

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 15, 2024**

Minutes

1. ROLL CALL

Present: Mayor Alexis Hermosillo (via phone), Vice Mayor David Shapera, Councilmembers Roy Delgado, Monica Dorsey, Bob Jones

Excused: Councilmember Donna Winston

2. CALL TO ORDER - Vice Mayor Shapera called the meeting to order at 6:00 p.m.

Pledge of Allegiance
Moment of Silence

Introduction of new City employees - Parks & Recreation Director Sean VonRoenn introduced three new Parks & Rec Maintenance Technician employees - Adam Herrera, Jason Jarava, Joselias Bermejo Flores.

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.

Business Owner Jim Farley reported that his company donated 39,040 bottles of water (1,220 cases) during the summer hydration program. He noted the program started six weeks earlier than normal and has extended into October because of record high temperatures.

Resident Steve Gilliam provided information on a West Valley non-profit showcase event to be held at the Peoria Sports Complex between 4-6 p.m. on November 14, 2024. He further stated he was happy to know the state legislation regarding "chickens" was being addressed by the City in the near future. He reported that the pony wall at the 126th Ave cul-de-sac needed to be repaired, and he advised the Police vehicle quotation from LSH Lights showed the City's previous address and should be updated.

Resident Jim McPhetres commented on several agenda items stating he was in favor of the Hohokam Trail extension, he had numerous questions regarding the vehicle replacement program and asked for more detail, he spoke about the Peoria and El Mirage final plat project, and he was in favor of waiving the utility requirement for the new coffee shop at Acoma.

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, October 1, 2024. (City Clerk)
2. 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)
3. Consideration and action to approve an agreement with the Arizona Department of Homeland Security for participation in the Cyber Readiness Program. (Information Technology)
4. Consideration and action to authorize the purchase of three 2025 Ford F150 Trucks through the vehicle replacement program at a total cost not to exceed \$168,000 (\$164,276.70 plus \$3,723.30 contingency) from Peoria Ford under Maricopa County Contract 230202-C. (Police).
This item was removed from the Consent Agenda and discussed as Regular Agenda 5.1.a
5. Consideration and action to approve the purchase of a 2025 Ford Explorer for Police Lieutenant from Peoria Ford at a cost not to exceed \$46,413.60 under Arizona State Contract CTR059322 (Police).
6. Consideration and action to approve the purchase of upfitting kits for Ford F150 Police Vehicle numbers 9985, 9190, and 9377 from LSH Lights under State Contract CTR049799 at a cost of \$60,296.55. (Police).
This item was removed from the Consent Agenda and discussed as Regular Agenda 5.1.b

Councilmember Monica Dorsey moved to approve Consent Agenda Items 1-3 and 5; seconded by Councilmember Anita Norton.

Vote: 6 - 0 Passed

Other: Councilmember Donna Winston (EXCUSED)

5. REGULAR AGENDA

5.1.a (Consent Agenda 4.4) Consideration and action to authorize the purchase of three 2025 Ford F150 Trucks through the vehicle replacement program at a total cost not to exceed \$168,000 (\$164,276.70 plus \$3,723.30 contingency) from Peoria Ford under Maricopa County Contract 230202-C. (Police).

Police Chief Marzocca explained the vehicle replacement program and stated Tahoes are hard to get and outfitting them takes even longer. **Vice Mayor Shapera** stated this is a nationwide problem and pre-ordering provided a benefit to the community. Chief Marzocca stated replacement vehicles were on a rotation schedule depending on vehicle age and mileage. **Councilmember Norton** was advised that all three pickup trucks would be marked and outfitted with cages. She stated she believed some SUVs were necessary in the fleet and not all should be pickup trucks. **Councilmember Jones** asked what happens to decommissioned police vehicles and was advised by Chief that they are offered to other City departments but if not needed, they are auctioned at Sierra Auction and proceeds from the sales are returned to the General Fund.

Councilmember Dorcey moved to authorize the purchase of three 2025 Ford F150 Trucks through the vehicle replacement program at a total cost not to exceed \$168,000 (\$164,276.70 plus \$3,723.30 contingency) from Peoria Ford under Maricopa County Contract 230202-C; seconded by Mayor Hermosillo.

Vote: 6 - 0 Passed

Other: Councilmember Donna Winston (EXCUSED)

5.1.b (Consent Agenda 4.6) Consideration and action to approve the purchase of upfitting kits for Ford F150 Police Vehicle numbers 9985, 9190, and 9377 from LSH Lights under State Contract CTR049799 at a cost of \$60,296.55. (Police).

Chief Marzocca explained that this request for outfitting kits was for three specific vehicles that were received approximately in April. **Councilmember Norton** asked where the unmarked vehicles are now and was advised they are used in an administrative capacity until they can be outfitted.

Councilmember Dorcey moved to approve the purchase of upfitting kits for Ford F150 Police Vehicle numbers 9985, 9190, and 9377 from LSH Lights under State Contract CTR049799 at a cost of \$60,296.55; seconded by Councilmember Delgado.

Vote: 6 - 0 Passed

Other: Councilmember Donna Winston (EXCUSED)

1. Public hearing, closure of public hearing, followed by consideration and action to approve Resolution R24-10-23 authorizing the City to submit a grant application to Maricopa County Human Services Department (MCHSD) for FY2025-26 Community Development Block Grant (CDBG) funds and, if awarded, execute subsequent award agreements, to construct a 0.55-mile multi-use trail extension from Hohokam Multi-Use Trail to Myer Lane, and authorize Finance to make necessary budget transfers. (Grants/Development Services)

Vice Mayor Shapera opened the Public Hearing

Resident Jim McPhetres stated he fully supports the application for this project.

Resident Steve Gilliam stated he was not in support of this application and believes grant money should be sought to purchase the land from the LDS Church to the Surprise Elementary school.

Resident Hilary Gilliam stated she believes that the request is a lot of money for such a short distance and wanted to know what money is planned for the area where she lives.

Program Coordinator Martina Longoria presented the grant application request by explaining the history and request to apply for CDBG funding to extend the existing trail by 0.55 miles.

Vice Mayor Shapera noted the cost estimate is under the amount of grant requested and was advised that an even amount would be used in the grant application since the cost estimate could change and the full amount may not be awarded.

Vice Mayor Shapera closed the Public Hearing.

Councilmembers Delgado, Dorcey and Jones all expressed favor in applying for this grant, stating that the current trail is used often and is a benefit to residents and that the grant funding is available for such projects. **Councilmember Norton** stated she believed the project could be done for less money. She further commented that the proposed material was not appropriate and other materials should be considered. **Vice Mayor Shapera** noted he did not support this project from the beginning and

believes it is too much money. He prefers that CDBG funding be used for water related projects.

Councilmember Dorcey moved to approve Resolution R24-10-23 authorizing the City to submit a grant application to Maricopa County Human Services Department (MCHSD) for FY2025-26 Community Development Block Grant (CDBG) funds and, if awarded, execute subsequent award agreements, to construct a 0.55-mile multi-use trail extension from Hohokam Multi-Use Trail to Myer Lane, and authorize Finance to make necessary budget transfers; seconded by Councilmember Jones.

Vote: 4 - 2 Passed

NAY: Councilmember Anita Norton

Vice Mayor David Shapera

Other: Councilmember Donna Winston (EXCUSED)

2. Public hearing, closure of public hearing, followed by consideration and action to approve Resolution R24-10-24 authorizing the City to submit a grant application to Maricopa County Human Services Department (MCHSD) for FY2025-26 Community Development Block Grant (CDBG) funds and, if awarded, execute subsequent award agreements, of a water main replacement project for 1st Avenue and Ventura Street, and authorize Finance to make the necessary budget transfers. (Grants/Development Services)

Vice Mayor Shapera opened the Public Hearing.

Project Coordinator Martina Longoria presented the request to apply for \$500,000 of CDBG funding for a water main replacement project on 1st Avenue and Ventura Street.

Hearing no comments, Vice Mayor Shapera closed the Public Hearing.

All Councilmembers expressed their support for this grant funding request.

Councilmember Norton moved to approve Resolution R24-10-24 authorizing the City to submit a grant application to Maricopa County Human Services Department (MCHSD) for FY2025-26 Community Development Block Grant (CDBG) funds and, if awarded, execute subsequent award agreements, of a water main replacement project for 1st Avenue and Ventura Street, and authorize Finance to make the necessary budget transfers; seconded by Councilmember Delgado.

Vote: 6 - 0 Passed

Other: Councilmember Donna Winston (EXCUSED)

3. Consideration and action to approve a final subdivision plat to accept and record eight one-acre residential lot splits, three private tracts, and public utility easements for a twelve-acre property at the northwest corner of El Mirage Road and Peoria, El Mirage, Arizona 85335 Submitted by Crux Solutions. (Development Services - Planning and Zoning)

Senior Planner Jose Macias gave a PowerPoint presentation on the scope of this project and Council request to approve a final subdivision plat at the northwest corner of Peoria Avenue and El Mirage Road.

Councilmembers had many questions regarding this request for a subdivision plat approval including responsibility for road maintenance, streetlights, fire truck accessibility, enforcement on private property, existence of an HOA, collection of maintenance fees, adequate fire hydrants, sewer connection, retention basin, greenbelt areas, and proposed types of homes. Owner Ezequiel Mendez

and Crux Solutions, LLC project Consultant Francisco Bobadilla were present to answer questions. They stated the owner would be responsible for all road maintenance and would collect an unspecified amount for dues from homeowners. Owner Mendez was proposing an LLC instead of a formal HOA. Fire Chief Long stated the project met City guidelines and provided adequate turn around areas. Development Services Director Jorge Gastelum explained that sidewalks and streetlights would be part of the project, adequate fire hydrants will be included, and the project would be on the City sewer system.

Councilmember Norton moved to approve a final subdivision plat to accept and record eight one-acre residential lot splits, three private tracts, and public utility easements for a twelve-acre property at the northwest corner of El Mirage Road and Peoria, El Mirage, Arizona 85335 Submitted by Crux Solutions; seconded by Vice Mayor Shapera.

Vote: 2 - 4 Failed

NAY: Mayor Alexis Hermosillo
Councilmember Roy Delgado
Councilmember Monica Dorsey
Vice Mayor David Shapera
Other: Councilmember Donna Winston (EXCUSED)

4. 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 a proposed drive-thru coffee restaurant at 12445 NW Grand Avenue, El Mirage Arizona 85335 submitted by T-MAC Development Company. (Development Services - Planning and Zoning)

Senior Planner Jose Macias presented and explained the current code requirement regarding placement of utilities and electrical power lines to be placed underground. T-MAC Development Company Managing Partner Kenzie Hamann, representing the Black Rock Coffee project, expressed the company's need and request for a waiver from this requirement stating the cost is not feasible.

Councilmember Dorsey moved to approve a zoning relief request from Chapter §152.030 requiring utilities and electrical 13KV power lines, and under, to be relocated underground at a proposed drive-thru coffee restaurant at 12445 NW Grand Avenue, El Mirage Arizona 85335 submitted by T-MAC Development Company; seconded by Councilmember Delgado.

Vote: 6 - 0 Passed

Other: Councilmember Donna Winston (EXCUSED)

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 reminded everyone that the City's Fall Festival event is Friday, October 25, 2024, from 5 to 8 p.m. at Gentry Park and encouraged and invited all to attend.

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.

Councilmember Norton reminded everyone that the 1st Annual Domestic Violence Awareness Walk will be held on Saturday, October 19, 2024 beginning at 8 a.m. at Gateway Park. She noted there would be featured speakers, refreshments, and encouraged everyone to join the walk in support of domestic violence awareness.

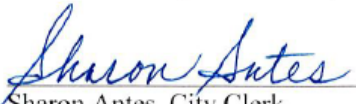
8. **ADJOURNMENT - meeting was adjourned at 7:18 p.m.**

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 15, 2024, and a quorum was present.



Sharon Antes, City Clerk