that's up next to the CoreCivic facility, as well as some of the water systems down south from us have also been impacted by that. We won't know until we get our results back in 2024, but if we were to register for this litigation, there's no cost to us. And if there is nothing found in our water system, then fine, no harm done. But, like I said, if there is, we may be entitled to compensation or recompense through our sampling or through mitigation efforts. It's kind of a brief synopsis of what these chemicals are and where they're from and what we can do about it.

Mayor: Alright, thank you. Gentlemen on the line, did you want to add onto that?

Naughton: This is Hank Naughton. Matt did a great job synopsizing that. Just to add to it, my firm, the Napoli firm has taken a lead in this litigation. My partner, Paul Napoli is on the executive committee of the litigation appointed by the judge. In all of these cases from around the country – about 800 of them as this point for water utilities, have

been consolidated in the federal district court of Charleston, South Carolina. We really do feel that it is to the benefit to municipalities such as yourselves that are going to come under deeper scrutiny by the EPA in the future. It's somewhat almost like an insurance policy - if you do have detects and are going need to remediate, our goal is to by through the settlement prior to trial or through a judgement after trial, to set up a trust fund that would be administered by the court or by someone appointed by the court to allow communities such as yourself to apply to that trust fund for reimbursement of remediation costs. But you do need to be a member - you do need to be a plaintiff in this litigation. I could go much more into depth into this, but - and I'm happy to do it, I just kind of like to get a sense of the board if you'd like me to go a little bit further into our services or the history of our firm or the history of this litigation.

Mayor: Okay. Thank you. Is there anybody in Arizona that may be doing this as well?

Rencher: Yes, there are. I believe the Town of Marana has also entered into a partnership with Napoli Shkolnik.

Mayor: Okay. Anyone on Council have any questions? Sara?

Curtis: I'm just looking at the slide presentation on the map of existing contamination in the drinking water. It looks like it's right in our area. I was wondering if you could expand on what that map is saying.

Naughton: Well, that map, and I'm assuming you're looking at the one with all little blue dots on it. That's where testing has been done and there are detects. Arizona hasn't done a lot of testing - of course all the military bases have tested, so you can see those dots around. If you look at Colorado and primarily over on the east coast, those state regulatory agencies have tested all of their water utilities. So, you can see once a state does test, PFAS and PFOS; that why they call it the "everywhere and forever chemical."

Mayor: Okay. Anybody else? Dan?

Snyder: Just, I guess curiosity, what brought this up? Or what has developed as a result of these chemicals that's led to this?

Rencher: A lot of this has come with systems who are now seeing the adverse health effects from this. Some of the systems, some of the health impacts include liver damage, increased exposure could lead to cancer, bladder cancer, kidney, liver, prostate, testicular, thyroid problems, fetal development issues, such as low birth weight and premature babies are some of the ones that are being seen now with after exposure to these chemicals. And so, what's bringing this on is the EPA is really cracking down on this and taking a hard stance against some of these chemicals and mandating the mitigation order or remediation of these in drinking water systems.

Naughton: If I may add to that - this initially came about in 2016, when EPA issued a non-enforceable health advisory, which lowered that advisory level from 400 parts per trillion down to 70 parts per trillion. And then in June of 22, they re-issued that- a revised health advisory and lowered that to .004 parts per trillion to .02 parts per trillion. And they're scheduled to issue an enforceable maximum contaminate level under the Safe Drinking Water Act. It was supposed to be out in December, now I'm told that it's March that will come out. But what I tell you, if you have detections at any level, it's going cost money. That's the bottom line.

Mayor: And how far back do they go? Because obviously we keep records of what the testing and stuff. How far are they going back?

Naughton: The first that I am aware of, the first testing for PFAS was done in what's called the UCMR, Unregulated Contaminate Monitoring of systems over 10,000 they had to (inaudible) every five years. And the first round that I'm aware of was in in 2013.

Mayor: Okay. So, this is just entering into an agreement with them right now?

Rencher: That's correct. If this goes to litigation and to settlement, they will act on our behalf.

Mayor: Okay. Is there any cost right now?

Rencher: There is no cost to the city.

Naughton: There's no cost at all.

Verbatim Ends

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

A motion was made by Councilmember Reuter, seconded by Councilmember Curtis to authorize the City to register as a plaintiff in the National Rural Water Association PFAS Cost Recover Program; to retain the law firm Napoli Shkolnik to represent the City of Eloy in the PFAS Cost Recovery Program; and authorizing the Mayor (or City Manager or Public Works Director) to sign the necessary agreements and complete the necessary applications and/or registration forms, pass unanimously by roll call vote (6-0).

B. ADOPTION OF RESOLUTION NO. 23-1553, APPROVING CASE NO.: GPA2022-040, REQUESTING A MINOR GENERAL PLAN AMENDMENT BY DLR GROUP, INC. IN CARE OF TIM THIELKE ON BEHALF OF KENNETH Y. SEO WITH SEO PROPERTIES, LLC PROPOSING TO AMEND THE ELOY GENERAL PLAN LAND USE DESIGNATION ON PINAL COUNTY ASSESSOR'S PARCEL NUMBER 511-33-016A FROM MIXED USE (MU) TO LIGHT INDUSTRIAL (LI). THE SUBJECT

PROPERTY IS APPROXIMATELY 47.31 ACRES IN SIZE AND LOCATED AT THE SOUTHWEST CORNER OF WEST ADAMS ROAD AND SUNLAND GIN ROAD, IN A PORTION OF SECTION 13, TOWNSHIP 7 SOUTH, RANGE 6 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, PINAL COUNTY, ARIZONA.

Staff Cover Sheet Report: Council approve Resolution No. 23-1553, approving a proposed Minor General Plan Amendment (GPA) request for a land use map change from Mixed Use (MU) to Light Industrial (LI). Staff has reviewed this Minor General Plan Amendment request and finds it is compatible with adjacent land use designations as shown on the City's General Plan Land Use Map. The Eloy Planning & Zoning Commission has recommended approval, on a unanimous vote, to the City Council at their meeting on December 21, 2022.

The City has received an application from DLR Group, Inc. in care of Tim Thielke on behalf of Kenneth Y. SEO with SEO Properties, LLC to amend the Eloy General Plan Land Use designation of Pinal County Assessor's Parcel Number 511-33-016A, 47.31 acres from Mixed Use (MU) to Light Industrial (IL) to allow for the near term development of office/warehouse use to serve Eloy and Regional Employers. The subject property is surrounded by Interstate 10 (I-10) to the south and west and Sunland Gin Road to the east, in a portion of Section 13, Township 7 South, Range 6 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona.

The property is located in an area designated in the Eloy General Plan for Industrial Uses just south of the Union Pacific Railroad, west of Sunland Gin Road and north of I-10 freeway. This proposal will allow the site to be rezoned for I-1, Light Industrial uses under the proposed land use of Light Industrial. This will be in line with the land uses to the north as properties are of similar intensity zoning with existing or vacant industrial uses. The existing Land Use, Existing Zoning and Uses surrounding the property, are listed in the table below.

<i>Direction</i>	<i>Eloy General Plan Land Use</i>	<i>Existing Zoning</i>	<i>Existing Use</i>
<i>North</i>	<i>Light Industrial</i>	<i>Unincorporated Pinal County, R1-54, Estate Residential and I-1, Light Industrial</i>	<i>Industrial, UPRR</i>
<i>East</i>	<i>General Industrial</i>	<i>I-2, General Industrial</i>	<i>E. of Sunland Gin Road-Industrial/PAD, vacant land, Petro Truck Stop</i>
<i>South</i>	<i>Mixed Use, General Industrial</i>	<i>C-2, Community Commercial and unincorporated Pinal County</i>	<i>Unincorporated Pinal County, RV Park/Commercial Hotels, Burger King, Pilot Truck Stop, Subway</i>
<i>West</i>	<i>Interstate 10 (I-10), outside Eloy's Planning Area</i>	<i>Interstate 10 (I-10)</i>	<i>Interstate 10 (I-10)</i>

FISCAL IMPACT: *There is not a direct fiscal impact from this action.*

Mr. Vlaming gave an overview of the proposed resolution, requesting a minor general plan amendment by DLR Group, Inc. for approximately 47.31 acres from mixed use

to light industrial. Mr. Vlaming stated that the applicant have gone through public awareness and involvement and held a community meeting. He said the case was presented to the Planning and Zoning Commission last month and received a unanimous recommendation for approval.

Mayor Powell asked was participation at the community meeting positive.

Mr. Vlaming said yes. Those who attended asked a lot of questions and was misconstrued on a number of items. However, he and Mr. Shaves were successful in giving them the facts of the project. Mr. Vlaming said residents were much more at ease than when they first walked in.

Mayor Powell wanted to know is the applicant affiliated with the project that is fenced, just north of their property.

Mr. Vlaming said that is Casa Grande. He said there has been a fair amount of activity in Casa Grande off and at the intersection of Sunland Gin Road and Frontier.

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 Snyder to read Resolution No. 23-1553 by title only, passed unanimously (6-0).

The city clerk read the resolution title into the record.

Mayor Powell called for a motion to adopt.

Motion by Councilmember Snyder, seconded by Councilmember Garcia to adopt Resolution No. 23-1553 as presented, passed unanimously by roll call vote (6-0).

C. ADOPTION OF ORDINANCE NO. 23-936, APPROVING CASE NO.: RZ2022-041 FOR THE APPLICATION BY DLR GROUP, INC. IN CARE OF TIM THIELKE ON BEHALF OF KENNETH Y. SEO WITH SEO PROPERTIES, LLC TO REZONE APPROXIMATELY 33.00 ACRES OF R1-54, ESTATE RESIDENTIAL AND 14.31 ACRES OF C-2, COMMUNITY COMMERCIAL TO 47.31 ACRES OF I-1, LIGHT INDUSTRIAL. THE SUBJECT PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF WEST ADAMS ROAD AND SUNLAND GIN ROAD, IN A PORTION OF SECTION 13, TOWNSHIP 7 SOUTH, RANGE 6 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, PINAL COUNTY, ARIZONA.

Staff Cover Sheet Report: *Council adopt Ordinance No. 23-936, approving the request to rezone approximately 33.00 acres of R1-54, Estate Residential and 14.31 acres of C-2, Community Commercial to 47.31 acres of I-1, Light Industrial. If*

approved, the proposed rezoning is compatible with the proposed minor General Plan Amendment request. The Eloy Planning & Zoning Commission has recommended that Council approve this request, by unanimous vote, at their meeting on December 21, 2022.

The City has received an application from DLR Group, Inc. in care of Tim Thielke on behalf of Kenneth Y. SEO with SEO Properties, LLC to rezone Pinal County Assessor's Parcel Number: 511-33-016A to construct six buildings that will be developed to meet the growing demand for employment and industrial facilities in the area. The subject property is surrounded by Interstate 10 (I-10) to the south and west and Sunland Gin Road to the east, in a portion of Section 13, Township 7 South, Range 6 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona.

The property has zoned properties adjacent to the north, Mixed Use, Light Industrial and Commercial to the south and General industrial zone to the West. Several industrial businesses operate to the north of the subject property with trucks, industrial type uses and warehouse storage. The proposed warehouses are consistent with this proposed zoning designation. The existing Land Use, Existing Zoning and Uses surrounding the property, are listed in the table below.

<i>Direction</i>	<i>Eloy General Plan Land Use</i>	<i>Existing Zoning</i>	<i>Existing Use</i>
<i>North</i>	<i>Light Industrial</i>	<i>Unincorporated Pinal County, R1-54, Estate Residential and I-1, Light Industrial</i>	<i>Industrial, UPRR</i>
<i>East</i>	<i>General Industrial</i>	<i>I-2, General Industrial</i>	<i>E. of Sunland Gin Road-Industrial/PAD, vacant land, Petro Truck Stop</i>
<i>South</i>	<i>Mixed Use, General Industrial</i>	<i>C-2, Community Commercial and unincorporated Pinal County</i>	<i>Unincorporated Pinal County, RV Park/Commercial Hotels, Burger King, Pilot Truck Stop, Subway</i>
<i>West</i>	<i>Interstate 10 (I-10), outside Eloy's Planning Area</i>	<i>Interstate 10 (I-10)</i>	<i>Interstate 10 (I-10)</i>

FISCAL IMPACT: *There is not a direct fiscal impact from this action.*

Mr. Vlaming gave a brief overview of the proposed ordinance that would rezone the amended minor general plan of 47.31 acres to I-1 (light industrial). Mr. Vlaming pointed out that this is for the same property, one parcel. He stated that this item received a unanimous recommendation for approval from the Planning and Zoning Commission.

Mayor Powell wanted to know how soon would construction begin in the area.

Mr. Brett Shaves from Newport Commercial Partners, said construction would begin January 1, 2024 and that they are excited to start the project.

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

Motion by Councilmember Snyder, seconded by Councilmember Curtis to read Ordinance No. 23-936 by title only, passed unanimously (6-0).

The city clerk read the ordinance title into the record.

Mayor Powell called for a motion to adopt.

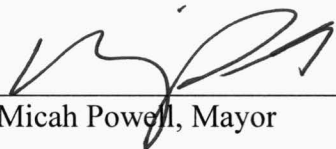
Motion by Councilmember Garcia, seconded by Councilmember Tarango to adopt Ordinance No. 23-936 as presented, passed unanimously by roll call vote (6-0).

IX. EXECUTIVE SESSION

No executive session request by Council or city staff.

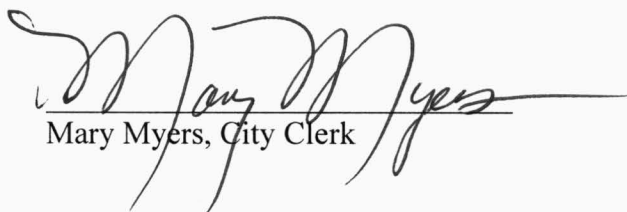
X. ADJOURNMENT

There being no further business, Mayor Powell adjourned the meeting at approximately 6:49 p.m.



Micah Powell, Mayor

ATTEST:



Mary Myers, City Clerk