

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 -THURSDAY, JULY 8, 2021**

Minutes

1. ROLL CALL

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

2. CALL TO ORDER - The meeting was called to order at 6:00 PM

Pledge of Allegiance

Moment of Silence

Introduction of new City employees: Judge Parascandola introduced Jessica Simpson, the new Court Administrator.

Planning & Zoning Oaths of Office - Oaths were administered to Robert Jones, Skip Ast, Martin Crosby and Leonard Gradillas.

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.

Ann Nelson of 13026 N. 111th Drive, Youngtown requested assistance regarding the homeless population in the local area. Mayor Hermosillo stated she would work with the Mayor of Youngtown on the issue.

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, June 15, 2021. (City Clerk)
2. Consideration and action to approve purchase of an upgraded security camera system at City Court from Corporate Technology Solutions, LLC, Community Contract No: 14055 exp.1/31/2022, at a cost not to exceed \$56,000 including 5% contingency (City Court).

3. Consideration and action to request, and accept if awarded, an Arizona Sports & Tourism Authority (AZSTA) FY2022 Youth & Amateur Sports Biennial Grant in an amount of approximately \$200,000 for lights at Gentry Park and authorize the Finance department to make the necessary budget adjustments. (Grants)
4. Consideration and action to request, and accept funds if awarded, an FY 2021 Festival Grant from the Arizona Commission on the Arts in an approximate amount of \$5,000 to support a FY2021-2022 Special Event and authorize Finance to make necessary budget transfers. (Community Services)
5. Consideration and action to extend contract EM20-INSP01 with Consultant Engineering, Inc. at a cost of \$75,000 and approve the Finance Director to make the necessary budget transfers. (Development Services)
6. Consideration and action to enter into a Professional Services Contract (PSC) with EPS Group for a drainage evaluation and preparation of 15% construction documents for a storm drain system near the intersection of Dysart Road and Peoria Avenue in the amount of \$33,179. (#62212) (Development Services)
7. Consideration and action to approve installation of shade structure foundation and utilities by P1 Paving for external fleet parking/coverage at El Mirage Fire Department (EMFD) Station 121 in an amount not to exceed \$73,500. (Fire)
8. Consideration and action to approve purchase and installation of a shade structure from Shade N' Net of Arizona for external fleet parking/coverage at El Mirage Fire Department (EMFD) Station 121 in an amount not to exceed \$82,600. (Fire)
9. Consideration and action to increase budget for El Mirage Fire Department (EMFD) Shade Structure CIP by \$20,000 to accommodate unplanned increase cost of materials and authorizing a budget transfer from Contingency. (Fire)
10. Consideration and action to approve the purchase of a vehicle from Peoria Ford in an amount not to exceed \$35,000 as part of CIP #62006. (Public Works)
11. Consideration and action to approve contract PW21-LM01 for Landscape Maintenance Services for City facilities with Brightview Landscape Services, Inc. in an amount not to exceed \$285,679.94 for FY22. (Public Works)
12. Consideration and action to extend the existing contract with Idemia for the Police Department's LiveScan machine (electronic fingerprinting) in the amount of \$5,309 for FY21/22. (Police)
13. Consideration and action to approve the agreement with Fast & Friendly Car Wash for the Police Department's vehicle fleet at an annual cost not to exceed \$9,225. (Police)
14. Consideration and action to approve the Intergovernmental Agreement (IGA) for the School Resource Officer (SRO) with the Dysart Unified School District (DUSD) for the 2021/2022 school year at a cost not to exceed \$102,500. (Police)

15. Consideration and action to authorize the City to submit a request for proposal to identify and recommend a qualified consultant to conduct an independent study of the Police Department evaluating the current operational efficiency, the status of the Police Department and to identify future needs for strategic planning purposes. (Police Department)
16. Consideration and action to authorize purchase of 3 marked and equipped Police SUV replacement vehicles at a total cost not to exceed \$199,000. Vehicles to be purchased from Courtesy Chevrolet under State Contract ADSP017-166120 and radio equipment from Motorola Solutions under State Contract CTR0466830. (Police)

Vice Mayor Dorcey moved to approve Consent Agenda items 1-16 as presented; seconded by Councilmember Shapera.

Vote: 7 - 0 Passed - Unanimously

5. **REGULAR AGENDA**

1. Public hearing to request public comments on a change in use for the El Mirage CDBG funded fire station, built in 1997, to a proposed new use as a public library to serve the community of El Mirage. (Community Services)

Mayor Hermosillo opened the Public Hearing.

Autumn Grooms presented information on the opportunity to convert the old fire station to a public library. She gave a brief history of the building and explained there was a community meeting on June 30, 2021, no comments were received at that time.

Hearing no public comments **Mayor Hermosillo** closed the Public Hearing.

2. Consideration and action to enter into a Construction Manager at Risk (CMAR) construction phase services contract with CORE Construction Inc. for the El Mirage Library Remodel/Relocation Project No. 62114, in an amount not to exceed \$2,150,000 and approve a 5% owner contingency. (Development Services)

Development Services Director Jorge Gastelum presented information regarding costs related to the conversion of the annex fire station to a public library. The information was originally presented to Council in May during budget meetings and program improvements which brought the total to \$2,380,000 for design and construction. Mr. Gastelum has since worked with the contractor and the architect to make other changes which brought the total to \$2,585,562, including a 5% owner contingency.

Councilmember Shapera stated the plans look good and asked if solar and electric vehicle rechargers could be added to the project? Mr. Gastelum responded that solar is possible and he would check on the vehicle chargers. **Councilmember Delgado** stated that since the cost of lumber is going down, now is the time to begin this project. **Councilmember Norton** stated the project looks good as did **Councilmember Winston**. **Councilmember Hutchinson** stated the project looks great and he has received positive feedback from the community. **Councilmember Delgado** asked when the project would start and Mr. Gastelum stated the project should begin in August and be completed by May 2022.

Vice Mayor Dorcey moved to approve entering into a Construction Manager at Risk (CMAR) construction phase services contract with CORE Construction, Inc. for the El Mirage Library Remodel/Relocation, Project No, 62114 in an amount not to exceed \$2,150,000 and approve a 5% owner contingency; seconded by Councilmember Norton.

Vote: 7 - 0 Passed - Unanimously

3. Consideration and action to authorize the City Manager to amend the Professional Services Contract (PSC) with bo ARCH L.L.C. to provide Construction Management Services for the El Mirage Library Remodel/Relocation project (#62114) in an amount not to exceed \$98,980. (Development Services)

Development Services Director Jorge Gastelum presented this item with the previous presentation. There were no comments or questions.

Vice Mayor Dorcey moved to authorize the City Manager to amend the Professional Services Contract (PSC) with bo Arch LLC to provide Construction Management Services for the El Mirage Library Remodel/Relocation project (#62114) in an amount not to exceed \$98,980; seconded by Councilmember Norton.

Vote: 7 - 0 Passed - Unanimously

4. A Public Hearing, closure of Public Hearing followed by consideration and action to approve a Conditional Use Permit Zoning Application for a 5,000 sq. ft. detached accessory (garage) building located at 12744 W. Desert Cove Road. (Development Services)

Mayor Hermosillo opened the Public Hearing.

Planner/GIS Jose Macias presented information regarding a request for a building to be constructed on a parcel just under three acres. He explained the dimensions and where on the parcel it will be constructed as well as the site plan.

The property owner, Jesse Ramirez, 12744 W. Desert Cove Road, stated the building would be used to store his automobile collection. Councilmember Norton asked if a block wall was located on the Wolfley Drive side of the property and Mr. Ramirez answered yes.

Hearing no public comments **Mayor Hermosillo** closed the Public Hearing.

Councilmember Shapera stated this would be the largest accessory building that has come before the Council, and he does not see a problem with it. **Councilmember Delgado** asked if Luke Air Force Base had any comments regarding this building in that area. **Mayor Hermosillo** asked City Attorney Pierce if this question was allowed at this time and he stated this question was okay as a matter of a deliberation point. Attorney Pierce did not believe Luke Air Force Base had a comment on this item due to the current zoning of the area.

Vice Mayor Dorcey moved to approve a Conditional Use Permit Zoning Application for a 5,000 square foot detached accessory (garage) building located at 12744 W. Desert Cove Road; seconded by Councilmember Shapera.

Vote: 7 - 0 Passed - Unanimously

5. Consideration and action to approve Resolution R21-07-20 and enter into a contract with the United States Government and CAWCD to provide an annual allocation of water from Central Arizona Project for 1318 acre-feet of water in an amount not to exceed \$2,600,000 and authorize the finance department to make any necessary transfers. (Public Works)

Public Works Director Nick Russo introduced Derek Castaneda, Environmental Compliance Manager, as being very involved in making this purchase of long-term water credits possible. The credits will add to the City's water portfolio to provide the City with water until the mid 2060s.

Councilmember Norton asked if the extension credits and long term storage credits were sufficient for El Mirage? Mr. Russo stated at the current rate of growth the credits were sufficient until the mid 2060s. **Vice Mayor Dorcey** thanked Nick and his department for all the hard work they do for the City. **Councilmember Delgado** asked if it would be possible that there would be a request for more money for the credits in the future? Mr. Russo stated that the upfront costs will not change if this is approved tonight because they will be paid this year. The CAP rate may go up with the market but will not be as high as water on the open market. **Councilmember Winston** thanked Mr. Russo for securing water for the future of the City.

Vice Mayor Dorcey moved to approve Resolution R21-07-20 and enter into a contract with the United States Government and CAWCD to provide an annual allocation of water from Central Arizona Project for 1318 acre-feet of water in an amount not to exceed \$2,600,000 and authorize the finance department to make any necessary transfers; seconded by Councilmember Shapera.

Vote: 7 - 0 Passed - Unanimously

6. A Public Hearing, closure of Public Hearing followed by consideration and action to approve Resolution R21-07-19 to re-zone a 0.33 acre of land from Suburban Neighborhood (SN) to Mixed-Urban (MU) for a Multi-Family Use located at 11733 W. River Road, El Mirage, Arizona 85335, and declaring the Resolution and attached Exhibit "A" as a public record. (Development Services)

Mayor Hermosillo opened the Public Hearing.

Planner/GIS Jose Macias presented information regarding the rezoning of land located at 11733 W. River Road. The building is now a multi-family dwelling. Staff have received no public comment regarding the rezoning request. Property owner Jose Soto was present for questions. There were no comments from the public regarding this item.

Councilmember Shapera asked if notifications were posted regarding the rezoning application and Mr. Soto replied yes, postings and letters were sent to nearby property owners.

Councilmember Norton asked what kind of mixed-use would the location be and Mr. Soto replied four apartment units that will be connected. **Councilmember Delgado** asked about elevations for the completed project. He is concerned about an area for children to play. Mr. Macias responded that this proposal is a three-part process and amenities will be addressed in the third agenda item related to this property. **Councilmember Norton** asked if there are currently any residents on the property. Mr. Soto replied there is currently one resident. **Vice Mayor Dorcey** asked if we know when zoning changed from suburban to what it is now. Mr. Macias has no documentation related to the change of the zoning from suburban to the former church.

Hearing no public comment **Mayor Hermosillo** closed the Public Hearing.

Councilmember Shapera stated the changing of the zoning was appropriate for that area, and it will make the area better. **Councilmember Norton** agreed with **Councilmember Shapera**. **Vice Mayor Dorcey** stated she appreciates the applicant going through this process the correct way, and

it will be good for the area.

Vice Mayor Dorcey moved to approve Resolution R21-07-19 to re-zone a 0.33 acre of land from Suburban Neighborhood(SN) to Mixed-Urban(MU) for a Multi-family Use located at 11733 W. River Road, El Mirage, 85335, and declaring the resolution and attached Exhibit "A" as a public record. Seconded by **Councilmember Shapera**.

Vote: 7 - 0 Passed - Unanimously

7. Consideration and action to approve Ordinance O21-07-09 to re-zone 0.33 acres of land from Suburban Neighborhood (SN) to Mixed Urban (MU) located at 11733 W. River Road, El Mirage, Arizona 85335, and declaring a public record by reference in Resolution R21-07-19, including Exhibit A. (Development Services)

Approval of O21-07-09 with reference to approved R21-07-19 is allowed by State law to minimize publishing costs.

Vice Mayor Dorcey moved to approve Ordinance O21-07-09 to re-zone 0.33 acres of land from Suburban Neighborhood (SN) to Mixed Urban (MU) located at 11733 W. River Road, El Mirage, Arizona 85335, and declaring a public record by reference in Resolution R21-07-19, including Exhibit A; seconded by councilmember Shapera.

Vote: 7 - 0 Passed - Unanimously

8. A Public Hearing, closure of Public Hearing followed by consideration and action to approve a Conditional Use Permit Zoning Application for a Multi-Family Use located at 11733 W. River Road, El Mirage, Arizona 85335. (Development Services)

Mayor Hermosillo opened the Public Hearing.

Planner/GIS Jose Macias presented information regarding the final steps in approving the rezoning of the property from Suburban Neighborhood to Mixed-Use. He detailed the plans for the buildings on the property including measurements and landscaping. No public comments were received on this proposed change.

Vice Mayor Dorcey asked if the modular unit would be removed and Mr. Soto stated it would be removed and the area would be converted to grass and trees. When **Councilmember Shapera** asked how long before the modular unit would be removed and the area converted to grass, Mr. Soto responded he did not have a specific time frame. **Councilmember Shapera** stated the removal of the unit would be a stipulation of the approval. **Councilmember Delgado** asked if drainage for that area would be provided and Mr. Soto stated yes, drainage is provided for in the plans. **Councilmember Shapera** asked Mr. Soto if the parking area is illuminated and was informed there is currently one light in place and more will be added during the renovation. **Councilmember Shapera** stated this is a safety measure and adequate lighting was necessary. **Councilmember Norton** questioned the measurements on the plans for the laundry room and Mr. Soto acknowledged a mistake in the plans; the laundry room is 95 square feet. **Councilmember Hutchinson** stated he is happy to see separate water meters for each unit but does not see the same for electrical or gas meters; Mr. Soto responded there would be separate meters for each unit, and they would be electric, not gas. **Councilmember Hutchinson** also asked if there would be a dumpster for trash or individual cans. Mr. Macias explained it would be a dumpster since the property would be commercial. **Councilmember Hutchinson** also asked if the dumpster area would be enclosed and Mr. Macias stated there would be a required permit for the enclosure. **Councilmember Winston** stated the stipulations regarding the removal of the modular unit timeline and the addition of the grassy area are important.

Hearing no public comment **Mayor Hermosillo** closed the Public Hearing.

Councilmember Shapera stated the errors in the plan need to be addressed and the removal of the modular unit is required before the certificate of occupancy is issued. City Attorney Pierce stated that the stipulations are specified in the record of the meeting and therefore the application is cleared for approval. **Councilmember Hutchinson** stressed the need to ensure there is appropriate lighting in the parking lot.

Vice Mayor Dorcey moved to approve a Conditional Use Permit Zoning Application for a Multi-Family use located at 11733 West River Rod, El Mirage, Arizona 85335 with additional stipulations that the parking area must be lighted and the Certificate of Occupancy would not be issued until the modular unit on the property is removed; seconded by Councilmember Norton.

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 Norton stated she recently went on a tour of the Microsoft project and everything looked great. **Councilmember Shapera** stated the Cactus Road project looks great.

8. **EXECUTIVE SESSION**

1. Consideration and action to convene into Executive Session, pursuant to A.R.S. § 38-431.03. A.7, on discussions and direction regarding negotiations for sale of real property. (Economic Development)

Vice Mayor Dorcey moved to adjourn to the Executive Session; seconded by Councilmember Shapera.

Vote: 7 - 0 Passed - Unanimously

9. **ADJOURNMENT - The meeting adjourned at 7:47 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 Thursday, July 8, 2021, and a quorum was present.


Sharon Antes, City Clerk