

CONSENT AGENDA

Agenda Item: IX-A

Date: 01/25/10

**MINUTES OF THE REGULAR MEETING OF
THE ELOY CITY COUNCIL
CITY OF ELOY
628 NORTH MAIN STREET
ELOY, ARIZONA 85131
JANUARY 11, 2010
7:00 P.M.**

Staff Present: Joseph Blanton-City Manager/Community Development Director; Stephen Cooper-City Attorney; Mary Myers-City Clerk; Bill Pitman-Police Chief; Paul Anchondo-Parks and Recreation Director; John Mitchell-City Engineer; Brian Wright-Finance Director; Rus Ketcham-Library Director, Martin O'Haus-Grants Coordinator

I. CALL TO ORDER

Mayor Jackson called the meeting to order at approximately 7:00 p.m.

II. INVOCATION

Invocation was given by Pastor Debbie Miller.

III. PLEDGE OF ALLEGIANCE

Mayor Jackson led the Council and the public in the Pledge of Allegiance.

IV. ROLL CALL

Council Members Present: Council Member Jesse Rosel, Council Member Joel Belloc, Vice Mayor Frank Acuña, Mayor Byron Jackson; Council Member Angie Saucedo, Council Member J.W. Tidwell

Council Members Absent: Council Member Etta Ruth Amerson (excused)

V. COMMUNICATIONS

Mr. Blanton presented the following communications to Council:

- Central Arizona Regional Economic Development Foundation (CAREDF) will be meeting January 14th, at 11:45 a.m. Mr. Blanton reminded Mayor Jackson of the "Mayor's Invite" program.

- Council Member Belloc said he would like to attend the meeting with Mayor Jackson; Encouraged Council to promote the Home Rule Option (HRO) proposition that is scheduled to go before the voters on March 9th. Mr. Blanton said the newspaper will be publishing information on the HRO and staff would like to hold a public meeting on it February 8th before the regular meeting. Passage of the HRO allows the city to continue setting its own budget based on projected revenues instead of the state imposing its expenditure limitation for the city which could reduce the city's budget by approximately 67%. An informational flyer is being put together for Council and staff to hand out to the public;
- Handed out a HUD approved RFP for property and management services to Council for review. Mr. Blanton said HUD will facilitate a pre-bid conference call on January 25th and open bids February 4th. Mr. Blanton said HUD anticipates having the management company on board by February 25 after the Housing Authority Board of Commissioners award contract;
- Asked Council for a date to hold a budget work session this month to discuss the preliminary budget and various strategies to offset the deficit facing the city. *(It was the consensus of Council to schedule a work session for January 19th, at 5:30 p.m.);*
- The Martin Luther King Jr. youth march will be Thursday, January 14, starting at 9:30 a.m.; and
- The Toltec Park Improvements project is near completion.

VI. APPEARANCES FROM THE FLOOR

Todd Sullivan from San Juan Pools, introduced Brian Stacey(sp) to Council as the new plant manager and contact person for the Eloy facility.

VII. EXECUTIVE SESSION

Not needed tonight.

VIII. CONSENT AGENDA

Motion by Council Member Rosel, seconded by Council Member Belloc to approve the Consent Agenda as presented, passed unanimously by roll call vote.

<u>Agenda Item</u>	<u>Subject</u>
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| IX. A. | Approval of Minutes: 12/14/09 (regular) & 12/21/09 (special) |
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- B. Committee Reports: None
- C. Mayor and City Council to consider re-appointing Jose Garcia and Richard Horton as regular members to the Planning and Zoning Commission for three year terms with term of office expiring on January 1, 2013

XI. Staff Reports: Check list payment of claims, police, finance, community development, parks & recreation, public works

IX. BUSINESS

D. COUNCIL TO CONSIDER SECOND AMENDMENT TO REFUSE COLLECTION AND DISPOSAL CONTRACT (THE "AMENDMENT") BETWEEN THE CITY OF ELOY (THE "CITY") AND ALLIED WASTE TRANSPORTATION, INC. (THE "CONTRACTOR") TO ALLOW THE CONTRACTOR TO CONTINUE TO SUBCONTRACT THE WORK OR BUSINESS THE CONTRACTOR HAS CONTRACTED TO PERFORM ON A MONTH-TO-MONTH BASIS.

Cover sheet discussion: The current contract is set to expire on January 31, 2010. Staff has issued an RFP and has scheduled the bid opening for January 26, 2010. It is anticipated that it will take some time to qualify the bids in order to make a recommendation to the City Council.

Staff Findings: An amendment to the current contract is required to allow Allied Waste to continue to pick-up trash beyond the expiration of the contract.

Fiscal Impact: N/A

Mr. Blanton conveyed that staff has gone out to bid for trash services. The bids are due by January 26th at which time will be opened and reviewed by staff. A recommendation for contract award will come before Council sometime in February.

Mr. Blanton said staff recently met with Allied Waste, who subcontracts with Pima Waste. Both parties have agreed to extend the contract beyond January 31, 2010. Mr. Blanton pointed out the city will see a slight fee increase of approximately 1.5%, but residential rates will remain the same.

Council Member Belloc wanted to know how long will the month to month contract last.

Mr. Blanton said it should not be too long. Staff is hoping to come before Council

in February with a recommendation.

Motion by Vice Mayor Acuña, seconded by Council Member Rosel to approve a Second Amendment to Refuse Collection and Disposal Contract (the "Amendment") between the City of Eloy (the "City") and Allied Waste Transportation, Inc. (The "Contractor"), passed unanimously.

E. ADOPTION OF RESOLUTION NO.: 10-1200 TO SUBMIT A 2010 STATE HOUSING FUND/HOME GRANT APPLICATION FOR OWNER-OCCUPIED HOUSING REHABILITATION AND TO AUTHORIZE THE MAYOR TO SIGN ALL APPLICATIONS, CONTRACTS AND GRANT DOCUMENTS FOR THE RECEIPT AND USE OF THE FUNDS

Motion by Vice Mayor Acuña, seconded by Council Member Rosel, to have the city clerk read Resolution No. 10-1200 by title only, passed unanimously.

Cover sheet discussion: The Resolution authorizes the submission of a 2010 State Housing Fund/HOME grant application in the amount of \$330,000 to rehabilitate six (6) single family homes owned and occupied by very low income homeowners with incomes at or below 60% of the AMI residing within the corporate limits of the City of Eloy. Utilizing the City's adopted Housing Rehabilitation Guidelines, all rehabilitation assistance will meet, at a minimum, all local building codes, State Rehabilitation Guidelines, zoning ordinances, ADA guidelines and Energy Star requirements.

Fiscal Impact: None

Mr. Blanton said this resolution if adopted, will allow the city to submit a grant application for \$330,000 to rehab six homes in Eloy. He said approximately \$30,000 will go to the city to offset time spent administering the grant.

Motion by Council Member Belloc, seconded by Council Member Tidwell to adopt Resolution No. 10-1200, passed unanimously.

F. ADOPTION OF RESOLUTION NO.: 10-1201, CERTIFYING THAT THE CITY OF ELOY IS A COLONIA PURSUANT TO THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974 AND AUTHORIZING AN APPLICATION FOR CDBG FUNDS TO MEET THE IDENTIFIED NEEDS OF THE COLONIA. THIS RESOLUTION IS PART OF THE 2010 STATE HOUSING FUND/HOME GRANT APPLICATION FOR OWNER-OCCUPIED HOUSING REHABILITATION

Motion by Vice Mayor Acuña, seconded by Council Member Rosel, to have the city clerk read Resolution No. 10-1201 by title only, passed unanimously.

Cover sheet discussion: *The City of Eloy has been certified by the United States Department of Housing and Urban Development and the United States Department of Agriculture Rural Development as a Colonia. Colonia means any identifiable, rural community that:*

- a. Is located in the state of Arizona, California, New Mexico, or Texas;*
- b. Is within 150 miles of the border between the United States and Mexico; and,*
- c. Is determined to be a colonia on the basis of objective need criteria, including a lack of potable water supply, lack of adequate sewage systems, and lack of decent, safe, sanitary, and accessible housing.*

While adopting this resolution is not a requirement to apply for CDBG funds, states are required to set aside a percentage of their CDBG funds specifically for areas designated as colonias.

Fiscal Impact: *None*

Mr. Blanton conveyed this resolution is adopted by Council every year, certifying the city is a Colonia. The designation allows the city to earn extra points on CDBG applications.

Motion by Council Member Belloc, seconded by Council Member Rosel, to adopt Resolution No. 10-1201, passed unanimously.

G. ADOPTION OF RESOLUTION NO.: 10-1202, ADOPTING A RESIDENTIAL ANTIDISPLACEMENT AND RELOCATION ASSISTANCE PLAN. THIS RESOLUTION IS PART OF THE REQUIREMENTS FOR SUBMISSION OF THE GRANT APPLICATION TO THE ARIZONA DEPARTMENT OF HOUSING REQUESTING \$330,000 IN 2010 STATE HOUSING FUND/HOME GRANT FUNDS TO REHABILITATE 6 HOMES OWNED AND OCCUPIED BY VERY LOW INCOME HOUSEHOLDS RESIDING IN THE CITY OF ELOY

Motion by Council Member Belloc, seconded by Council Member Rosel to have the city clerk read Resolution No. 10-1202 by title only, passed unanimously.

Cover sheet discussion: *All applicants for CDBG funds must adopt a Residential Antidisplacement and Relocation Assistance Plan. The proposed housing rehabilitation project has a temporary relocation component that provides temporary relocation only for families that may have to vacate their homes for a*

short period because of the nature of the rehabilitation work being done. No homes will be demolished or converted to any other use and no persons will be permanently displaced under the proposed project.

Staff Findings: *Resolution No. 10-1202 certifies that under its Residential Antidisplacement and Relocation Assistance Plan, the City of Eloy will:*

- *Identify the reasonable steps it will take to minimize the displacement of persons from their homes as a result of an assisted project.*
- *Replace all occupied and vacant occupiable "low/moderate-income dwellings" that are converted to a use other than "low/moderate-income dwellings" or are demolished for a project.*
- *Provide relocation assistance to low/moderate-income households (including families and individuals) displaced as a direct result of the conversion of a low/moderate-income dwelling or the demolition of any housing for a project.*

Fiscal Impact: *None*

Mayor Jackson wanted to know if families have the option of finding their own place to rent.

Mr. O'Haus said yes, but generally the city will find a rental and move the family while the rehab is going on.

Mayor Jackson wanted to know who is responsible for the utilities.

Mr. Blanton said the grant pays for rent and utilities.

Motion by Council Member Rosel, seconded by Council Member Belloc to adopt Resolution No. 10-1202, passed unanimously.

H. ADOPTION OF RESOLUTION NO.: 10-1203, PROPOSING AMENDMENTS TO THE HOUSING REHABILITATION PROGRAM GUIDELINES FOR THE 2010 STATE HOUSING FUND/HOME HOUSING REHABILITATION PROGRAM. THE GUIDELINES WILL BE SUBMITTED AS PART OF THE STATE HOUSING FUND/HOME GRANT APPLICATION FOR AN OWNER-OCCUPIED HOUSING REHABILITATION PROGRAM

Motion by Vice Mayor Acuña, seconded by Council Member Rosel to have the city clerk read Resolution No. 10-1203 by title only, passed unanimously.

Cover sheet discussion: *The first proposed amendment would be to Section I – Program Design – Eligibility Guidelines:*

h) Maximum Property Value: *After completion of a housing rehabilitation project the property value of assisted units may not exceed 95% of the FHA 203(b) insuring limits for single family properties. After-rehabilitation value will be estimated by adding the total rehabilitation investment to the current assessed value of the property.*

The second proposed amendment would be to Section V – Bid Process and Contractor Selection

Method For Determining After Rehabilitation Value

No home will be eligible for rehabilitation assistance when the after-rehabilitation property value will exceed 95 % of the FHA 203(b) insuring limit for single-family properties. The after-rehabilitation value will be estimated by adding the total rehabilitation investment, State Housing Funds and all other funds, to the current assessed value of the property.

Fiscal Impact: None

Mr. Blanton conveyed the resolution amends the percentage allowed for property value of assisted units from 100% to 95%. Mr. Blanton asserted that none of the homes being rehabed will exceed this limit.

Motion by Council Member Belloc, seconded by Council Member Rosel to adopt Resolution No. 10-1203, passed unanimously.

I. ADOPTION OF RESOLUTION NO.: 10-1204, ADOPTING THE GUIDELINES AS AMENDED FOR THE 2010 STATE HOUSING FUND/HOME PROGRAM AND 2009 CDBG STATE SPECIAL PROJECTS OWNER-OCCUPIED HOUSING REHABILITATION GRANT APPLICATION

Motion by Vice Mayor Acuña, seconded by Council Member Rosel to have the city clerk read Resolution No. 10-1204, passed unanimously.

Cover sheet discussion: *The Housing Rehabilitation Program Guidelines originally adopted on January 22, 2007, including amendments made April 23, 2007, August 8, 2008, January 12, 2009, and October 26, 2009, and proposed on January 11, 2010 are attached. They will be submitted as part of the 2010 State Housing Fund/HOME Program and 2009 CDBG State Special Projects Fund grant application for an owner occupied housing rehabilitation program in the City of Eloy.*

Fiscal Impact: None

Motion by Vice Mayor Acufia, seconded by Council Member Rosel, to adopt Resolution No. 10-1204, passed unanimously.

J. APPROVAL OF FISCAL YEAR 2008-2009 ANNUAL AUDIT BY HINTON BURDICK FOR THE CITY OF ELOY

Cover sheet discussion: *On a yearly basis, the City's annual audit is done by Hinton Burdick CPA's and Advisors. This annual audit has met all guidelines and is in accordance with Governmental Accounting Standards Board. Attached is the audit along with an independent accountants report, expenditure limitation report and a findings report that shows the City's internal weakness which has a letter attached on the recommendations to correct those findings.*

Fiscal Impact: N/A

Mr. Wright gave a brief overview of the city's FY 2008-09 annual audit performed by Hinton Burdick. Mr. Wright told Council that overall the audit shows good financial backing and fiscal responsibility.

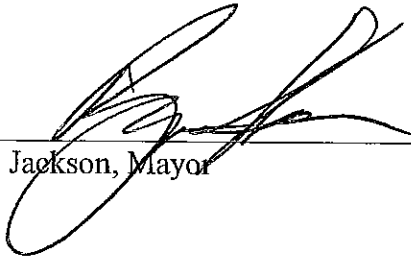
Motion by Vice Mayor Acufia, seconded by Council Member Belloc to approve the fiscal year 2008-2009 annual audit by Hinton Burdick for the City of Eloy, passed unanimously.

X. INFORMATIONAL ITEMS

No discussion.

XII. ADJOURNMENT

There being no further business, Mayor Jackson adjourned the meeting at approximately 7:47 p.m.



Byron Jackson, Mayor

ATTEST:



Mary Myers, City Clerk