

# 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, MAY 2, 2023

## Minutes

### 1. ROLL CALL

Present: Mayor Alexis Herмосillo; Vice Mayor David Shapera; Councilmember Roy Delgado; Councilmember Monica Dorcey; Councilmember Bob Jones; Councilmember Anita Norton; Councilmember Donna Winston

### 2. CALL TO ORDER - MEETING CALLED TO ORDER AT 6:00 PM

Pledge of Allegiance  
Moment of Silence  
Introduction of new City employee

City Engineer Jorge Gastelum introduced Code Compliance Officer Bruce Godsoe.

### 3. PROCLAMATION

1. To proclaim May 21-27, 2023 as Emergency Medical Services Week in the City of El Mirage. (Fire)

Fire Department Chief Michael Long provided background information on the 49th Annual Emergency Medical Services Week.

Mayor Herмосillo proclaimed May 21-27, 2023, as Emergency Medical Services Week in the City of El Mirage.

### 4. 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 Ryan Eldridge stated the time is not right to have a bond election in El Mirage. Mr. Eldridge stated rents will increase which would be a burden on many residents and the Councilmembers that voted yes for the bond election should consider resigning immediately. **Vice Mayor Shapera** stated property taxes have been lowered in the last two years and asked Mr. Eldridge if his rent was lowered as well. Mr. Eldridge stated his rent had not gone down. **Vice Mayor Shapera** stated it is important to allow the residents to vote on this issue and that the Council has done numerous studies that show the need for the bond. **Councilmember Winston**

stated the Council and staff have worked hard to determine the need for the bond election and she has spoken with many residents who are in favor of the bond. **Councilmember Delgado** stated the Council spent an entire day working on budget items for the City and this Council is the most cohesive one he has experienced in his twenty-one years in El Mirage.

## 5. **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, April 18, 2023. (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. § 41-151.19. (City Clerk)
3. Consideration and action to approve a one-year purchase agreement with Skillsoft for IT training for an amount not to exceed \$600 (\$537.42 plus approximate sales tax of \$52.58). (Information Technology)
4. Consideration and action to enter into a construction contract with Combs Construction Company to reconstruct Dysart Road and the south half of Olive Avenue for an amount of \$16,474,578, plus a 10% contingency of \$1,647,458 and authorize the Finance Department to increase the project budget to \$20,868,500 and reduce the Special Projects Fund Other Financing Uses line item by the amount needed to budget for this project fully. (Development Services)  
  
*This item was pulled from Consent for discussion.*
5. Consideration and action to enter into a Professional Services Contract with EPS Group for the construction management of the Dysart Road Improvement project in the amount of \$645,580 and authorize the Finance Department to make any necessary transfers. (Development Services)
6. Consideration and action to approve the purchase of two vehicles from Peoria Ford in an amount not to exceed \$71,239 as part of CIP #62302. (Public Works)
7. Consideration and action to approve the purchase of a vehicle from Peoria Ford in an amount not to exceed \$46,448 as part of CIP #62103. (Public Works)
8. Consideration and action to approve the purchase of a vehicle from Peoria Ford in an amount not to exceed \$46,448 as part of CIP #62036. (Public Works)
9. Consideration and action to approve the purchase of a skid steer loader and attachments from Bingham Equipment Company in an amount not to exceed \$53,023.75 as part of CIP #62304. (Public Works)
10. Consideration and action to approve a contract with Woodruff Construction to provide remodeling services to the Senior Center facility at 14010 N. El Mirage Road for an amount not to exceed \$52,648.55 and authorize the Finance Department to make any necessary transfers. (Public Works)

11. Consideration and action to approve Resolution R23-05-12 replacing Resolution R22-06-16, stating the intended uses of the State and Local Fiscal Recovery Funds (SLFRF) allotment through the American Rescue Plan Act. (Administration)

Vice Mayor Shapera moved to approve Consent Agenda items 1-3, and 5-11 as presented; seconded by Councilmember Dorcey.

**Vote:** 7 - 0 Passed - Unanimously

## 6. **REGULAR AGENDA**

**6.1.a** Consideration and action to enter into a construction contract with Combs Construction Company to reconstruct Dysart Road and the south half of Olive Avenue for an amount of \$16,474,578, plus a 10% contingency of \$1,647,458 and authorize the Finance Department to increase the project budget to \$20,868,500 and reduce the Special Projects Fund Other Financing Uses line item by the amount needed to budget for this project fully. (Development Services)

**Councilmember Norton** asked Deputy City Manager Robert Nilles to explain this item to her. Mr. Nilles stated the money for this project was originally planned for next year but the contractors are now ready to begin. **Councilmember Norton** asked how much neighboring companies were contributing to the cost and Mr. Nilles answered Microsoft is paying \$3.5 million and Tippman is paying \$271K. **Councilmember Norton** asked the parameters of the project and City Engineer Jorge Gastelum detailed the specific areas of construction involved. Mr. Gastelum also stated Maricopa Association of Governments (MAG) is providing \$6.5 million for this project. **Vice Mayor Shapera** reminded Council that the Long group donated the right of way to the City.

Councilmember Norton moved to approve a construction contract with Combs Construction Company to reconstruct Dysart Road and the south half of Olive Avenue for an amount of \$16,474,578, plus a 10% contingency of \$1,647,458 and authorize the Finance Department to increase the project budget to \$20,868,500 and reduce the Special Projects Fund Other Financing Uses line item by the amount needed to budget for this project fully; seconded by Vice Mayor Shapera.

VOTE: 7-0 Passed Unanimously

1. Consideration and action for a Public Hearing, closure of public hearing, to maintain City Code Chapter 111. PEDDLERS AND SOLICITORS, in compliance with Arizona Revised Statutes (A.R.S.) § 9-842. (Administration/Police)

Mayor Hermosillo opened the Public Hearing.

Police Department Chief Paul Marzocca provided background information on City Code Chapter 111. **Vice Mayor Shapera** stated he does not recall anyone being cited for this and Chief Marzocca stated he was not aware of specific numbers of citations but there had been resident calls regarding this issue. **Councilmember Norton** asked which groups would be excluded from this and Chief Marzocca stated those selling newspaper subscriptions, non-profit youth organizations, school-sponsored fund-raising activities and religious organizations. **Councilmember Jones** asked if other agencies utilize this procedure and Chief Marzocca stated yes. **Councilmember Norton** asked if the business receives anything once the fee is paid and Chief Marzocca stated a permit is issued and is to be carried with the person conducting the business.

Hearing no further comments, Mayor Hermosillo closed the Public Hearing.

Vice Mayor Shapera moved to approve the maintaining of City Code Chapter 111 PEDDLERS AND SOLICITORS; seconded by Councilmember Dorcey.

**Vote:** 7 - 0 Passed - Unanimously

2. Public Hearing, closure of Public Hearing followed by consideration and action to approve Resolution R23-05-11 setting water and wastewater rates or rate components, fees or service charges. (Administration)

Mayor Hermosillo opened the Public Hearing.

Fiscal Services Administrator Macy Walker provided background on the Resolution.

**Councilmember Winston** asked when the rates had been raised last and Ms. Walker stated 2013.

Hearing no further comments, Mayor Hermosillo closed the Public Hearing.

Vice Mayor Shapera moved to approve Resolution R23-05-11 setting water and wastewater rates or rate components, fees or service charges; seconded by Councilmember Dorcey.

**Vote:** 7 - 0 Passed - Unanimously

3. Consideration and action to approve Resolution R23-05-13 setting miscellaneous fees and service charges for FY 2023/24.

Ms. Walker presented information on the fee and service charge changes being proposed.

**Councilmember Norton** asked when the Accessory Structure fee was added to the schedule and Mr. Gastelum explained that the fee has been a part of the schedule for quite a while and is not new. Mr. Gastelum stated he would get clarification on the fee and provide updated information at a later date.

Vice Mayor Shapera moved to approve Resolution R23-05-13 setting miscellaneous fees and service charges for FY 2023/24; seconded by Councilmember Dorcey.

**Vote:** 7 - 0 Passed - Unanimously

4. Consideration and action to approve Ordinance O23-05-09 amending City Code Chapter 33, Section § 33.40 (A)(B)(C) COURT ENHANCEMENT AND SECURITY FEE, and CITY COURT ENHANCEMENT AND SECURITY FUND, by removing reference to a specific dollar amount and changing assessment of fees to per charge instead of per case to align with the updated 2023 Fee Schedule. (Court/Administration)

Court Administrator Cristina Fuentes provided background information on the ordinance.

Vice Mayor Shapera moved to Ordinance O23-05-09 amending City Code Chapter 33, Section 33.40 (A)(B)(C) Court Enhancement and Security Fee, and City Court Enhancement and Security fund; seconded by Councilmember Dorcey.

**Vote:** 7 - 0 Passed - Unanimously

5. Consideration and action to recommend and appoint Phil Bueno to fill a Commissioner vacancy on the Planning & Zoning Commission with a term that expires June 30, 2027 and appoint Cornelia Nelson to fill an Alternate Commissioner vacancy on the Planning & Zoning Commission with a term that expires June 30, 2027. (Commission Review Board - Mayor Hermosillo, Councilmembers Norton and Shapera)

Vice Mayor Shapera moved to approve the appointment of Phil Bueno to fill a Commissioner vacancy on the Planning & Zoning Commission and to appoint Cornelia Nelson to fill an Alternate Commissioner vacancy; seconded by Councilmember Norton.

**Vote:** 7 - 0 Passed - Unanimously

7. **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.

8. **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.

**Vice Mayor Shapera** stated he and Councilmember Jones attended the Knights of Columbus Appreciation Dinner where some staff were recognized for their service to the community and he appreciates the efforts of the Police Department addressing the traffic issues on Thunderbird Road. **Councilmember Delgado** stated he had been told the funding for the new fire truck was coming soon and he complimented Community Services Manager Dr. Autumn Grooms on her hard work for the funding. **Councilmember Dorcey** thanked the staff for their efforts on Earth Day to clean up Basin Park. **Councilmember Jones** stated his grandson is a first responder and he had no idea of the dangers faced by first responders each day. **Councilmember Jones** stated he enjoyed the Knights of Columbus dinner and appreciates all of the hard work done by first responders. **Mayor Hermosillo** stated she attended the school district math championship and was proud to see El Mirage Elementary students win. **Mayor Hermosillo** also announced and congratulated Planning and Zoning Chairperson Marie Houston on her recent graduation from Arizona State University with a Masters in Public Administration. **Vice Mayor Shapera** stated it was Teacher Appreciation Day and he appreciated the teachers in El Mirage.

9. **ADJOURNMENT - MEETING ADJOURNED AT 7:03 PM**

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Alexis A. Hermosillo, Mayor

ATTEST:

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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, May 2, 2023, and a quorum was present.

  
Sharon Antes, City Clerk