

**MINUTES OF THE REGULAR MEETING OF
THE ELOY CITY COUNCILCITY OF ELOY
595 NORTH C STREET
NOVEMBER 12, 2024
6:00 P.M.**

Staff Present: David Malewitz-City Manager, Mackenzie Letcher-Assistant City Manager; Stephen R. Cooper-City Attorney, Mary Myers-City Clerk, Brian Wright-Finance Director, Matt Rencher-Public Works Director/City Engineer, Sergio Banales-Police Chief, Paul Anchondo-Community Services 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 Sara Curtis, Councilmember Sylvia G. Rodriguez, Councilmember Andy Sutton, Councilmember Dan Snyder, Councilmember Jose Garcia, Councilmember Michelle McKinley-Tarango

Council Members Absent: None

III. MOMENT OF SILENCE

Mayor Powell called for a moment of silence.

IV. PLEDGE OF ALLEGIANCE

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

V. PUBLIC APPEARANCES

A. Scheduled

B. Unscheduled

VI. REPORTS AND ANNOUNCEMENTS

A. Council Member Announcements

1. Councilmember Sutton - attended the annual G.A.I.N. night, sponsored by the police department. He thanked Chief Banales and Sargent Singleton for putting on a great event.
2. Councilmember G. Rodriguez – The police department will host a Community and Police Engagement (CAPE) class tomorrow from 6:00 p.m. to 8:00 p.m. The class is about fostering better interactions between young drivers and police officers. She encouraged families with young drivers to attend the class at the police department. Councilmember G. Rodriguez said a link to register is available on the police department's Facebook page, or call the department to register.
3. Vice Mayor Curtis – Approximately 120 skydivers will be attempting a new world record the week of Thanksgiving at the airport. There will be a formation jump with five airplanes carrying 115 people who will attempt to hold hands in a "feet to earth" position. Vice Mayor Curtis said this is one of the most difficult positions to attempt. She invited the public to come out to watch the event.
4. Councilmember Garcia – He and other members of the Council attended yesterday's annual Veterans Day event at Main Street park. He invited the public to visit the new veteran's center located at the southeast corner of Main and 6th Streets.

Vice Mayor Curtis added that the building has a large American flag painted on the building.

B. Mayor Announcements

Mayor Powell conveyed the following announcements:

- The Pinal Regional Transportation Authority (PRTA) met today and suggested suspending future meetings for now. With everything going on with the two propositions that went to court, and possible incorporation of San Tan Valley, the board believes that it would be best to not hold any meetings at this time. If a meeting is needed before the board resumes its regular meetings, a meeting will be scheduled. Mayor Powell said the board is not looking at going to voters for an initiative at this time.

Mr. Malewitz said the PRTA will meet on December 9th to finalize everything that was discussed today because it was not on the agenda. The board will still monitor the status of the \$80.0 million that was part of the PRTA that the Arizona Department of Revenue (ADOR) is withholding and disbursing to businesses that apply for the refund. Mr. Malewitz said any remaining funds left over will be returned to the PRTA after the application for refunds expires in 2026. At that time, the board will determine how the money will be expended.

- Attended his last SCMPO meeting today. Mayor-elect Sutton will serve as vice chair of the organization, starting January 2025. Pinal County Board of Supervisors, Steve Miller will serve as chairman.
- The Glow event was held on Saturday. There was about 13 hot air balloons; music, food vendors and activities. Mayor Powell said approximately 3,000 people attended and everyone seemed to have a great time.
- Mayor Powell surprised former Planning and Zoning board member, Larry Brown with a plaque and certificate honoring and recognizing him for over 30 years of service as a member of the Eloy Planning and Zoning Commission.

Mayor Powell thanked Mr. Brown for his leadership and dedication to serve for the betterment of the community and its citizens.

Mr. Brown thanked the Council and the citizens for allowing him to serve on the board and playing an important part in the growth of Eloy.

C. City Manager Announcements

Mr. Malewitz announced the following communications:

- Chief Banales introduced the following new police officers to the Council and public: Quentin Slaughter, Brian Holmes, and Joseph Rodriguez
- The teen center is a success. About 15 to 18 teens come to the center daily.
- The annual electric light parade is scheduled for December 14th. The city is hoping to have at least 75 float entries to commemorate the city's 75th anniversary in December. Applications are available on the city's website.
- The third water rate increase will go into effect at the end of November. He reminded the Council and public that the rates are the third of five rate increases that was approved by Council a few years ago.
- Sunshine Blvd. will be closed starting November 18th for Union Pacific railroad crossing work. Public Works is currently in discussions with the project management team to obtain more information to notify the public of the work and alternate routes.
- Pinal County is installing a temporary traffic signal on Sunland Gin Road and Mountain View. Information is posted on the city's website and the police department's Facebook page.
- The city's annual Operation Clean-up will occur this Saturday, from 7:00 a.m. to 11:00 a.m. Volunteers will clean several lots for elderly and disabled residents. Anyone interested please contact Angel Madrid, code enforcement officer in the Community Development department.
- The city will be sponsoring an Eloy 75 art contest. The city is asking youths, teens and adults to submit their depictions of a meaningful place, event or inspirational person who represents Eloy to them. First place winner will receive \$200; second place \$100, and third place winner \$50. Information is available on the city's webpage.

1. Financial Update for 1st Quarter of FY24-25.

Mr. Wright came forward to present an update on the city's first quarter financial condition from July 2024 through September 2024. Mr. Wright also gave a brief demonstration of the ClearGov program's "transparency page" located on the city's website on the finance page. Mr. Wright said the public can click on the transparency link to view the city's demographics and budget actuals.

VII. CONSENT AGENDA

- A. Approval of Minutes: 10/28/2024 (regular)
- B. Authorization to cancel the regular City Council meeting scheduled for Monday, December 23, 2024.
- C. Acceptance of Arizona Governor's Office of Highway Safety Grant # 2025-PTS-020 in the amount of \$12,333.00 for traffic enforcement overtime and the purchase of speed monitoring devices (LIDAR), window tint meters, and LIDAR/Radar certifications.
- D. Acceptance of Arizona Governor's Office of Highway Safety grant # 2025-405d-011 in the amount of \$6,100.00 for overtime costs associated with impaired driving enforcement deployments and the purchase of portable breath testing devices and supplies.
- E. Acceptance of Arizona Governor's Office of Highway Safety grant #2025-AI-006 in the amount of \$8,800.00 for overtime costs associated with accident investigations, training, and investigations software license renewal.
- F. Authorization to enter into an agreement with Danson Construction, LLC, Phoenix, Arizona, in the amount of \$77,438 for interior renovations at the Troy Thomas Center.
- G. Authorization to enter into an agreement to purchase an Eaton 9PXM UPS Tower from Safari Micro for \$39,985.70 under the Mohave Contract 20F-SMI-1003 to provide a backup power supply for the City's IT infrastructure.

A motion was made by Councilmember Garcia and seconded by Councilmember Sutton to approve Consent Agenda items as presented, passed unanimously by roll call vote (7-0).

VIII. BUSINESS

- A. **REQUEST FOR CITY COUNCIL APPROVAL OF CASE NO.: PP2022-009.E1, A TWELVE (12) MONTH TIME EXTENSION FOR THE VISTA DE PICACHO PRELIMINARY PLAT TOTALING 365 RESIDENTIAL LOTS SUBMITTED BY VISTA DE PICACHO LLC C/O CHRISTINA DONG.**

Staff Cover Sheet Report: *Staff recommends that the City Council approve the request by Christina Dong on behalf of Vista De Picacho, LLC, for a Preliminary Plat extension of (12) months (the existing preliminary plat approval time will end on November 22, 2024), subject to the original stipulations of preliminary plat approval, which are as follows:*

- 1. The Property Owner/Developer shall submit Civil Construction Improvement Plans concurrent with the submittal of the Final Plat to the City of Eloy Community Development Department including but not limited to off-site Paving, Sewer, Drainage, Street Lighting, and Signing & Striping Plans and Subdivision Improvement Plans (G&D, Paving, Landscape, Water & Sewer, Street Lighting) and Final Drainage, Water, & Sewer Reports.*
- 2. Eleven Mile Corner Road is classified as a Major Arterial roadway utilizing a 130' ROW. The Property Owner/Developer shall dedicate half street right-of-way (65') along the parcel frontage including right-of-way for the right and left turn lanes into the subdivision.*
- 3. Eleven Mile Corner Road should be built to the Major Arterial roadway standard. The Property Owner/Developer shall install the full half street improvements including the removal and reconstruction of the existing roadway, any additional pavement necessary for the right and left turn lanes and tapers between the existing roadway and the new roadway improvements, a 6' wide sidewalk, pavement (5" asphalt over 12" ABC over 12" of subbase compacted to 95%), and curb inlets to accommodate the storm water run-off.*
- 4. Eleven Mile Corner Road appears to be an existing roadway easement, not a dedicated right-of-way. If confirmed as an easement, then the right-of-way must be dedicated to the City of Eloy prior to, or at the time of, Final Plat approval by the City Council, by the adjacent parcel owner to the south.*
- 5. The proposed 8' PUE along the east side of Eleven Mile Corner Road should be separated from the curb and placed to the east against the drainage channel.*
- 6. The 36" sewer main from the WWTP to the manhole on Eleven Mile Corner Road must be designed and installed prior to, or concurrently with, the approval of the Final Plat by the City Council. A 30' wide sewer easement will be dedicated to the City prior to, or concurrent with, the approval of the Final Plat by the City Council.*
- 7. A secondary fire and emergency all-weather access roadway (approximately 3,000 lineal feet) should be installed from Dutchman Drive to Battaglia Rd (26' wide, 8" ABC over 8" subgrade compacted to 95%). A Fire and Emergency easement will be dedicated to the City prior to, or concurrent with, the approval of the Final Plat by the City Council.*
- 8. Arbor Avenue (east of Garnet Street) and Dutchman Drive shall be built as a Collector roadway cross-section (60' right-of-way (30' each side)) and shall be dedicated to the City of Eloy prior to, or concurrent with, the approval of the Final Plat by the City Council. The right-of-way on the south side of the Dutchman Drive centerline shall be dedicated prior to, or concurrent with, the approval of the Final Plat, by the adjacent parcel owner to the south.*

9. *Arbor Avenue (east of Garnet Street) and Dutchman Drive (west of Agate Way) pavement width shall be 44' including a 6" raised or at-grade painted median.*
10. *Dutchman Drive (east of Agate Way) shall be constructed to accommodate two-way traffic or shall be constructed as an all-weather access roadway (26' wide, 8" ABC over 8" subgrade compacted to 95%) and an in-lieu payment shall be made to the City of Eloy for the remaining improvements prior to the issuance of a building permit.*
11. *Both Bower Street and Dutchman Drive roadways should be extended to the east property line, including the installation of storm drain culverts and curb openings/inlets for drainage.*
12. *Prior to, or concurrent with, the approval of the Final Plat by City Council, a twenty foot (20') wide water easement shall be dedicated to the City, allowing for the looped potable water tie-in from the southeast property corner to Battaglia Road.*
13. *The Property Owner/Developer shall construct roadway improvements on Jasper Street to accommodate two-way traffic, provide an in-lieu payment for the improvements, or work with the adjacent parcel owner to the south on an agreement to exchange this half street construction with the half street on Dutchman Drive.*
14. *Street lighting is required along the east side of Eleven Mile Corner Rd (foundation mounted, four feet (4') back of curb or one foot (1') behind sidewalk) and within the subdivision (direct bury, one foot (1') behind sidewalk or in the median).*
15. *The existing overhead lines along the perimeter and within the subdivision (69KV and under) shall be placed underground by the Property Owner/Developer.*
16. *The Geotech Report shall be amended (prior to Final Plat submittal), to provide recommendations on the Eleven Mile Corner Road pavement structure and any recommendations for Cement or Lime Treated subgrade.*
17. *The Sight Visibility Easement shall be 33' x 33', typical for all vehicular access on Eleven Mile Corner Road. The Sight Visibility Easement shall be 21' x 21', typical for all other intersecting roadways.*
18. *The potable water line tie-in on Eleven Mile Corner Road shall be moved to Arbor Avenue and an isolation valve shall be designed and constructed on the main potable water line.*
19. *The Property Owner/Developer shall obtain an encroachment permit through WAPA for the sewer construction and roadway crossing of their electrical easement on the east side of Eleven Mile Corner Road.*
20. *The Property Owner/Developer is responsible for providing, at their sole cost and expense, all public infrastructure necessary to serve the project, including potable water and wastewater services.*
21. *The Property Owner/Developer shall notify the City of Eloy's Public Works Department of the location of any registered and unregistered wells on the property and the Property Owner/Developer and the City's Public Works Department shall meet and confer to determine if the wells are beneficial or whether they shall be abandoned. Wells shall be abandoned by the Property*

- Owner/Developer if the City's Public Works Department determines that they present a health and safety hazard or are contributing to groundwater contamination and are not able to be rehabilitated, modified, or re-drilled to prevent the health and safety hazard or groundwater contamination.*
- 22. The Property Owner/Developer shall allocate any and all surface water rights to the City of Eloy prior to the issuance of any building permits by the City of Eloy.*
 - 23. The Property Owner/Developer shall abandon any wells pursuant to, and in compliance with, State law. Such abandonment(s) shall be completed prior to the issuance of any building permits by the City of Eloy.*
 - 24. To the extent allowed by law, all Type-I Non-irrigation and Irrigation Grandfathered Rights associated with the property shall be properly extinguished, and the resulting extinguishment credits conveyed to the City of Eloy or pledged to the City of Eloy account at the Arizona Department of Water Resources prior to the issuance of any building permits by the City of Eloy.*
 - 25. The Property Owner/Developer shall incorporate the conceptual Site Plan redline comments prepared by the City Staff (dated August 3, 2022) into the Civil Construction Improvement Plans prepared and submitted in conjunction with the Final Plat. The conceptual improvement plans submitted with the Site Plan approval were reviewed by staff to a conceptual plan level of detail only. Construction level comments will be forthcoming at the time of Civil Construction Improvement Plans submittal.*

Request:

The applicant, Christina Dong, on behalf of Vista De Picacho LLC, has submitted a request for a twelve-month preliminary plat extension (Case No.: PP2022-009.E1) for the previously City Council-approved Vista De Picacho preliminary plat (Case No.: PP2022-009). The subject property is located at the south of the southeast corner of South Eleven Mile Corner Road and West Houser Road, abutting the Santa Rosa Canal.

Background:

On May 22, 2023, the Mayor and City Council approved the Preliminary Plat (Case No.: PP2022-009) for eighteen (18) months from the date of the City Council approval, with an expiration date of November 22, 2024. The proposed subdivision contains a total of 365 lots within a gross area of 106.65 acres.

The City Staff recommends approval of this preliminary plat extension, with the conditions of approval noted. The Eloy Planning & Zoning Commission originally recommended approval of this preliminary plat at their August 17, 2022, meeting, also with the conditions of approval noted.

The Eloy General Plan Land Use Plan identifies the subject property as Medium-Density Residential (3.0-6.0 dwelling units per acre). This property is zoned R1-6 (Medium-Density Residential), and the gross residential density is 3.42 dwelling units

per acre. Therefore, this request is in conformance with the Eloy General Plan and the Eloy Zoning Ordinance.

The minimum lot size is 6,000 square feet, and the average lot size is 6,664 square feet. Primary vehicular ingress/egress to this subdivision will be from Eleven Mile Corner Road, and interim secondary vehicular access will be provided along the eastern property boundary.

The City of Eloy will serve Vista de Picacho with police, water, and sewer services. The Eloy Fire District will provide fire and emergency response services. APS/Electrical District #4 will provide power. Century Link will provide telephone and cable. Southwest Gas will provide natural gas.

On May 22, 2023, the Mayor and City Council granted the approval of the Preliminary Plat for a period of eighteen (18) months from the date of the City Council approval, with an expiration date of November 22, 2024.

FISCAL IMPACT: *The applicant will be subject to impact fees to pay for the proportionate share of its demands upon city services. The applicant intends to enter into a development agreement with the city to set forth respective obligations and commitments relative to the development of the subject property.*

When fully developed, the property will augment the city's population, providing enhanced city revenues relative to state shared revenues, increased property taxes and indirectly, retail sales tax generation. The location of this subdivision will also enhance the market for goods and service businesses in Downtown Eloy.

Mr. Malewitz announced that Mr. Symer is not here to present this item due to the recent passing of his mother.

Mr. Malewitz provided the Council with a brief overview of a request from Ms. Christina Dong, representative for Vista De Picacho LLC, for a preliminary plat 12-month extension. The property is located on Eleven Mile Corner Road, north of the public works department. Mr. Malewitz said this is part of the larger Revitalization District (RD) that staff is currently working on with Launch Development Finance Advisors. Ms. Dong represents landowners who are still in discussions with the city, to put an RD in place that would allow for a sewer line expansion, and roads within a few of those properties in the area. Because of this, Ms. Dong's preliminary plat will be close to expiring before the RD is approved. Mr. Malewitz said the Council approved the preliminary plat for 18 months on May 22, 2023, and is due to expire this month on the 22nd. The proposed subdivision is comprised of 365 lots. The Planning and Zoning Commission and city staff is recommending approval of the extension request with the conditions of the approval noted in the staff report. Mr.

Malewitz pointed out that there are no alterations to the 25 conditions that were part of the original preliminary plat.

It was at this time that Ms. Dong came forward to address questions from the Council.

Councilmember Sutton started off by thanking Ms. Dong for investing in Eloy. He wanted to know had she selected a builder for the development.

Ms. Dong said they have been working with a broker who is in close contact with local and national builders.

Councilmember Snyder inquired about the price range for the homes.

Ms. Dong said based on a market study of the area a few years ago, entry level homes were priced at \$350,000. However, since that time, the market has changed. With inflation and higher interest rates, future market prices would be a question for the future builder.

Councilmember Garcia asked Mr. Malewitz would the 12 month extension be enough time with the RD not being finalized.

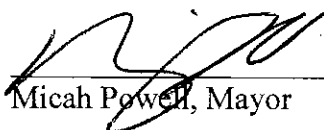
Mr. Malewitz said yes. A final draft was submitted that staff is currently reviewing and working on setting up a meeting with the person representing the property owners.

There being no further questions, Mayor Powell called for direction from the Council.

A motion was made by Councilmember Snyder and seconded by Councilmember Garcia to approve a request from Vista De Picacho LLC c/o Christina Dong for a twelve (12) month time extension for the Vista De Picacho preliminary plan totaling 365 residential lots, passed unanimously by roll call vote (7-0).

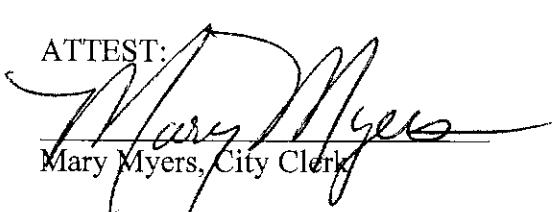
X. ADJOURNMENT

There being no further business, Mayor Powell adjourned the meeting at approximately 6:57 p.m.



Micah Powell, Mayor

ATTEST:



Mary Myers, City Clerk