

DRAFT

REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF EL MIRAGE
EL MIRAGE CITY COUNCIL CHAMBERS
10000 N. EL MIRAGE ROAD
6:00 PM -TUESDAY, JUNE 1, 2021

Minutes

1. ROLL CALL

Present: Mayor Alexis Hermosillo; Vice Mayor Monica Dorsey (via Microsoft Teams); Councilmember Roy Delgado; Councilmember Anita Norton; Councilmember Mike Hutchinson; Councilmember David Shapera; Councilmember Donna Winston (via Microsoft Teams)

2. CALL TO ORDER - The meeting was held online and publicly; called to order at 6:00 pm.

Pledge of Allegiance
Moment of Silence
New Employee Introductions

Police Chief Paul Marzocca introduced Brittini Campanini, a current employee who transferred from the City Court to her new role as the Victim Advocate with the Police Department and three new Police Assistants (Garrison and Gabriel Jordan and Anthony Miller).

Councilmember Delgado asked if Police Assistants would be able to advance their careers and Chief Marzocca stated yes. **Councilmember Norton** asked what training was required for these types of roles, Mr. Miller stated a two-week introduction was held to establish a foundation as well as training with Police Officers in many areas to include defensive driving at Luke Air Force Base, defensive tactics and correct handcuff protocols. Councilmembers congratulated and welcomed the newcomers.

3. CALL TO THE PUBLIC

Citizens desiring to speak on any issue within the jurisdiction of the public body may do so at this time. Comments shall be limited to three (3) minutes per person and shall be addressed to the City Council as a whole. At the conclusion of the Call to the Public, individual City Council Members may (1) respond to criticism made by those who have spoken, (2) direct staff to review or follow up on the matter, and/or (3) direct that the matter be put on a future agenda.

No Public comment cards were received.

4. CONSENT AGENDA

All items listed under the Consent Agenda will be voted on with one motion. If discussion is desired regarding any Consent Agenda Item, that item will be removed from the Consent Agenda and voted on separately.

1. Consideration and action to approve the minutes of the Regular Council meeting held Tuesday, May 18, 2021. (City Clerk)
2. Consideration and action to renew Governmentjobs.com, Inc. (DBA "NEOGOV") Software-as-a-Service (SaaS) Agreement for their performance employee evaluations software subscription in an amount not to exceed \$9,500 annually. (Human Resources)
3. Consideration and action to renew Governmentjobs.com, Inc. (DBA "NEOGOV") Software-as-a-Service (SaaS) Agreement for their Insight job posting and application processing software subscription in an amount not to exceed \$6,500 annually. (Human Resources)
4. Consideration and action to approve service agreement with Justifacts Credential Verification, Inc. in an amount not to exceed \$5,000 annually. (Human Resources)
5. Consideration and action to approve a service agreement with 1582, LLC, in an amount not to exceed \$30,000 annually. (Human Resources)
6. Consideration and action to request, and accept if awarded, funding from the Tohono O'odham Nation 2021 revenue sharing program in an amount of approximately \$100,000 for updates to the skate park in Gateway Park and other City park amenities and authorize the Finance department to make the necessary budget adjustments. (Grants)
7. Consideration and action to authorize the City to name fifteen firms to its Qualified Consultants List (QCL) for FY2021/2022 to FY2024/2025. (Development Services)
8. Consideration and action to award a contract to DBA Construction using the City Contract PW19-JOC01 to install asphalt pavement, sidewalk and curb and gutter along Cactus Road and 123rd Lane in the amount of \$314,020 including a 6% contingency (Activity No. 62124) (Development Services)
9. Consideration and action to approve proposal for PCL construction to complete phase 2 of the PW21-WRF01 effluent filter project in an amount not to exceed \$1,450,000 and for the finance department to make necessary transfers. (Public Works)
10. Consideration and action to approve a professional service contract with Bustamante & Kuffner, P.C., an Arizona professional corporation "Law Firm" to provide prosecutorial legal services. (Administration)
11. Consideration and action to approve the adoption of the FY 2021 Financial Policies. (Finance)

Councilmember Delgado moved to approve Consent Agenda items 1-11 as presented; seconded by Councilmember Shapera.

Vote: 7 - 0 Passed - Unanimously

5. **REGULAR AGENDA**

1. Consideration and action to approve a Zoning Application for a Site Plan for a Warehouse Use for a Cold Storage Facility located at the northwest corner of Joe R. Ramirez Road and Dysart Road submitted by Tippmann Innovations. (Community Development)

Planner/GIS Jose Macias presented this item stating this is a zoning application for a site plan approval on a 22 acre parcel for Tippmann Innovations located at the northwest corner of Joe R. Ramirez Road and Dysart Road. It is currently zoned EI (Employment/Industry) and no public comments were received. Mr. Macias stated other businesses in this area include Cives Steel and Cavco West, along with a proposed rail system for use by Tippmann Innovations that would cross Dysart Road; timeframe to be determined. Mr. Macias reviewed site plans, elevations to include a scheduled expansion (retention basin) on the east side of the parcel, and renderings including a 320,000 square foot building with septic water provided by Epcor. Mr. Macias stated Tippman Innovations is a cold storage facility and would be leasing out space to its customers. The applicant is asking for a parking waiver to reduce the parking spaces from 320 to 102. One comment was received at the Planning and Zoning Commission meeting from a resident regarding traffic and traffic studies and was ultimately satisfied with his response. Staff has reviewed the zoning application for a site plan approval and stipulated that the applicant address all Technical Advisory Committee (TAC) review comments as stated in the memorandum dated, April 21, 2021, at the time of the Construction and Civil Plan submittal. The Planning Commission recommended approval of the zoning application with a 4-0 vote on May 11, 2021.

Councilmember Delgado stated he had some knowledge of cold storage facilities and his understanding was the food is packaged and stored for distribution throughout the region. Account Manager for Tippman Innovations Mr. Logan Stuller stated their customer base are typically public warehouse companies that operate within the Greater Phoenix market moving and distributing products around the region. **Councilmember Norton** asked for clarification on the parking space request and who would be utilizing those spaces. Mr. Macias responded the parking space waiver was to reduce parking spaces from 320 down to 102 spaces and would be utilized for employees and truck parking for customers moving their product adding that pursuant to current City Code the City calculated one parking space for every 1,000 square feet (City Code is currently under review for revisions). Mr. Stuller further stated that staging areas would be available for additional trucks that are not currently being either loaded or unloaded and are separate to the employee parking. **Vice Mayor Dorcey** asked how many employees would be working at this location upon completion and was advised by Mr. Stuller that sixty employees are anticipated. **Councilmember Shapera** expressed concerns with landscaping due to water shortages and the need for water conservation. He requested authority to request City staff work with the developer to cut back landscaping to between 50% and 75% within an industrial zone. **Councilmember Norton** stated it was the developer's decision to decide how they want their image to be portrayed for their customer base. **Mayor Hermosillo** concurred with **Councilmember Shapera** and **Councilmember Hutchinson** but added it should be up to the developer to either reduce or leave their area as they intended. **Councilmember Shapera** stated Council's goal for the previous two years has been water conservation and it is the City's decision and responsibility to meet that goal when working with developers. **Mayor Hermosillo** agreed with the need to conserve water and ensure City regulations are in alignment with that Council goal. **Councilmember Winston** echoed the Mayor's comments but added she wants to also see beautification. **Councilmember Norton** asked Mr. Macias to check vegetation that requires minimal water usage. Mr. Macias stated per City Code one tree and six plants are required every thirty feet. The applicant has met this requirement, however, the City can review cutting back on landscaping with the applicant. Council directed staff to work with the developer to decrease landscaping and conserve water.

Councilmember Delgado moved to approve a Zoning Application for a Site Plan for a Warehouse Use for a Cold Storage Facility located at the northwest corner of Joe R. Ramirez Road and Dysart Road; seconded by Councilmember Norton.

Vote: 7 - 0 Passed - Unanimously

2. Consideration and action to hold a public hearing to permit any taxpayer to be heard in favor or against any proposed expenditure or tax levy. (Finance)

Mayor Hermosillo opened the public hearing.

Finance Director Robert Nilles presented the tax levy expenditure and Financial Analyst Macy Walker presented the final budget review. Mr. Nilles explained State law for the subject of taxation, property tax, and the requirement for publishing a Truth in Taxation notice in the local newspaper. The Primary levy is \$2,611,504 with 100% of the levy applied to Public Safety per Council Resolution. Mr. Nilles reviewed the proposed increase in primary property taxes of \$51,117 or 2.16% with about a third of that amount absorbed from local businesses.

Ms. Walker presented by reviewing the budget comparison by fund and identified the total budget amount of \$103,954,000. Ms. Walker reviewed pie charts of revenue sources and Citywide expenditures by category and fund. She explained the next steps which included adoption of the final budget and CIP followed by property tax adoption.

Councilmember Hutchinson asked if Council did not approve the proposed levy increase would that necessitate adjustment to both Fire and Police budgets and was there a specific need for the levy increase. Mr. Nilles responded the City has reserves above the current amount and therefore no budget adjustments would be required for either Fire or Police budgets for FY 2021/2022. Mr. Nilles added the City's philosophy was to maximize the City's primary property tax rate because it is specifically dedicated to Public Safety, and is the primary source of revenue from non-commercial or industrial facilities.

Hearing no comments from the public, Mayor Hermosillo closed the Public Hearing.

3. Consideration and action to approve a motion, in accordance with Truth in Taxation legislation, to levy the increased FY2021-2022 Primary Property Tax equal to the amount of \$2,611,504. (Finance)

Councilmember Hutchinson expressed his concerns with an increase to the levy.

Councilmember Delgado moved to approve a motion, in accordance with Truth in Taxation legislation, to levy the increased FY2021-2022 Primary Property Tax equal to the amount of \$2,611,504; seconded by Councilmember Shapera.

Required Roll Call Vote:

AYE - Mayor Hermosillo

AYE - Vice Mayor Dorsey

AYE - Councilmember Delgado

NAY - Councilmember Hutchinson

AYE - Councilmember Norton

AYE - Councilmember Shapera

AYE - Councilmember Winston

Vote: Passed (6 - 1)

4. Consideration and action to convene in a Special Meeting to finally determine and adopt estimates of proposed expenditures pursuant to A.R.S. 42-17105. Adoption of budget. (Finance)

No discussion (see Mr. Nilles' presentation under Regular Agenda Item 5.2).

Councilmember Delgado moved to convene into a Special Meeting to finally determine and adopt estimates of proposed expenditures pursuant to A.R.S. 42-17105. Adoption of budget; seconded by Councilmember Shapera.

Vote: 7 - 0 Passed - Unanimously

5. **SPECIAL MEETING OF THE COMMON COUNCIL
OF THE CITY OF EL MIRAGE
EL MIRAGE CITY COUNCIL CHAMBERS
10000 N. EL MIRAGE ROAD
TUESDAY, JUNE 1, 2021**

Consideration and action to finally determine and adopt the FY 2021-2022 proposed spending limitation and budget pursuant to Resolution R21-06-18. (Finance)

No discussion (see Mr. Nilles' presentation under Regular Agenda Item 5.2).

Vice Mayor Dorcey expressed her appreciation to all Staff for their contributions in completing the budget.

Councilmember Delgado moved to finally determine and adopt the FY2021-2022 proposed spending limitation and budget pursuant to Resolution R21-06-18; seconded by Councilmember Shapera.

Vote: 7 - 0 Passed - Unanimously

6. Consideration and action to close the Special Meeting and reconvene in a Regular Session. (Finance)

Councilmember Delgado moved to close the Special Meeting and reconvene into a Regular Session; seconded by Councilmember Shapera.

Vote: 7 - 0 Passed - Unanimously

6. **CITY MANAGER'S COMMENTS & SUMMARY OF CURRENT EVENTS**

The City Council may not act upon any matter in the City Manager's summary but may have general comment or questions.

City Manager Dyches had no comments.

7. **MAYOR'S COMMENTS and COUNCIL SUMMARY OF CURRENT EVENTS**

The Mayor and City Council may not discuss or act upon any matter in the summary unless the specific matter is properly noticed for legal action.

Councilmember Delgado recognized Memorial Day and all veterans.

Councilmember Hutchinson expressed his appreciation for a well done budget.

Councilmember Shapera asked what the status was for the Fire Department study. Mr. Nilles stated it should be closing within the next two weeks.

8. **ADJOURNMENT - The Meeting adjourned at 6:50 pm.**

Alexis A. Hermosillo, Mayor

ATTEST:

Sharon Antes, City Clerk

I hereby certify the aforementioned minutes are a true and accurate record of the Regular El Mirage City Council Meeting held on Tuesday, June 1, 2021 and a quorum was present.



Sharon Antes, City Clerk