

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, OCTOBER 17, 2023**

Minutes

1. ROLL CALL

Present: Mayor Alexis Hermosillo; Vice Mayor Monica Dorcey; Councilmember Bob Jones; Councilmember Anita Norton; Councilmember David Shapera; Councilmember Donna Winston (via phone)

Absent: Councilmember Roy Delgado (Excused)

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

Pledge of Allegiance
Moment of Silence

3. PRESENTATION

1. El Mirage Elementary School, Riverview Elementary School and Thompson Ranch Elementary School Writing and Drawing Contest. (City Court)

Judge Michael Parascandola provided background information about the writing and drawing contest on what the Constitution and Justice means to the students. The El Mirage Elementary 4th grade drawing winner was Sabino Ocegueda and the writing winner was Sky'lyn Stewart, the Riverview School 5th grade drawing winner was Leilany Flores Franco and the writing winner was Mustafa Al Wazzan, and the Thompson Ranch School 6th grade drawing winner was Ivan Martinez and the writing winner was Syleste Estrella. Each winner was presented with an award and pictures were taken with the Council and family members.

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 Jimmy Farley stated 741 cases of water (23,712 bottles) were given out over the summer, which was double from last year and he will be working with the Fire Department and the Police Department to provide food and toys to twenty families this holiday season.

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, October 3, 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 -15I.19. (City Clerk)
3. Consideration and action to enter into an Intergovernmental Agreement (IGA) with the City of Glendale for participation in the West Valley Regional Veterans Court (WVRVC) and authorize payments to Glendale WVRVC at an annual amount not to exceed \$2,500. (City Court)
4. Consideration and action to authorize the City Manager to negotiate and enter into a three-year parking lot license agreement at 12420 W Thunderbird Road, El Mirage 85335 in an amount not to exceed \$2,500 per year. (Administration)
5. 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 Manager to sign a purchase order acquiring the right to use UKG and its products to assist in the management of human resources, payroll and timekeeping, in a total amount not to exceed \$83,000 (\$82,216.32 plus contingency of \$783.68) in FY 2024. (Finance)
6. Consideration and action to authorize the City Manager to sign a one-year contract with BizConnectPro to provide business licensing services for an amount not to exceed \$35,000. (Finance)
7. Consideration and action to request and accept funds if awarded for the FY2024 Water Conservation Project from the Water Infrastructure Finance Authority of Arizona (WIFA) for an amount of approximately \$120,000 for the purchase of a mobile DRAFTS (Direct Recirculation Apparatus Firefighter Training & Sustainability) Unit, and authorize Finance to make necessary budget transfers. (Grants/Fire)
8. Consideration and action to appoint Alternate Commissioner Cornelia Nelson to the El Mirage Planning and Zoning Commission for a vacancy left by retired Commissioner Martin Crosby. (Mayor)

Vice Mayor Shapera moved to approve Consent Agenda items 1-8, seconded by Councilmember Dorcey.

Vote: 6 - 0 Passed - Unanimously

6. REGULAR AGENDA

1. Consideration and action to approve Resolution R23-10-28 amending Title IX, Section § 92.22 and Title XV, Section § 154.093(C)(5) of the Code of the City of El Mirage and declaring an emergency. (Administration)

Deputy City Manager Robert Nilles provided information on the amendments to City Code to add vaping and other means of consuming nicotine and other carcinogens within smoke-free zones and to require registration with the City for mobile food vendors at City sponsored events.

Vice Mayor Shapera moved to approve Resolution R23-10-28 amending Title IX, Section § 92.22 and Title XV, Section § 154.093(C)(5) of the Code of the City of El Mirage and declaring an emergency; seconded by Councilmember Dorcey.

Vote: 6 - 0 Passed - Unanimously

2. Consideration and action to approve Ordinance O23-10-13 amending Title IX, Section § 92.22 and Title XV, Section § 154.093(C)(5) of the Code of the City of El Mirage and declaring an emergency. (Administration)

Mr. Nilles stated the Ordinance was to facilitate efficient publishing costs and the emergency clause was to make the Ordinance effective immediately on Council approval.

Vice Mayor Shapera moved to approve Ordinance O23-10-13 amending Title IX, Section § 92.22 and Title XV, Section § 154.093(C)(5); seconded by Councilmember Dorcey.

Vote: 6 - 0 Passed - Unanimously

3. Consideration and action to approve Ordinance O23-10-12 setting forth and fixing the dates, times and location of the 2024 City Council Meetings. (City Clerk)

There were no comments or questions on this item.

Vice Mayor Shapera moved to approve Ordinance O23-10-12 setting forth and fixing the dates, times and location of the 2024 City Council Meetings; seconded by Councilmember Dorcey.

Vote: 6 - 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 invited City Clerk Antes to provide a brief update on the upcoming election. Ms. Antes stated it is a ballot-by-mail only election and the front lobby City Hall will be a ballot replacement center. The ballot replacement center will be open Monday through Friday, October 30, 2023, to November 3, 2023, from 8:00 am to 5:00 pm. The last day to mail in your ballot is November 1, 2023. The ballot replacement center will be open on November 6, 2023, from 8:00 am to 5:00 pm and Election Day, November 7, 2023, from 6:00 am until 7:00 pm. Ms. Antes stated voters can check the status of their ballots at Maricopa County Elections Department voter dashboard or sign up for text alerts by texting JOIN to 628-283.

City Manager Dyches stated it is Annual Arizona Cities and Towns Week and Marketing and Communications Specialist Kari Sliva had prepared a video highlighting City employees at work and volunteering which was played for Council to view.

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 attended a function at the Luke Elementary School, for the Purple Star Candidate with Councilmember Delgado and it was a very good presentation.

Councilmember Dorcey stated she is looking forward to Friday's Fall Harvest Event.

Councilmember Jones thanked the Court staff for all of their hard work and effort on the drawing and writing contest. **Mayor Hermosillo** wished Councilmember Norton a happy birthday on October 13th.

9. **EXECUTIVE SESSION**

- 1. Consideration and action to adjourn into Executive Session pursuant to A.R.S. § 38-431.03.A.3. for legal advice related to roadway disposition and pursuant to A.R.S. § 38-431.03.A.7. for legal advice related to contract negotiations. (Administration)

Vice Mayor Shapera moved to adjourn into executive session; seconded by Councilmember Dorcey.

Vote: 6 - 0 Passed - Unanimously

10. **ADJOURNMENT**

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, October 17, 2023, and a quorum was present.



Sharon Antes, City Clerk