

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 5, 2023**

Minutes

1. ROLL CALL

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

2. CALL TO ORDER

Pledge of Allegiance - *Arizona Charter Academy students assisted with the Pledge of Allegiance*
Moment of Silence
Introduction of New Employee

Deputy Director of Intergovernmental Affairs Amber Wakeman introduced new employee Serena Webbe, the Marketing Specialist, Senior.

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 Maureen (Mo) Reading asked why the seniors were denied permission to be in the Winterfest Parade and stated Cason Chambers told her there was no issue with using the bus or van in the parade. Ms. Reading stated they submitted their application on November 13, 2023, and Senior Center staff volunteered to drive the vehicle but were told they could not volunteer to drive in the parade. Ms. Reading stated they asked if the City could match funds to cover the costs of decorating and were told no. She also stated the Senior Center banner had gone missing and no one could find it. Mayor Hermosillo stated she will ask the City Manager to follow up on these concerns.

Resident Scottie Gentry stated she was looking over the bids for the Gentry Park lighting project and \$60,000 is a lot to pay out to a company. Ms. Gentry stated the audio for the Council meetings has not been published since August, and she would like to know why. Ms. Gentry thanked residents for voting no on the bond and asked why impact fees had not been put back in place.

Resident Jim McPhetres stated he does not understand why new sewer systems are being installed and he would like to see more clarification on that. Mr. McPhetres stated he did not see any documents related to the last item on the agenda regarding the end of year fiscal budget, and he would like that item tabled so that he can review the information before a vote is held.

Resident Paul Boswell stated there is an issue with loud music being played in his neighborhood at night, sometimes until 1:00 am. The police had informed him that the ordinance states music can be played until 10:00 pm. Mr. Boswell stated he understands having a party, but the noise is now getting out of hand, and he would like the Council to do something about it. Mr. Boswell stated there are two City ordinances regarding noise and music, and they are contradictory to each other.

Resident Stephen Gilliam stated he is glad the bond vote went the way it did, and he is ashamed that only about 3,000 people voted out of the 16,000 that are registered voters. Mr. Gilliam stated he believes more police and firefighters need to be hired and general city information needs to be given to the residents.

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 7, 2023, and the Special Council meeting held Tuesday, November 21, 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 approve Resolution R23-12-35 entering into an Intergovernmental Agreement (IGA) with Maricopa County to address solutions to homelessness. (Administration)
4. Consideration and action to adopt the 2024 update to the Design & Development Standards Manual as an official City document. (Development Services)
5. Consideration and action to approve a new 2023 Intergovernmental Agreement (IGA) with the Arizona Department of Revenue (DOR) for Transaction Privilege Tax Administration. (Finance)
6. Consideration and action to approve Resolution R23-12-34 amending the City of El Mirage Employee Policy Manual that was adopted on September 21, 2021, by Resolution R21-09-23, and revised by Resolution R22-12-28. (Human Resources)
7. Consideration and action to approve the destruction of municipal documents that have reached the end of their retention period. (Police)
8. Consideration and action to approve a new User Agreement with Transunion (TRADS) for the use of TLO for investigative purposes in an amount not to exceed \$2,500 annually. (Police).
9. Consideration and action to approve the purchase of 34 Mobile Data Computer Replacements from Code3 under City of Tucson Cooperation Contract 226017-02 for an amount not to exceed \$174,857.21 (\$136,000 plus an overage of \$38,857.21) and authorize the Finance Department to make any necessary transfers (Police).

10. Consideration and action to approve the Master Services Agreement with Off Duty Management, including the additional off-duty work assignment offered by the Arizona Department of Education regarding a school safety grant that will pay for officers to work “off duty” as a School Safety Officer (SSO) (Police).
11. Consideration and action to approve the use of Hydra Contracting LLC to replace and install multiple fire hydrants as part of the critical valve program (CIP 62228) for an amount not to exceed \$166,908.39. (Public Works)

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

Vote: 7 - 0 Passed - Unanimously

5. **REGULAR AGENDA**

1. Consideration and action on a site plan zoning application for a light manufacturing use located at 12545 W Butler Drive, El Mirage, Arizona 85335, submitted by Phoenix Door, Inc. (Development Services, Planning and Zoning)

Senior Planner Jose Macias presented background information on the site plan application. **Councilmember Delgado** asked if Phoenix Door was going to make this expansion their headquarters and Mr. Macias answered yes. **Vice Mayor Shapera** stated it seemed reasonable for that parcel and they did a good job. **Councilmember Norton** asked what the stipulations were and Mr. Macias stated there was a lengthy list included in the agenda packet that included sewer and landscaping. **Councilmember Norton** asked if they would be connected to the City sewer system or Epcor and Mr. Macias stated it is a septic system as there is no sewer system yet in that area.

Vice Mayor Shapera moved to approve a site plan zoning application for a light manufacturing use located at 12545 W. Butler Drive; seconded by Councilmember Dorcey.

Vote: 7 - 0 Passed - Unanimously

2. Consideration and action to authorize the City Manager to enter into a contract with PLG LLC to install new ballfield lights at Gentry Park in an amount not to exceed \$350,246.47 and authorize the finance department to make any necessary transfers. (Public Works)

Public Works Director Nick Russo presented information on the lighting project. **Councilmember Dorcey** asked what the original amount of the grant was and Mr. Russo stated the original amount requested was \$250,000. **Vice Mayor Shapera** stated last time this project came up he voted against it because he had not heard any complaints about the lighting. **Vice Mayor Shapera** stated he does not think the value is there for this project now, and he is concerned the lights may be too bright for the neighborhood. **Councilmember Dorcey** asked if matching funds for this project was spent now, what money would be left for other matching fund projects through the end of this fiscal year, and Mr. Russo stated there would be approximately \$48,000 left. City Manager Dyches stated if this project were approved it would leave very little funds moving forward in this fiscal year. **Councilmember Dorcey** stated she is not supportive of this project at this stage of the fiscal year. **Councilmember Jones** asked why the grant requested was not awarded and Mr. Russo stated there were a record number of project applications at the time and therefore less money was awarded to recipients. **Councilmember Jones** stated other options should be looked at since the poles seem to be fine and the lights are working. **Councilmember Jones** suggested looking at replacing the fixtures only, and he is not in support of this project as it is presented. **Councilmember Norton** asked how this lighting compares to the lighting at Gateway Park and

Mr. Russo stated the lighting is an improvement over the lights at Gateway. **Councilmember Norton** asked if the project was not approved would the money need to be returned and Program Coordinator Martina Longoria answered yes, the monies would have to be returned.

Councilmember Norton asked why the poles would need to be replaced and Mr. Russo stated the poles have been in place since 1985 and the Arizona environment is not conducive to wooden poles. **Councilmember Norton** asked if anyone has asked those utilizing the fields if they think the lighting needs replacing and Mr. Russo stated staff met with the Desert Kings and they were positive with their responses to the proposed project. **Councilmember Norton** stated the project would benefit park users, and she asked where the poles would be installed. Mr. Russo described where on the field the poles would be positioned. **Councilmember Norton** asked if the lighting would be on a timer and what the schedule would be, and Mr. Russo stated the schedule would be whatever was decided to be set. **Councilmember Norton** stated this project would be good for the neighborhood and would increase usage of the ballfield. **Vice Mayor Shapera** stated he agrees with **Councilmember Jones'** suggestion, and he is going to vote against this item. **Councilmember Winston** asked if the item could be tabled and **Vice Mayor Shapera** stated no on the current presentation. General consensus was to research possible alternative configurations to utilize awarded funds and prepare a revised scope of work.

Vice Mayor Shapera moved to deny the City Manager from entering into a contract with PLG LLC to install new ballfield lights at Gentry Park in an amount not to exceed \$350,246.47; seconded by Councilmember Dorcey.

Motion to Deny Passed - (6/1)

Aye - Mayor Hermosillo, Vice Mayor Shapera, Councilmembers Delgado, Dorcey, Jones, Winston
Nay - Councilmember Norton

3. Consideration and action to accept the Fiscal Year Ended June 30, 2023, Annual Comprehensive Financial Report. (Finance)

Finance Director Robert Weddigan introduced Cailee Lewis, Senior Manager with Baker Tilly, to provide background information on the Annual Comprehensive Financial Report.

Councilmember Delgado asked how many years El Mirage has received the Government Finance Officer's Certificate of Award for Excellence in Financial Reporting and Mr. Weddigan stated twelve years and that he is confident this report will bring a thirteenth award to the City.

Councilmember Delgado thanked the staff for putting this report together. **Mayor Hermosillo** stated she appreciates the efforts of staff and the audit firm. **Councilmember Jones** stated the work put into this report was excellent.

Vice Mayor Shapera moved to accept the Fiscal Year Ended June 30, 2023, Annual Comprehensive Financial Report; seconded by Councilmember Dorcey.

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 Crystal Dyches stated that this Friday, December 8, 2023, from 6:00 pm until 9:00 pm the Winterfest Event will take place, including a parade, at Gentry Park. Ms. Dyches stated she appreciated the efforts put into the preparation and development of the annual Comprehensive Financial Report (ACFR) and she is proud to be part of a team that consistently demonstrates excellence and professionalism in their work.

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.

Vice Mayor Shapera stated the City looks great with all the holiday lights, and he appreciates the staff efforts in the decorations. **Vice Mayor Shapera** stated he will likely put on an agenda next year Council compensation for discussion. **Councilmember Dorcey** stated she is looking forward to the Winterfest event. **Councilmember Winston** stated the tree lighting event was a lot of fun, and she thanked the Fire Department for their service.

8. **ADJOURNMENT - MEETING ADJOURNED AT 7:05 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, December 5, 2023, and a quorum was present.



Sharon Antes, City Clerk