

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, AUGUST 20, 2024**

Minutes

1. ROLL CALL

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

Absent: Councilmember Roy Delgado (Excused)

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

Pledge of Allegiance
Moment of Silence
Introduction of new City employees

Public Works Director Nick Russo introduced Environmental Division Manager Mark Ortiz.

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 Ryan Eldridge stated he would like to discuss the agreement to pay \$11,500 for security upgrades at Veteran's Park. Mr. Eldridge stated if security upgrades are being done in one park they should be done in all of them. Mr. Eldridge said a Community Development Block Grant (CDBG) could possibly pay for these upgrades.

Resident Steve Gilliam thanked staff for clearing the wash near his home. Mr. Gilliam stated the area could be used as a park in the future. Mr. Gilliam then stated he would like to see the election bitterness stop, and he would also like for the police and fire employees to stop endorsing candidates.

Resident Sue Hutchison stated that in eight years she has called the police department fifteen times. Ms. Hutchison stated the El Mirage Police Department is awesome. She stated fireworks used to be a problem, but lately they have not been an issue, thanks to the work of the police department.

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, July 2, 2024. (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 R24-08-22 rescinding Resolution R24-02-04 which committed \$500,000 of State and Local Fiscal Recovery Funds (SLFRF) in support of the Housing Authority of Maricopa County re-development project known at Flora Statler Apartments because of financing challenges in meeting the Federal time frame for spending the SLFRF funds. (Administration)
4. Consideration and action to approve the purchase of goods and services from Corporate Technology Solutions, LLC (CTS) for cabling infrastructure, access control, and video surveillance at the new Public Works building for an amount not to exceed \$65,000 including contingencies. (Development Services)
5. Consideration and action to enter into an Intergovernmental Agreement (IGA) with the Northern Parkway Partners for the reimbursement for the construction of Butler Drive and 129th Avenue. (Development Services)
6. Consideration and action to terminate four existing Drainage Easements that the City holds on the LogistiCenter at Copperwing property that are no longer required. (Development Services)
7. Consideration and action to award a contract to DBA Construction using the City Contract PW23-RFQ-JOC01 to construct drainage improvements within the cul-de-sac of 1st Avenue, north of Gentry Park, in the amount of \$328,008, including contingency (Activity No. 62213) (Development Services)
8. Consideration and action to approve a final plat to accept and record dedication of right-of-way for a 0.21-acre development of a residential property at the intersection of Tonya Street and Soledad Street submitted by Melissa Saenz. (Development Services - Planning and Zoning)
9. Consideration and action to approve a Final Plat to accept and record right-of-way dedications and utility easements for a 148-acre development at the northeast corner of Dysart Road and Olive Avenue submitted by DPML Copperwing, LLC. (Development Services - Planning and Zoning)
10. Consideration and action to affirm the pledge to Arizona State University, School of Public Affairs to support and sponsor a Marvin Andrews/Jane Morris Fellowship in Urban Management Program Internship as authorized in the FY2025 budget not to exceed \$33,000 and \$27,000 in FY 2026. (Finance/Administration)

11. Purchase of a self-contained breathing apparatus (SCBA) decontamination washer from Curtis Tools, in an amount of \$39,535.92, to reduce exposure to hazardous chemicals and carcinogenic particles that firefighters are exposed to during firefighting operations. (Fire)
12. Consideration and action to approve a Letter of Agreement between Maricopa County Community College District and the City of El Mirage for provision of a supervised Emergency Medical Technician (EMT) and Paramedic Preceptorship. (Fire)
13. Consideration and action to request and accept funds, if awarded, for a Community Impact Grant Proposal from APS in an approximate amount of \$10,000 to support El Mirage Special Events and authorize Finance to make necessary budget transfers. (Grants/Parks and Recreation)
14. Consideration and action to accept a Federal Fiscal Year 2025 (FFY2025) Department of Public Safety (DPS) Victims of Crime (VOCA) Crime Victim Assistance Grant in an amount of \$118,602 for the Victim Assistance Program, approve the City match and authorize the Finance Department to make the necessary budget adjustments. (Grants)
15. Consideration and action to approve an agreement with Cox Communications for the purchase of Internet Services for the Police Department for a term of 3 years at a cost of \$79.00 per month plus tax. (Information Technology)
16. Consideration and action to approve a purchase with Technology Providers Inc. (TPI) for an amount not to exceed \$5,000 for equipment and services to support council meeting streaming enhancements. (Information Technology)
This item was pulled from Consent for discussion.
17. Consideration and action to authorize the City Manager to enter into service agreements for park security infrastructure improvements as an FY25 contingency budget expense in an amount not to exceed \$11,500. (Parks and Recreation)
This item was pulled from Consent for discussion.
18. Consideration and action to approve an MOU update with Adelante Healthcare for health services provided at the senior center for one year and continued automatic annual renewal until terminated by either party. (Parks and Recreation)
19. Consideration and action to authorize the City Manager to enter into a revenue-sharing contract with Butler Amusements, Inc. to host a carnival-style special event at Gentry Park on or about the dates of March 20-23, 2025. (Parks and Recreation)
20. 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)
21. Consideration and action to approve the purchase of an upgraded printer for the Police Department's Livescan (electronic fingerprint) machine from Idemia under AZ State Contract CTR040047-4 for \$2,062.50 (Police).
22. Consideration and action to approve the extension to the existing agreement with Idema for the Police Department's LiveScan (electronic fingerprinting) machine and portable fingerprint scanners for the amount of \$5,864. (Police).

23. Consideration and action to approve the purchase of upgraded shelving for the Police Department's Property & Evidence building from Arizona Furnishings under AZ State Contract CTR067398 for a cost of \$174,560.43 (Police).
24. Consideration and action to authorize the City Manager to enter into budgeted goods and services contracts, according to the attached list of vendors, to allow Public Works to perform their duties during FY 24/25. (Public Works)
25. Consideration and action to approve a contract with Hazen and Sawyer for consulting services to complete phase two of the distribution pipe inventory project in an amount not to exceed \$155,164 and authorize the finance department to make any transfers. (Public Works)
26. Consideration and action to approve an increase of \$50,686 FY24 budget authority to make the \$102,169.21 final payment to Team Fishel for completed CIP 62316 project and authorize the finance department to make any necessary transfers. (Public Works)

Vice Mayor Shapera moved to approve Consent Agenda items 1-15 and 18-26 as presented, seconded by Councilmember Dorcey.

Vote: 5 - 1 Passed

NAY: Councilmember Anita Norton

5. **REGULAR AGENDA**

5. 1.a Consideration and action to authorize the City Manager to enter into service agreements for park security infrastructure improvements as an FY25 contingency budget expense in an amount not to exceed \$11,500. (Parks and Recreation)

Parks and Recreation Director Sean VonRoenn stated he would be happy to answer any questions Council had. **Councilmember Norton** asked Mr. VonRoenn to explain this item. Mr. VonRoenn provided background information on the request for security infrastructure improvements in Veteran's Park. **Councilmember Norton** asked what is the purpose of additional lighting and cameras in the park and Mr. VonRoenn stated it will deter undesirable activity in the park. **Councilmember Norton** asked why other parks are not being considered and Mr. VonRoenn stated there are cameras at several parks already and this park was prioritized based on recent activity. **Councilmember Norton** stated this plan should be extended to all parks in the city. **Vice Mayor Shapera** stated the lights at Veteran's Park are twenty-two years old and there is an immediate need for this action at this park. **Councilmember Jones** stated he agrees with **Councilmember Norton** that all parks need these upgrades, but Veteran's Park has an immediate need based on the activity recently taking place there.

Councilmember Jones moved to authorize the City Manager to enter into service agreements for park security infrastructure improvements as an FY25 contingency budget expense in an amount not to exceed \$11,500, seconded by Vice Mayor Shapera.

Vote: 6-0 Passed - Unanimously

1. A continuation of a public hearing, closure of public hearing followed by a discussion and action on a conditional use permit and site plan for industrial use for a gas and oil refinery located at 12126 W Olive Ave, El Mirage AZ 85335 submitted by Fuel Processing Operators, LLC. (Development Services - Planning and Zoning)

Mayor Hermosillo opened the Public Hearing.

Senior Planner Jose Macias provided background information on the conditional use permit and site plan. Applicants John Ulibarri and Mike Brannon were available for questions. **Vice Mayor Shapera** asked that a stipulation be added to include noise will not be a nuisance to the public and Mr. Macias agreed. Resident Jim McPhetres asked how the site would be secured and what is being done to mitigate traffic. Resident Steve Gilliam asked if the fire suppression system has been reviewed and what the water usage will be. Mr. Ulibarri stated there are security gates at the site, and the roadway improvements added lanes to ease traffic. Mr. Ulibarri then stated the water usage increase will be limited as they are only adding five additional employees. Mr. Brannon stated the site has annual fire inspections and there are approximately thirty-five cameras on-site that are manned 24/7. **Councilmember Jones** thanked the applicants for their efforts on this item. **Vice Mayor Shapera** asked if a median was planned for Olive Avenue and Mr. Macias stated there would not be a median but lane striping added to ease traffic flow on Olive Avenue.

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

Vice Mayor Shapera stated this project was well-thought-out. **Councilmember Dorcey** stated she is glad to see this project come to fruition, and she appreciates the efforts of all involved.

Vice Mayor Shapera moved to approve a conditional use permit and site plan to include the stipulation about the noise not being a nuisance to the public as presented, seconded by Councilmember Dorcey.

Vote: 6 - 0 Passed - Unanimously

2. Consideration and action on a zoning relief request from Chapter §152.030 requiring utilities and electrical 13KV power lines, and under, to be relocated underground at the fuel processing property located at 12126 W Olive Avenue submitted by Gervasio and Assoc, Inc. (Development Services - Planning and Zoning)

Senior Planner Jose Macias provided information on the zoning relief request. **Vice Mayor Shapera** stated this is an unnecessary burden on the applicant. **Councilmember Dorcey** stated if Arizona Public Service decides to bury the lines in the future, Council could reconsider.

Vice Mayor Shapera moved to approve a zoning relief request from Chapter §152.030, as presented, seconded by Councilmember Norton.

Vote: 6 - 0 Passed - Unanimously

3. A discussion and action on a site plan amendment zoning application for a fitness center use at 11201 N El Mirage Road submitted by Studio Type X. (Development Services - Planning and Zoning)

Senior Planner Jose Macias detailed the site plan amendment zoning application. **Vice Mayor Shapera** stated this is a good project for the residents.

Vice Mayor Shapera moved to approve a site plan amendment zoning application for a fitness center use at 11201 North El Mirage Road, Seconded by Councilmember Dorcey.

Vote: 6 - 0 Passed - Unanimously

4. Consideration and action to approve Resolution R24-08-20 amending Title XI, Section § 110.07 of the Code of the City of El Mirage. (Administration)

Budget Manager Macy Walker provided background information on the Resolution.

Vice Mayor Shapera moved to approve Resolution R24-08-20 amending Title XI, Section §110.07 of the Code of the City of El Mirage, as presented; seconded by Councilmember Norton.

Vote: 6 - 0 Passed - Unanimously

5. Consideration and action to approve Ordinance O24-08-07 amending Title XI, Section § 110.07 of the Code of the City of El Mirage. (Administration)

Budget Manager Macy Walker provided information on the Ordinance.

Vice Mayor Shapera moved to approve Ordinance O24-08-07 amending Title XI, Section §110.07 of the Code of the City of El Mirage, as presented; seconded by Councilmember Dorcey.

Vote: 6 - 0 Passed - Unanimously

6. Consideration and action to make a purchase with SHI for Granicus Livecast Streaming services and equipment for an amount not to exceed \$22,000. (Information Technology)

Information Technology Director Tom Bacome provided background information on the purchase details. **Mayor Hermosillo** stated this is a fantastic addition that could provide more involvement with the community. **Councilmember Norton** asked if the camera would be able to focus on whomever was speaking at each time and Mr. Bacome stated the cameras already have that feature, and it is just a manpower issue preventing it from occurring. **Councilmember Norton** asked if the closed captioning would still be available and Mr. Bacome stated he was working with another vendor on that aspect. **Councilmember Norton** asked if the videos of meetings would still be available on the City website and Mr. Bacome stated yes. **Councilmember Winston** thanked Mr. Bacome for making this project possible. **Councilmember Dorcey** stated she is opposed to having cameras focus on who is speaking each time and that a video of the dias as a whole would suffice. **Councilmember Norton** stated it is important for viewers to see who is speaking. **Vice Mayor Shapera** asked if the number of views on YouTube could be tracked and Mr. Bacome answered yes.

Vice Mayor Shapera moved to approve the purchase with SHI for Granicus Livecast Streaming services and equipment, seconded by Councilmember Norton.

Vote: 6-0 Passed - Unanimously

- 6. b.** Consideration and action to approve a purchase with Technology Providers Inc. (TPI) for an amount not to exceed \$5,000 for equipment and services to support council meeting streaming enhancements. (Information Technology)

Information Technology Director Tom Bacome detailed the item and the need for it.

Councilmember Norton asked if this would improve the call quality when people call in to the meetings and Mr. Bacome stated Microsoft Teams would still be providing audio for callers.

Vice Mayor Shapera moved to approve a purchase with Technology Providers Inc. (TPI) for an amount not to exceed \$5,000 for equipment and services to support council meeting streaming enhancements, seconded by Councilmember Norton.

Vote: 6-0 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 had no comments.

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 acknowledged the police department and fire department for their efficiency in handling the recent event at Gentry Park. **Councilmember Dorcey** agreed with **Vice Mayor Shapera**. **Councilmember Norton** read a prepared statement regarding recent election events and changes to A.R.S. §38-431-03.3, A.R.S. §9-235 and A.R.S. §9-821.01.

8. **EXECUTIVE SESSION**

- 1. Consideration and action to adjourn to Executive Session pursuant to A.R.S. § 38-431.03.3, regarding discussion and consultation for legal advice on recent changes to A.R.S. § 9-235 and A.R.S. § 9-821.01 which will become effective on September 14, 2024. (Administration)

Vice Mayor Shapera moved to adjourn into Executive Session, seconded by Councilmember Dorcey.

Vote: 6 - 0 Passed - Unanimously

9. **ADJOURNMENT - MEETING ADJOURNED AT 7:54 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, August 20, 2024, and a quorum was present.



Sharon Antes, City Clerk