

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 7, 2024**

Minutes

1. ROLL CALL

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

Absent: Councilmember Donna Winston (Excused)

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

Pledge of Allegiance
Moment of Silence

3. PROCLAMATION

1. May 2024 Mental Health Awareness Month. (Administration)

Marketing and Communications Coordinator Kari Sliva introduced Councilmember Norton to provide background information on Mental Health Awareness Month.

Mayor Hermosillo proclaimed May 2024 as Mental Health Awareness Month in El Mirage.

2. To proclaim the month of May 2024 as Water Safety Month in the City of El Mirage. (Fire)

Fire Department Chief Michael Long provided background information on Water Safety Month to raise awareness of water competency for children and adults.

Mayor Hermosillo proclaimed May 2024 as Water Safety Month in the City of El Mirage.

3. To proclaim May 19-25, 2024 as Emergency Medical Services Week in the City of El Mirage. (Fire)

Chief Long presented information on the 50th Anniversary of National Emergency Medical Services Week with the 2024 theme of "Honoring Our Past, Forging Our Future".

Mayor Hermosillo proclaimed May 19th through May 25th, 2024, as Emergency Medical Services Week in 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 Cheryl LoGalbo requested the repair of potholes on El Mirage Road near Thunderbird Road, and she asked for increased enforcement efforts regarding red light runners on Thunderbird Road and Grand Avenue. Ms. LoGalbo also asked for the shade trees to be trimmed in the wash area and for rumble strips and signs to be installed to remind drivers to slow down. Ms. LoGalbo then asked for the replacement of the metal guard rails along Grand Avenue.

Resident James McPhetres stated May is also Military Appreciation Month, and it should be acknowledged. Mr. McPhetres also stated he believed some consent agenda items should be discussed amongst council on the Regular agenda before approval. Mr. McPhetres asked why the city was only selling 45% of a water line to EPCOR and what is the other 65% being maintained for? Mr. McPhetres then asked why the contractor that sold the city the water meters is not addressing the issues with the meters if they were the original installers. Mr. McPhetres asked why manual meters were being installed, would that require another employee to manually read the meters.

Resident Jeff Lach stated he has asked for speed humps three times and has been denied each time for different reasons. Mr. Lach stated there have been a few speed-related accidents in his area, and he hopes the council will reconsider installing speed humps.

Resident Tracy Bilyeu asked why Council keeps raising taxes and doing things that residents do not want. Ms. Bilyeu stated building expansions are not needed.

Resident Laurie Pino asked why Council was raising taxes that residents cannot afford and asked council to reconsider the raising of taxes 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 16, 2024. (City Clerk)
2. Consideration and action to approve the destruction of Finance Records that have reached the end of their retention period as authorized under A.R.S. §41-151.19. (Finance)
3. 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. (Police Department)
4. Consideration and action to approve Amendment No. 1 of the City of El Mirage contract EM23-DMS01 with 2060 Digital LLC for a one-year extension through the use of the City of Chandler's Contract No. A-2022-1208, for digital marketing services for an FY25 amount not to exceed \$24,000. (Administration)

5. Consideration and action to authorize the City Manager to execute an agreement with NCWPCS MPL 26, known as the Second Amendment to the original agreement with AT&T Wireless PCS, Inc. to maintain the cell tower site at 14010 N. El Mirage Road. (Finance)
6. Consideration and action to authorize the City Manager to execute an agreement with the Arizona Department of Economic Security/ Rehabilitation Services Administration (RSA)/ Business Enterprise Program (BEP) for the operation of a merchandising business by a licensed blind person. (Finance)
7. Consideration and action to authorize the Finance Department to make transfers as necessary for FY 2023-2024 to adjust fund and department balances to comply with state law. (Finance)
8. Consideration and action to approve authorization for the Finance Department to make budget adjustments for FY 2024-2025 to adjust the budgeted amounts of FY 2023-2024 carry-forward: projects involving grant funding, any capital projects, and any special projects. (Finance)
9. Consideration and action to approve Resolution R24-05-09 designating Robert Weddigen as the City of El Mirage Chief Fiscal Officer for FY 2025 as required by Arizona Revised Statutes §41-1279.07(E). (Finance)
10. Consideration and action to increase costs for replacement fire apparatus in project #62201 by \$40,000 to accommodate additional equipment and installation costs incurred after taking delivery of the fire apparatus from the manufacturer and authorize the Finance Department to make necessary budget transfers. (Fire)
11. Consideration and action to accept grant funds in the amount of \$4,000 from a Governor's Office of Highway Safety (GOHS) internal grant for the El Mirage Police Department to participate in the 2024 Buckle Up Arizona (Click it or Ticket) Enforcement National Campaign. (Grants/Police)
12. Consideration and action to approve a purchase with KnowBe4 in an amount of \$191.41 for additional licenses for security awareness training. (Information Technology)
13. Consideration and action to authorize the City Manager to enter into a contract with PLG LLC to install new ballfield lights at Gentry Park for an amount not to exceed \$255,792.27 and authorize the finance department to make any necessary transfers. (Parks and Recreation)
This item was pulled from Consent for discussion.
14. Consideration and action to authorize the City Manager to enter into a contract with Entellus to complete the GIS Mapping project #42430 for the amount of \$249,592 and authorize the finance department to make any necessary transfers to increase the project budget from \$200,000 to \$250,000. (Public Works)
15. Consideration and action to authorize the City Manager to enter into an agreement with EPCOR for the sale of utility assets in the Copperwing utility service area in the amount of \$946,106.68 and authorize finance to make any transfers. (Public Works)
This item was pulled from Consent for discussion.

16. Consideration and action to authorize the purchase of water meter infrastructure assets from Aquaflow Solutions Inc. for an amount not to exceed \$95,000 for FY24 (\$90,920.22 plus \$4,079.78 contingency) and to waive the bid process per City Code § 30.23 (B.3). (Public Works)
This item was pulled from Consent for discussion.

Vice Mayor Shapera moved to approve items 1-12 and 14 as presented; seconded by Councilmember Dorcey.

Vote: 6 - 0 Passed - Unanimously

6. REGULAR AGENDA

6. 1a Consideration and action to authorize the City Manager to enter into a contract with PLG LLC to install new ballfield lights at Gentry Park for an amount not to exceed \$255,792.27 and authorize the finance department to make any necessary transfers. (Parks and Recreation)

Vice Mayor Shapera stated he pulled this item for discussion because he believes it is an expensive and unnecessary expense of money and the park is illuminated fine at this time. **Councilmember Jones** asked how much money the grant is and Parks and Recreation Director Sean VonRoenn answered 51% or \$128,366.76. **Councilmember Norton** stated this item had been modified from it's original proposal and she asked how much money was saved with the modifications. Mr. VonRoenn answered about \$100K was saved by not replacing all the light poles. **Councilmember Norton** asked how long the poles normally last and Mr. VonRoenn stated approximately 50–70 years. **Councilmember Norton** asked how often the poles are inspected and Mr. VonRoenn answered every other year. **Councilmember Dorcey** asked if Mr. VonRoenn was in the process of inspecting all recreation facilities and Mr. VonRoenn stated he is looking at proposing a Master Plan for the parks and recreation system in the city with citizen input. **Councilmember Dorcey** stated it would be premature to move forward with this item if, in the future, other recommendations for the park were to be suggested. She stated the money should be returned and then requested again when a coordinated plan for the park is put together. **Councilmember Norton** asked if the ballfield were removed would the lights be used for other activities and Mr. VonRoenn answered yes. **Mayor Hermosillo** stated there had been no discussion about getting rid of the ballfield. **Vice Mayor Shapepra** stated the lights at Gentry Park were not that old and there have not been any complaints about them. **Councilmember Jones** stated he did not recall discussion about closing the ballfield and asked when the grant would expire. Program Coordinator Martina Longoria stated the grant expires on June 30, 2024. **Councilmember Jones** asked if the grant money were returned when could an application be completed again and Ms. Longoria stated the grant application is every two years. **Councilmember Jones** stated he agrees with waiting on this item. **Councilmember Dorcey** stated she never said anything about the ballfield being removed and this is not a good time to spend money on the lighting.

Vice Mayor Shapera moved to deny the request to enter into a contract with PLG LLC to install new ballfield lights at Gentry Park; seconded by Councilmember Dorcey.

Motion to Deny Passed - (5/1)

Aye - Mayor Hermosillo, Vice Mayor Shapera, Councilmembers Delgado, Dorcey, Jones

Nay - Councilmember Norton

6. 1b Consideration and action to authorize the City Manager to enter into an agreement with EPCOR for the sale of utility assets in the Copperwing utility service area in the amount of \$946,106.68 and authorize finance to make any transfers. (Public Works)

Councilmember Norton asked Deputy City Manager Robert Nilles to explain the separation of

the water line involved with this agreement. Mr. Nilles detailed the separation of the water line in the agreement and stated the Government Finance Officers Association determines the depreciation standards.

Councilmember Norton moved to approve the agreement with EPCOR for the sale of utility assets in the Copperwing utility service area in the amount of \$946, 106.68; seconded by Vice Mayor Shapera.

Councilmember Norton moved to approve the purchase of water meter infrastructure assets from Aquaflow Solutions Inc., presented; seconded by Vice Mayor Shapera.

Vote: 6 - 0 Passed - Unanimously

6. 1c Consideration and action to authorize the purchase of water meter infrastructure assets from Aquaflow Solutions Inc. for an amount not to exceed \$95,000 for FY24 (\$90,920.22 plus \$4,079.78 contingency) and to waive the bid process per City Code § 30.23 (B.3). (Public Works)

Councilmember Norton stated this item is to purchase new water meters. She asked why only 150 meters were being purchased, and what happened to the warranty with the original vendor? Operations Superintendent Cason Chambers explained there are meters that need to be replaced immediately, as opposed to the rest of the meters in the City which will need replacement in the future. Mr. Chambers explained there have been accuracy issues with the original vendor readings, and it would be better for the city to utilize a different vendor. **Councilmember Norton** asked why the original vendor is not being tasked with the replacement and Mr. Chambers stated the original vendor is not being responsive to requests for service. **Councilmember Jones** asked how long there had been an issue with the original vendor and Mr. Chambers stated at least six years. **Councilmember Jones** asked when the issue was discovered, and who was doing the meter readings at the time. Mr. Chambers stated Fall of 2023 was when the issue was detected and the readings were being done by the original vendor at that time.

Councilmember Norton moved to approve the purchase of water meter infrastructure assets from Aquaflow Solutions Inc., presented; seconded by Vice Mayor Shapera.

Vote: 6 - 0 Passed - Unanimously

1. Consideration and action to approve Ordinance O24-05-02, amending Ordinance O23-10-12 setting the dates for the 2024 Regular Council meetings, to change the date of the Tuesday, November 5, 2024, Council meeting, to Wednesday, November 13, 2024. (City Clerk)

City Clerk Sharon Antes explained the schedule change.

Vice Mayor Shapera moved to approve Ordinance O24-05-02 to change the date of the Tuesday, November 5, 2024, meeting to Wednesday, November 13, 2024, as presented; seconded by Councilmember Dorcey.

Vote: 6 - 0 Passed - Unanimously

2. Consideration and action to recommend Councilmember Delgado to serve as the primary committee member, and Councilmember Jones to serve as the alternate committee member on the Community Development Advisory Committee (CDAC) for FY 2024-2026. (Grants/Administration)

Program Coordinator Martona Longoria stated this item is addressed every two years.

Vice Mayor Shapera moved to recommend Councilmember Delgado to serve as the primary committee member, and Councilmember Jones to serve as the alternate committee member on the Community Development Advisory Committee (CDAC) for FY24-26, as presented; seconded by Councilmember Dorcey.

Vote: 6 - 0 Passed - Unanimously

3. Consideration and action to approve Resolution R24-05-12 setting miscellaneous fees and service charges for FY 2024/25. (Administration)

Budget Manager Macy Walker detailed the proposed fee changes.

Mayor Hermosillo asked for public comments.

Resident James McPhetres stated residents were told taxes were not increasing but just saw a presentation showing a 2% increase.

Councilmember Dorcey asked Ms. Walker to explain the tax portion of the presentation and asked if Council has control over assessed values. Ms. Walker detailed the tax portion of the presentation and Mr. Nilles explained Maricopa County determines the assessed values.

Councilmember Norton asked for clarification of the Truth in Taxation information. Mr. Nilles explained the fluctuations in taxation. **Councilmember Jones** thanked Ms. Walker and Mr. Nilles for the clear explanations. Mr. Nilles explained the 2% increase is for Public Safety. **Mayor Hermosillo** thanked Ms. Walker and Mr. Nilles for their explanations.

Vice Mayor Shapera moved to approve Resolution R24-05-12 setting miscellaneous fees and service charges for FY/25, as presented; seconded by Councilmember Dorcey.

Vote: 6 - 0 Passed - Unanimously

4. Consideration and action to approve Resolution R24-05-11 adopting the Capital Improvements Plan (CIP) for fiscal years 2025 through 2029. (Administration)

Ms. Walker detailed the Capital Improvements Plan.

Vice Mayor Shapera moved to approve Resolution R24-05-11 adopting the Capital Improvements Plan (CIP) for fiscal years 2025 through 2029; seconded by Councilmember Dorcey.

AYE: Mayor Hermosillo, Vice Mayor Shapera, Councilmembers Delgado, Dorcey, Jones

NAY: Councilmember Norton

Vote: 5 - 1 Passed

NAY: Councilmember Anita Norton

5. Consideration and action to approve Resolution R24-05-10 adopting the tentative budget, thereby setting the maximum expenditure limit for FY24-25. (Administration)

Ms. Walker detailed the tentative budget.

Councilmember Norton stated she approves some of the items listed in the budget but not the items that were previously on the bond. **Councilmember Dorcey** stated the bond was for residents to pay for CIP with a tax increase and although it was not approved, that does not mean the projects are not needed to be completed.

Vice Mayor Shapera moved to approve Resolution R24-05-10 adopting the tentative budget, thereby setting the maximum expenditure limit for FY24-25, as presented; seconded by Councilmember Dorcey.

AYE: Mayor Hermosillo, Vice Mayor Shapera, Councilmembers Delgado, Dorcey, Jones

NAY: Councilmember Norton

Vote: 5 - 1 Passed

NAY: Councilmember Anita Norton

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 Crystal Dyches stated the Senior Center renovations have been completed, and the Center has reopened. She thanked staff for their efforts to work with the seniors during the renovation process. Ms. Dyches also thanked everyone who participated in the Basin Park clean-up. Ms. Dyches thanked Council for their work on the Capital Improvement Plan and the budget which has led the City to be able to pay off the Public Safety Personnel Retirement System (PSPRS) unfunded liability.

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 the annual police awards dinner and had a wonderful time; he was pleased to see the first responders being recognized for their efforts. **Vice Mayor Shapera** also stated the CIP is a fluid process that is not etched in stone and only gives Council guidance on future needs. **Councilmember Delgado** congratulated Chief Marzocca on the award dinner, and he said the new CDAC yearly session begins Wednesday, May 8, 2024. **Councilmember Dorcey** recognized the Rally's grand opening and thanked all staff involved with bringing that business to El Mirage. **Councilmember Jones** stated he attended the Fire Department's Knights of Columbus and Police Department annual awards programs, and it was fabulous to hear the personnel being recognized for their hard work. **Councilmember Jones** also stated he attended the Basin Park clean-up, and he thanked Taco Spot for providing breakfast for those who participated. **Councilmember Norton** stated she also attended the Basin Park clean-up, and it would be nice if the event were to be open to residents to participate. She also stated it was good to see personnel being recognized at the Police Department's annual award dinner. **Mayor Hermosillo** read a Proclamation and proclaimed May 1st through 7th as Sun City Elk's Lodge #2559 National Youth Week.

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.

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

Vote: 6 - 0 Passed - Unanimously

10. **ADJOURNMENT - MEETING ADJOURNED AT 8:08 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, May 7, 2024, and a quorum was present.



Sharon Antes, City Clerk