

**MINUTES OF THE REGULAR MEETING OF
THE ELOY CITY COUNCIL
CITY OF ELOY
595 NORTH C STREET
MARCH 27, 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; Matt Rencher-Public Works Director/City Engineer; Christopher Vasquez-Police Chief; Sylvia Payne-HR Director

I. CALL TO ORDER

Mayor Micah Powell called the meeting to order at approximately 6:18 p.m.

II. ROLL CALL

Council Members Present: Mayor Micah Powell, Vice Mayor Sylvia Guanajuato Rodriguez, Councilmember Sara Curtis, Councilmember Dan Snyder, Councilmember Jose Garcia, Councilmember Michelle Tarango

Council Members Absent: Councilmember George Reuter

III. INVOCATION

Pastor Debbie Miller gave tonight's invocation.

IV. PLEDGE OF ALLEGIANCE

Vice Mayor G. Rodriguez 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 - None

B. Mayor Announcements

Mayor Powell made the following announcements:

- Attended the City of Casa Grande 'State of the City' address with Mr. Malewitz;
- He and City staff had a welcome lunch meeting with Cirba representatives. The City is very excited to have the company in Eloy. The City will continue to work with them as progress with their project.
- He and Councilmember Garcia read to the Eloy kindergarten classes on May 8. Mayor Powell said he had a great time reading to the kids.
- He attended the SCMPO meeting via telephone on March 14. The meeting was held in the Eloy Council Chamber.
- Will be attending a CAG meeting in Apache Junction on March 29. Mayor Powell said this would be his first meeting as Chairman.
- Recognized Eloy Chamber of Commerce 2023 award recipients
- He and Vice Mayor G. Rodriguez will be part of a panel at the Eloy Community Forum on March 30, 6:00 p.m., in the Council Chamber. Speakers to include community and county leaders and an elementary school student. The Pinal County Attorney's Office is sponsoring the event, and Ms. Evelyn Casuga will serve as moderator.

C. City Manager Announcements

Mr. Malewitz conveyed the following announcements:

- A community clean-up event was held over the weekend. Volunteers cleaned three lots in the City. He thanked the fire district and local high school students for their help.
- Mr. Rencher has dedicated his staff to weed control in the City for the next two weeks.
- Adopt a Street clean up is scheduled for April 15, starting at 7:00 a.m.
- This month's Pinal Partnership breakfast is slated for March 31. He asked Council to please contact the city clerk if they plan to attend. The Pinal County Board of Supervisors will be talking about activities in the county.
- A budget work session is scheduled for April 3, at 5:00 p.m., to discuss revenue projections, property taxes and utility charges. Mr. Malewitz said a special meeting is slated for April 17, at 5:00 p.m., for outside organizations seeking funding. He and Mr. Haque and Mr. Wright plan to meet with Council one or two at a time to review department budgets the first week in May.

VII. CONSENT AGENDA

- A. Approval of Minutes: 3/13/2023 (regular)
- B. Consideration of approval to purchase fifty (50) residential water meters and one hundred (100) meter antennas from Dana Kepner Company, Incorporated for the water division of the Public Works department at a cost of not to exceed \$35,000, plus applicable taxes for installation and replacement of residential water meters, and authorizing the Public Works Director to sign the necessary purchase agreements
- C. Adoption of Ordinance No. 23-941 repealing Ordinance No. 08-720 and approving the termination of the Villages of Eloy Development Agreement dated April 15, 2008, to facilitate the development of approximately 967 acres generally located SEC of Estrella and Cornman Roads.
- D. Adoption of Ordinance No. 23-942 repealing Ordinance No. 07-657 and approving the termination of the Edgewater Development Agreement dated April 11, 2007, to facilitate the development of approximately 817 acres generally located northeast of Tumbleweed and Houser Roads, east of Eleven Mile.
- E. Adoption of Ordinance No. 23-943 repealing Ordinance No. 06-643 and approving the termination of the Eloy 812, LLC Development Agreement dated December 12, 2006, to facilitate the development of approximately 811.91 acres generally located at NEC of Sunland Gin and Houser Roads.
- F. Adoption of Ordinance No. 23-939 repealing Ordinance No. 07-683 and approving the termination of the BT Eloy, LLC (Steven Farms) Pre-Annexation and Development Agreement dated July 10, 2007, to facilitate the development of approximately 655.86 acres generally located SWC Eleven Miles Corner and Harmon Roads.
- G. Adoption of Ordinance No. 23-944 repealing Ordinance No. 06-616 and approving the termination of the Eloy Acres Development Agreement dated March 27, 2006, to facilitate the development of approximately 317 acres generally located east of Curry Road, between Milligan and Phillips Roads.
- H. Adoption of Ordinance No. 23-940 repealing Ordinance No. 06-679 and approving the termination of the Trailside at Eloy Development Agreement dated March 27, 2007, to facilitate the development of approximately 575 acres generally located on SWC Sunshine Boulevard and Nutt Road.
- I. Adoption of Ordinance No. 23-945 repealing Ordinance No. 06-611 and approving the termination of the Villages of Santa Cruz Valley Pre-Annexation and Development Agreement dated February 13, 2006, to facilitate the development of approximately 262 acres generally located SEC of Toltec Buttes Road and Cabra Way.

Mayor Powell asked if any property owners in the audience wished to comment on items C through I regarding the termination of development agreements.

With there being none, Mayor Powell asked Council if there were any corrections or item(s) to remove from the Consent Agenda.

With there being none, Mayor Powell called for a motion.

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

VIII. BUSINESS

- A. CONSIDERATION OF ACCEPTING THE PROPOSAL PROVIDED BY WILSON ENGINEERS TO PROVIDE DESIGN SERVICES FOR THE ELEVEN MILE CORNER ROAD SEWER ALIGNMENT AND THE SEWER LINE ALIGNMENT BETWEEN ELEVEN MILE CORNER ROAD AND THE WASTEWATER TREATMENT PLANT; AND AUTHORIZING THE CITY OF ELOY TO ENTER INTO A CONTRACT WITH WILSON ENGINEERS TO PROVIDE SUCH DESIGN SERVICES UTILIZING THE CITY OF SCOTTSDALE COOPERATIVE PURCHASING AGREEMENT 2022-038-COS, FOR A COST NOT TO EXCEED \$275,000; AND ENTERING INTO A CONTRACT WITH WILSON ENGINEERS AND AUTHORIZING THE MAYOR TO SIGN ALL NECESSARY CONTRACT DOCUMENTS.**

Staff Cover Sheet Report: *Staff recommends that Council accepts the proposal submitted by Wilson Engineers for the design of the sewer line located along and west of Eleven Mile Corner Road.*

Beginning in early 2022, a home builder (Century Complete) approached the City of Eloy with a desire to continue work on the Esperanza subdivision that had begun prior to the economic downturn of the late 2000s. The subdivision had utility lines that were installed within the subdivision, but never connected to the City of Eloy's network of water distribution or sewer collection mains. After meeting with several property owners and stakeholders for surrounding properties, there was a general consensus among all parties to place a main sewer line on the midsection line east of Eleven Mile Corner Road. This proposed sewer line would be able to serve properties in which there is significant interest in developing for residential subdivisions.

As part of these discussions and to facilitate growth, the City of Eloy proposed to abandon the existing force main that crosses private property on the west side of Eleven Mile Corner Road in favor of a sewer line within the right-of-way of Eleven Mile Corner Road. The new Eleven Mile Corner sewer alignment would relieve the current load on a force main that is undersized and incapable of conveying the flow from all the contributing areas of the City of Eloy that feed into it. Wilson Engineers had worked for the City of Eloy previously by providing a conceptual hydraulic analysis to determine the appropriate pipe size that would accommodate the future flows expected to be generated by the Esperanza subdivision and the surrounding areas.

Wilson Engineers has a current contract with the City of Scottsdale that covers Design Services in the Scope of Work. The Scottsdale Contract contains Cooperative Purchasing language that allows other Arizona municipalities to utilize the Scottsdale Contract to procure similar services in the water and wastewater sectors. Under the Scottsdale Contract, the staff requested a proposal from Wilson Engineers to perform design services in order to have a design completed that could be used as a basis for a future construction project that will open up the area north and northeast of Eloy proper for development.

FISCAL IMPACT: *Not to Exceed \$275,000 to be paid out of the Impact Fees and Sewer Fund.*

Mr. Rencher gave an overview of a proposal from Wilson Engineers for design services for the Eleven Mile Corner Road sewer alignment, and the sewer line alignment between Eleven Mile Corner Road and the wastewater treatment plant. He said the project would provide sewer service to area E and eliminate the need to install the line across private property. Mr. Rencher stated the line would also have the additional capacity to provide for development east of Eleven Mile Corner Road. He said the project's cost is based on the City of Scottsdale's contract, which has cooperative purchasing language that allows the City to piggyback off of, eliminating the need to bid.

Councilmember Snyder wanted clarification on the services covered in the proposal.

Mr. Rencher explained that the company would do all of the design and survey work – have a design ready to go that staff could send out to bid or use cooperative purchasing that would cover the construction part. He said this would be independent of the actual construction. Mr. Rencher said if growth and development slows down, the City would still have the design ready to go when growth picks up again.

Councilmember Garcia wanted to know if payment comes from current impact fees and the sewer fund or as customers connect.

Mr. Rencher said this would be paid from the sewer fund.

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

Motion by Councilmember Tarango, seconded by Councilmember Snyder, to accept the proposal provided by Wilson Engineers to provide design services for the Eleven Mile Corner Road sewer alignment and the sewer alignment between Eleven Mile Corner road and the wastewater treatment plant; and authorizing the City of Eloy to enter into a contract with Wilson Engineers to provide such design services utilizing the City of Scottsdale Cooperative Purchasing Agreement 2022-038-COS, for a cost not to exceed \$275,000; and entering into a contract with Wilson Engineers and

authorizing the Mayor to sign all necessary contract documents, passed unanimously by roll call vote (6-0).

B. CONSIDERATION OF ACCEPTING THE PROPOSAL PROVIDED BY WILSON ENGINEERS TO UPDATE THE WATER MASTER PLAN AND THE WASTEWATER MASTERPLANS UTILIZING THE CITY OF SCOTTSDALE COOPERATIVE PURCHASING AGREEMENT 2022-038-COS, FOR A COST NOT TO EXCEED \$300,000; AND ENTERING INTO A CONTRACT WITH WILSON ENGINEERS AND AUTHORIZING THE MAYOR TO SIGN ALL NECESSARY CONTRACT DOCUMENTS.

Staff Cover Sheet Report: *Staff recommends that Council accept the proposal submitted by Wilson Engineers to update both the water masterplan and the wastewater masterplan at a cost not to exceed \$300,000.*

The latest version of the City of Eloy Water Masterplan was completed in February of 2007. The Wastewater Masterplan was completed in September of the same year. Masterplans are crucial for providing information that will identify areas of potential growth and help to manage that growth when it comes. Both the Water and Wastewater Masterplans for the City are outdated and contain assumptions that are no longer relevant to the current economy. Given the importance that masterplans hold in managing growth within the City of Eloy and surrounding areas, it is vital that the master plans are updated.

Wilson Engineers has a current contract with the City of Scottsdale that covers Planning Services in the Scope of Work. The Scottsdale Contract contains Cooperative Purchasing language that allows other Arizona municipalities to utilize the Scottsdale Contract to procure similar services in the water and wastewater sectors. Under the Scottsdale Contract, Staff requested a proposal from Wilson Engineers to update the masterplans that could then be used as a basis for managing and planning for growth and development throughout the City of Eloy.

FISCAL IMPACT: *Funding allocations will be \$150,000 from the Water Fund and \$150,000 from the Sewer Fund as identified in the FY2022-2023 CIP.*

Mr. Rencher gave a brief overview of the proposal from Wilson Engineers to update the City's water and wastewater master plans. Mr. Rencher pointed out that the master plans have not be updated since 2007.

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

Motion by Councilmember Garcia, seconded by Vice Mayor G. Rodriguez, to accept a proposal by Wilson Engineers to update the water master plan and the wastewater

master plans utilizing the City of Scottsdale Cooperative Purchasing Agreement 2022-038-COS, for a cost not to exceed \$300,000; and entering into a contract with Wilson Engineers and authorizing the Mayor to sign all necessary contract documents, passed unanimously by roll call vote (6-0).

C. APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT CONTRACT WITH ARMSTRONG CONSULTANTS, INC. FOR AIRPORT ENGINEERING DESIGN AND CONSTRUCTION MANAGEMENT AT THE ELOY MUNICIPAL AIRPORT.

Staff Cover Sheet Report: *Approval of a Professional Services Agreement contract with Armstrong Consultants, Inc. for Airport Engineering Design and Construction Management at the Eloy Municipal Airport.*

For the purpose of providing professional airport consulting services for the development of the City of Eloy Municipal Airport, including, but not necessarily limited to assistance in programming, planning, and development of the annual Airport Capital Improvement Program (ACIP); engineering/design services, including the development of plans/construction drawings, specifications, special provisions, design reports, studies, and other documents as required, for airside and landside improvements at Eloy Municipal Airport; bid phase services, including coordination and attending pre-bid meetings and bid opening meetings, responding to contractor questions, issuing addenda to contract documents, and providing bid analysis and tabulations; and construction phase services including on-site construction inspection, observation, construction contract administration, contractor document responses, and project close-out activities, including final construction reports and Record Drawings and other duties as necessary and as needed.

On April 12, 2021, the City entered into an Airport Engineering Design and Construction Management Consulting Services Agreement with Dibble Engineering, effective for one (1) year, which was a renewal of the contract signed on April 10, 2017. Based on the city's consulting services hiring policy, a Request for Qualification (RFQ) was duly posted in the newspaper and the two bids were submitted by Dibble Engineering Services and Armstrong Consulting, Inc. The bid selection committee recommended Armstrong Consulting, Inc as they are uniquely qualified as an airport specialist engineering firm.

FISCAL IMPACT: *The funding for the consulting work will be provided by FAA Grant, which has been included in this year's budget and is available under the airport account. In addition, the tasks included in the contract will be completed based on the consulting fee schedule (Exhibit B), which is attached for review.*

Mr. Haque briefly explained the steps taken, per city policy, for seeking bids for airport engineering design and construction management at the airport. He said the

City received two offers - Dibble Engineering Services and Armstrong Consulting Inc. Based on recommendations from the selection committee, Armstrong Consulting was selected based on their unique qualifications as an airport specialist engineering firm. Mr. Haque said an FAA grant would fund the project. Mr. Haque stated that Mr. Jason Musselman from Armstrong Consultants is present to answer questions from the Council.

Mayor Powell asked Mr. Musselman if he would like to make any comments.

Mr. Musselman said no.

With no questions or comments from Council, Mayor Powell called for a motion.

Motion by Councilmember Snyder, seconded by Councilmember Garcia to approve a Professional Services Agreement contract with Armstrong Consultants, Inc. for airport engineering design and construction management at the Eloy Municipal Airport, passed unanimously by roll call vote (6-0).

D. COUNCIL TO DISCUSS, WITH POSSIBLE ACTION, THE CITY'S INTENT TO RE-BID AND CONTINUE WITH PREVIOUS PLANS TO CONSTRUCT LANDSCAPE IMPROVEMENTS FOR EITHER, OR BOTH, THE FRONTIER STREET COMMUNITY TREE PROJECT (SOUTH SIDE OF FRONTIER STREET, BETWEEN MYERS AND STUART BOULEVARDS) AND/OR THE SHEDD ROAD MEDIAN LANDSCAPE PROJECT (CENTER MEDIAN OF SHEDD ROAD, FROM GILES STREET TO ESTRELLA ROAD).

Staff Cover Sheet Report: *Council approves continuing with the landscape improvement project and directs staff to secure qualified bids and contract(s) from landscaping firms for both the Frontier Street Community Tree Project (south side of Frontier Street, between Myers and Stuart Boulevards) and/or the Shedd Road Median Landscape Project (center median of Shedd Road, from Giles Street to Estrella Road) for review and approval by the City Council.*

The Frontier Street Community Tree Project and the Shedd Road Median Landscape Project have been identified by the council as needed community enhancement projects. Both projects were vetted through a community engagement process and proceeded through the concept design, selection, and preparation of construction documents.

The Frontier Street Project was first identified by a City resident and supported by a member of the council. In August 2020, staff presented to the council preliminary ideas for the project and received approval to move forward with solicitation for concept designs. The intent of the beautification project is to enhance the current dirt shoulder by placing trees and supportive irrigation along the south side of Frontier

Street (within the City's right-of-way) in the Downtown Area. This project would implement the initial phase of the City's Community Street Tree Program. The initial project area is located on the south side of Frontier Street between Myers Boulevard and Stuart Boulevard (approximately 2,000 linear feet).

The Shedd Road Median Landscape Project proposal came second in 2021 as a continuation to improving the appearance of the City's rights-of-way and median. The purpose of Shedd Rd. Project is to incorporate landscape, hardscape, and irrigation improvements to an approximate 3/4 segment of Shedd Road, between Giles Street and Estrella Road. This project follows the complete reconstruction of Shedd Road adjacent to this median, which was completed in 2015. This median has light poles and an existing landscape, but the median was never improved after the roadway project was finished but was intended to be completed later on.

When the Shedd Rd. Project was added in 2021, the decision was made to hold on bids for Frontier St. until plans for Shedd Rd. were completed and both projects could be combined. Unfortunately, the projects were not bid on in 2021 due to contractor and supply issues related to the COVID pandemic, as well as other city projects taking priority. The City assigned these projects to the CIP list in FY21-22 allocating \$280,000 toward the Shedd Rd. Project and \$200,000 towards Frontier St. Project. Funding allocations were rolled over for the same amounts for FY22-23.

In March 2022, the City proceeded to solicit bids for both projects and received responses from two qualified contractors. The Shedd Rd. Project received bids for \$737,750 and \$586,506. The Frontier St. Project received only one bid for \$260,645. Due to the high cost of the projects, the decision was made to hold off until pricing and contractor availability came down as demand for these services settled. In December 2022, the City again re-bid the projects and received bids from two qualified contractors. One contractor bid on both Shedd Rd. Project and Frontier St. Project at \$864,875. There was no separation of projects within the bid submittal. The second bid included only Frontier St. Project at \$181,532.

Recent discussions on these projects after the second bids were received led to a decision to hold off in favor of combining funding towards a new project; median landscape improvements on Frontier St. The status of the two projects was brought up during the February 2023 Budget Retreat with the direction of the council to bring these items to a future council meeting for further evaluation. City staff is coming forward for council reconfirmation to determine their interest in retaining either one, or both, of the landscaping projects and if so, determine a timeframe for construction. The funds to complete the construction of the Frontier Street Community Tree Project and Shedd Road Median Landscape Project have been identified in the City's current Capital Improvement Plan for FY22-23. The current CIP has allocated \$280,000 for the Shedd Road Median Landscape Project and \$200,000 for the Frontier Street Community Tree Project.

FISCAL IMPACT: *Allocated project funding in FY2022-2023 CIP is in the amount of \$200,00 for Frontier Street Community Tree Project and \$280,000 for Shedd Road Median Landscape Project.*

Mr. Vlaming presented a PowerPoint presentation on the Frontier Street Community Tree Project and the Shedd Road Median Landscape Project. He gave a historical overview and updated the Council on the current status of the projects. Mr. Vlaming offered four options for Council to consider:

- Rebid the Frontier Street project only;
- Rebid the Shedd Road project only;
- Rebid both projects together; or
- Do neither project; allocate a portion of the funds to enhance the center median on Frontier Street.

Mr. Vlaming said staff is seeking direction from Council on moving forward or offering project alternatives.

Mayor Powell conveyed that the City received a bid for \$181,000 for the Frontier Street project last December. He wanted to know if the bid amount is still valid today.

Mr. Vlaming said there is a possibility that it could still be valid. He said he spoke to the contractor this afternoon, and they would like to talk further if Council wants to proceed with the project.

At this time, Mayor Powell asked each member of the Council to voice their opinions and recommendations on how they wish to proceed with the projects.

Council wanted to know how long it would take to complete the Frontier Street project.

Mr. Vlaming said approximately three months.

Councilmember Garcia wanted to know why is so much budgeted for the Shedd Road project (\$600,000).

Mr. Vlaming said this is based on the bid amounts from March 2022. The City received two proposals for the project – one for \$586,000 and the other for \$737,000. Mr. Vlaming conveyed that several elements go into the project, such as electrical, irrigation, and digging underneath the road to connect everything. He said the project is much more enhanced than the Frontier project.

Vice Mayor G. Rodriguez said she wants to move forward with the Frontier project.

Councilmember Curtis asked could there be a motion to move forward with Frontier and a separate motion to request new bids for Shedd Road.

Mayor Powell said if this is the direction of the Council to move forward with the Frontier project, a motion is needed. However, formal action is not required to direct staff to rebid Shedd Road.

A motion made by Councilmember Garcia and seconded by Councilmember Curtis to move forward with the Frontier Street Community Tree Project, passed unanimously by roll call vote (6-0).

Councilmember Garcia asked when would be a good time to start the project.

Mr. Vlaming conveyed that now is probably a good time, depending on whether the contractor wants to proceed with that current bid. If not, the project would have to go out to bid again. Mr. Vlaming said it might serve the City better to follow up in the fall to give everything a running start, in terms of transitioning.

IX. EXECUTIVE SESSION

No executive session was requested by Council or City staff.

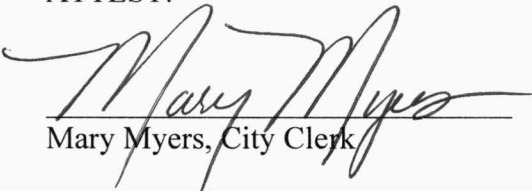
X. ADJOURNMENT

There being no further business, Vice Mayor G. Rodriguez adjourned the meeting at approximately 6:58 p.m.



Micah Powell, Mayor

ATTEST:



Mary Myers, City Clerk