

# 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, DECEMBER 6, 2022**

**Minutes**

1. **ROLL CALL**

Present: Mayor Alexis Hermosillo; Vice Mayor Monica Dorcey; Councilmember Roy Delgado;  
Councilmember Bob Jones; Councilmember David Shapera

Absent: Councilmember Anita Norton (Excused); Councilmember Donna Winston (Excused)

2. **CALL TO ORDER - MEETING CALLED TO ORDER AT 6:00 pm**

Pledge of Allegiance  
Moment of Silence

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.

Resident Emma Gordon stated she was attending the meeting to get answers to questions about the Senior Center and **Mayor Hermosillo** stated she would work with City Manager Dyches to resolve any issues they are experiencing. Resident Maureen Redding stated she would like to know what happened to the money that is supposed to be used for the Senior Center. Ms. Redding stated the seniors have asked for new decorations for the center and have been told no, they have not received the new bus as promised, and they feel they are being treated as second class citizens. Ms. Redding stated they have asked Community Services Manager Dr. Autumn Grooms to attend meetings to discuss these concerns and she has not been available. **Mayor Hermosillo** stated she would work with Ms. Dyches on these concerns.

Resident Diane Sparrow stated she is against item #17 on the consent agenda. Ms. Sparrow stated due to the pandemic many families are living together and are forced to park on the street due to limited space in the driveway and garage. Ms. Sparrow stated the vegetation in the medians along 126th and 127th Avenues are not being trimmed enough and are creating a hazard for drivers due to the blocking of the roadway.

Resident Aaron Flanney stated the Rancho El Mirage community was originally developed with little parking and placing no parking signs throughout will prevent people from visiting the residents. Mr. Flanney asked Council to vote no on this item. Councilmember Shapera asked Mr. Flanney is the HOA voted on the placing of the signs and Mr. Flanney stated they did not vote and residents were not advised of the decision.

Resident Amy Heusted stated she was present to speak about the same issue. City Attorney Jon Paladini suggested removing item #17 from the consent agenda and moving it to the regular agenda.

Resident Jim Perry stated a few days ago there was a fire in his neighborhood and fire personnel pointed out the lack of fire hydrants in his area. Mr. Perry stated the city needs to update the fire hydrant map for the Fire Department and staff should work with the Fire Department to determine where more hydrants are needed. Mr. Perry also stated the test strips that were installed on 127th Avenue do nothing but make noise, and he would like for speed humps to be installed instead. Mr. Perry also asked for the test strips to be removed. **Mayor Hermosillo** stated she would speak with the City Manager Dyches on possible solutions to his concerns.

#### 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, November 1, 2022. (City Clerk)
2. Consideration and action to approve the destruction of municipal documents that have reached the end of their retention period as authorized under A.R.S. § 41 -15I.19. (City Clerk)
3. Consideration and action to waive formal purchase requirements pursuant to El Mirage City Code § 30.23 PURCHASING AUTHORITY section (B) (3) and authorize the City to enter into an agreement with Western Judicial Services for Home Detention and Electronic Monitoring Services. (City Court)
4. Consideration and action to waive formal purchase requirements pursuant to El Mirage City Code § 30.23 PURCHASING AUTHORITY section (B) (3) and authorize the City to enter into an agreement with Estrella Counseling Service for Home Detention and Electronic Monitoring Services. (City Court)
5. Consideration and action to approve renewal of an Intergovernmental Agreement between the Regional Metropolitan Phoenix Fire Service and the City of El Mirage for automatic aid for fires and other types of emergency incidents. (Fire)
6. Consideration and action to adopt Resolution R22-12-31 Maricopa County Multi-Jurisdictional Hazard Mitigation Plan 2021 for the City of El Mirage. (Fire)
7. Consideration and action to authorize purchase of four marked patrol replacement vehicles at a total cost not to exceed \$277,009.92 from Courtesy Chevrolet under State contract CTR059315. (Police)
8. Consideration and action to authorize purchase of two unmarked vehicles at a total cost not to exceed \$122,495.16 from Courtesy Chevrolet under State contract CTR059315. (Police)
9. Consideration and action to approve purchase of goods and services from Fishel Company for replacement of critical water system valves as part of CIP 62228 in an amount not to exceed \$151,420.79 and authorize finance to make any necessary transfers. (Public Works)

10. Consideration and action to approve purchase of goods and services from Felix Construction for rehabilitation of the Brisas Well Site as part of CIP 62065 in an amount not to exceed \$178,400.82 and authorize finance to make any necessary transfers. (Public Works)
11. Consideration and action to approve purchase of goods and services from Fishel Company for replacement of sewer main line as part of CIP 62227 in an amount not to exceed \$50,561.44 and authorize finance to make any necessary transfers. (Public Works)
12. Consideration and action to reject all proposals received for the Payroll System and Time Keeping System (Activity Number 62326). (Finance)
13. Consideration and action to approve Resolution R22-12-32, amending the Memorandum of Understanding (MOU) July 1, 2021 - June 30, 2025, between the City of El Mirage and the El Mirage Police Employee Association. (Administration)
14. Consideration and action to adopt the 2023 update to the Design & Development Standards Manual as an official City document. (Development Services)
15. Consideration and action to update the Policy for Parking Restriction Signs. (Development Services)
16. Consideration and action to waive formal purchase requirements pursuant to El Mirage City Code § 30.23 PURCHASING AUTHORITY section (B) (3) and authorize the emergency purchase of a 2022 Ford Transit Jail Van with upfitting at a cost not to exceed \$68,470 from Phil Long Ford of Denver LLC. (Police)
17. Consideration and action to allow the Rancho El Mirage Homeowners Association (HOA) to install no parking signs and other associated signage throughout the subdivision. (Development Services)  
***This item was pulled from Consent and considered under the Regular Agenda.***
18. Consideration and action to assign the City of El Mirage's allocation of the Maricopa County Opioid Settlement to Maricopa County. (Community Services/Grants)
19. Consideration and action to approve a Memorandum of Understanding with Adelante Healthcare to provide eligibility and enrollment services, healthcare screenings, health education, and the deployment of its Medical Mobile Unit Services for residents at the El Mirage CAP Office for one year with an option to renew for an additional year. (Community Services)
20. Consideration and action to request and accept funds, if awarded, for a Prop 207 Fund Grant Proposal from the Governors Office of Highway Safety (GOHS) in an approximate amount of \$40,000 to support the El Mirage Police Department's purchase of scene lights and four moving radar units to be installed in existing fleet vehicles, and authorize Finance to make necessary budget transfers. (Grants/Police)
21. Consideration and action to approve the sale, and processing of all documents, of City-owned property parcel number 501-45-937 located south of the intersection of El Mirage and Cactus Roads. (Economic Development)

22. Consideration and action to approve Resolution R22-12-27 amending the Memorandum of Understanding (MOU) between the City of El Mirage and the El Mirage Fire Fighters Association (EMFFA) Article 11: Overtime and Article 13: Paid and Unpaid Leave and authorize the Finance Department to make any necessary budget transfers. (Administration)
23. Consideration and action to approve Resolution R22-12-28 amending the Employee Policy Manual: Compensation, Section 9: Overtime and Compensatory Time and Hours of Work, Section 3: Hours of Work and authorize the Finance Department to make any necessary budget transfers. (Administration)
24. Consideration and action to waive formal purchase requirements pursuant to El Mirage City Code § 30.23 PURCHASING AUTHORITY section (B) (3) and authorize the purchase, support, setup, and installation of License Plate Readers and a Gunshot Detection System from Flock Safety for \$170,900 including estimated tax of \$14,697, for a total of \$185,597. (Police)

Vice Mayor Dorcey moved to approve Consent Agenda items 1-16 and 18-24 as presented; seconded by Councilmember Shapera.

**Vote:** 5 - 0 Passed - Unanimously

## 5. REGULAR AGENDA

***Consent Agenda #17 - Consideration and action to allow the Rancho El Mirage Homeowners Association (HOA) to install no parking signs and other associated signage throughout the subdivision. (Development Services)***

Assistant City Engineer Bryce Christo explained the Rancho El Mirage HOA CC&R's do not allow parking and they are having difficulty enforcing this. The HOA is requesting City approval to install the signs in the community. Mr. Paladini explained the signs, if installed, would only apply to the homeowners and their guests. **Councilmember Shapera** stated he is not in favor of allowing the HOA to install signage that may be confusing to residents and the HOA should take care of this issue themselves. **Vice Mayor Dorcey** stated she is also not in favor of this item and is concerned it will be assumed that the City will enforce parking rules in the community. **Mayor Hermosillo** stated she is not in favor of this item. **Councilmember Delgado** stated the HOA should have taken care of the parking issue when the community was built. **Councilmember Jones** stated he sees both sides of this issue and there are other methods to deal with parking violations. **Councilmember Jones** stated the HOA should have meetings for homeowners to voice their opinions. Mr. Paladini stated it is already in City Code that parking can not impede emergency vehicles. Mr. Christo stated the only involvement of the City in this issue is allowing the HOA to install the signage and is not involved in costs or enforcement.

### **Item failed for lack of motion**

1. Consideration and action to accept the Fiscal Year Ended June 30, 2022, Annual Comprehensive Financial Report. (Finance)

Finance Director Robert Weddigen introduced Brian Hemmerle with Henry + Horne who detailed the results of the annual audit and explained the financial report.

Vice Mayor Dorcey moved to approve the Fiscal Year Ended June 30, 2022, Annual Comprehensive Financial Report, as presented; seconded by Councilmember Shapera.

**Vote:** 5 - 0 Passed - Unanimously

2. Consideration and action to approve Resolution R22-12-26 amending Title V, Sections 50.015, 52.15 and 52.16 of the El Mirage City Code allowing revisions and clarifications regarding the application for water and utility services, preparation of residential refuse and location for pickup. (Development Services)

City Engineer Jorge Gastelum detailed the amendments being proposed. **Councilmember Shapera** stated the goal in the revisions was to make enforcement easier for staff and residents. **Councilmember Jones** stated these amendments are needed.

Vice Mayor Dorcey moved to approve Resolution R22-12-26 amending Title V, Sections 50.015, 52.15 and 52.16 of the El Mirage City Code allowing revisions and clarifications regarding the application for water and utility services, preparation of residential refuse and location for pickup, as presented; seconded by Councilmember Shapera.

**Vote:** 5 - 0 Passed - Unanimously

3. Consideration and action to approve Ordinance O22-12-07 amending Title V, Sections 50.015, 52.15 and 52.16 of the El Mirage City Code allowing revisions and clarifications regarding the application for water and utility services, preparation of residential refuse and location for pick up. (Development Services)

There was no discussion on this item.

Vice Mayor Dorcey moved to approve Ordinance O22-12-07 amending Title V, Sections 50.015, 52.15 and 52.16 of the El Mirage City Code allowing revisions and clarifications regarding the application for water and utility services, preparation of residential refuse and location for pick up, as presented; seconded by Councilmember Shapera.

**Vote:** 5 - 0 Passed - Unanimously

4. Consideration and action to approve Resolution R22-12-29 amending Title VII, Sections 72.02, 72.05, 72.09, 72.10, 72.11, 72.12, 72.98, 74.03, 74.04 and 74.06 of the El Mirage City Code allowing revisions and clarifications regarding the parking and inoperable motor vehicles. (Development Services)

City Engineer Jorge Gastelum detailed the revisions to the Code regarding parking and inoperable vehicles. Code Compliance Supervisor Barbara Carneiro provided additional information on the parking issues throughout the City and the issues they are experiencing with enforcing the City Code. **Councilmember Shapera** stated these revisions are needed. Ms. Carneiro added they are working with the Fire Department to encourage parking in the front yard of some homes to limit on-street parking. **Councilmember Jones** stated that HOA's prohibit parking in front yards. Ms. Carneiro stated HOA's would need to address the issue themselves. **Councilmember Shapera** stated some residents can increase the width of their driveway to prevent parking issues. **Councilmember Jones** stated his HOA encourages homeowners to increase the width of their driveways for this reason.

Vice Mayor Dorcey moved to approve Resolution R22-12-29 amending Title VII, Sections 72.02, 72.05, 72.09, 72.10, 72.11, 72.12, 72.98, 74.03, 74.04 and 74.06 of the El Mirage City Code allowing revisions and clarifications regarding the parking and inoperable motor vehicles, as presented; seconded by Councilmember Shapera.

**Vote:** 5 - 0 Passed - Unanimously

5. Consideration and action to approve Ordinance O22-12-08 amending Title VII, Sections 72.02, 72.05, 72.09, 72.10, 72.11, 72.12, 72.98, 74.03, 74.04 and 74.06 of the El Mirage City Code allowing revisions and clarifications regarding the parking and inoperable motor vehicles. (Development Services)

There was no discussion on this item.

Vice Mayor Dorcey moved to approve Ordinance O22-12-08 amending Title VII, Sections 72.02, 72.05, 72.09, 72.10, 72.11, 72.12, 72.98, 74.03, 74.04 and 74.06 of the El Mirage City Code allowing revisions and clarifications regarding the parking and inoperable motor vehicles, as presented; seconded by Councilmember Shapera.

**Vote:** 5 - 0 Passed - Unanimously

6. Consideration and action to approve Resolution R22-12-30 amending Title IX, Sections 90.02, 90.04, 90.07, 90.13, 90.14 and 90.99 of the El Mirage City Code allowing revisions and clarifications regarding the nuisance, land maintenance and responsible parties. (Development Services)

City Engineer Jorge Gastelum explained the revisions and clarifications being made in the City Code. **Councilmember Shapera** asked what kind of vendor the revisions are referring to and Mr. Gastelum stated a process server to serve notices. **Councilmember Jones** stated staff has done excellent work on these revisions. **Councilmember Delgado** asked how soon the revisions and amendments will take effect and Mr. Gastelum stated thirty days.

Vice Mayor Dorcey moved to approve Resolution R22-12-30 amending Title IX, Sections 90.02, 90.04, 90.07, 90.13, 90.14 and 90.99 of the El Mirage City Code allowing revisions and clarifications regarding the nuisance, land maintenance and responsible parties, as presented; seconded by Councilmember Shapera.

**Vote:** 5 - 0 Passed - Unanimously

7. Consideration and action to approve Ordinance O22-12-09 amending Title IX, Sections 90.02, 90.04, 90.07, 90.13, 90.14 and 90.99 of the El Mirage City Code allowing revisions and clarifications regarding the nuisance, land maintenance and responsible parties. (Development Services)

There was no discussion on this item.

Vice Mayor Dorcey moved to approve Ordinance O22-12-09 amending Title IX, Sections 90.02, 90.04, 90.07, 90.13, 90.14 and 90.99 of the El Mirage City Code allowing revisions and clarifications regarding the nuisance, land maintenance and responsible parties, as presented; seconded by Councilmember Shapera.

**Vote:** 5 - 0 Passed - Unanimously

8. Consideration and action to authorize the use of up to \$250,000 of Coronavirus State and Local Fiscal Recovery Funds (CSLFRF) from the American Rescue Plan (ARP) Act to support the City building a multi-use trail in the City's drainage channel from Dysart to Cactus roads, contingent on additional funding from Maricopa County.

Community Services Manager Dr. Autumn Grooms detailed information on the status of the

multi-use trail bid award. Dr. Grooms stated all the bids received were over budget and staff has worked with Maricopa County to increase funding being provided. **Councilmember Shapera** stated the costs for this trail were too high, and it probably will not be used by many residents. **Councilmember Shapera** stated he feels there are more pressing issues that could use this money, and he is against this item. **Councilmember Jones** stated something needs to be done with the wash area. **Councilmember Jones** agrees that the money could be used elsewhere, but the wash is in need of work to ensure the area is safer for residents. Dr. Grooms stated there were limited uses for the funds being used for this item. **Vice Mayor Dorcey** stated the city needs to get on board with the improvement plan for this area and the sooner the renovation begins the better. **Councilmember Delgado** stated Glendale renovated a wash in their city and turned it into a beautiful gathering area that increased property values. **Councilmember Jones** asked if there would be costs to the residents for the renovation and Dr. Grooms stated the money was coming from Maricopa County. **Councilmember Jones** stated this renovation would increase property values in the area.

Vice Mayor Dorcey moved to authorize the use of up to \$250,000 of Coronavirus State and Local Fiscal Recovery Funds (CSLFRF) from the American Rescue Plan (ARP) Act to support the City building a multi-use trail in the City's drainage channel from Dysart to Cactus roads, contingent on additional funding from Maricopa County as presented; seconded by Mayor Hermosillo.

**Vote:** 4 - 1 Passed

NAY: Councilmember David Shapera

9. Consideration and action to discuss, nominate, and designate a member of Council as Vice Mayor pursuant to City Code § 32.041. (Mayor)

**Mayor Hermosillo** stated the rotation for Vice Mayor was now up for renewal and she would like to nominate **Councilmember Shapera**. **Mayor Hermosillo** stated **Councilmember Shapera** is a great asset to Council and is a wealth of knowledge.

Vice Mayor Dorcey moved to designate David Shapera as Vice Mayor pursuant to City Code § 32.041 as presented; seconded by Councilmember Delgado.

**Vote:** 5 - 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 stated this year's annual Winterfest Parade event is from 6-10 p.m. on Friday, December 9, at Gentry Park. Ms. Dyches stated the organizers are expecting ten food trucks and more than thirty community vendors. There will also be activities for the whole family including:

- Games
- Ornament Bowling
- Inflatables
- Gelly Ball Shooting
- Human Snow Globe, and
- Pictures with Santa in his inflatable cabin!

Attendees can enjoy live holiday music by the Rockin' Wonderland Band on stage, while viewing the light parade! The parade begins at 6 p.m. and will be running by Gentry Park around 6:30 p.m.

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** stated he attended a restaurant opening with Mayor Hermosillo in the Coury Plaza and the food was great. **Councilmember Shapera** stated he supports the Fire and Police Chiefs and that residents may not be aware of all the calls for service they take care of each week. **Mayor Hermosillo** stated the ribbon cutting for the restaurant with Councilmember Delgado was great and the food is amazing.

8. **ADJOURNMENT - MEETING ADJOURNED AT 7:23 pm.**

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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, December 6, 2020, and a quorum was present.

  
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Sharon Antes, City Clerk