

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF EL MIRAGE
EL MIRAGE CITY COUNCIL CHAMBERS
14010 N. EL MIRAGE ROAD
TUESDAY, OCTOBER 1, 2013**

Minutes

I. ROLL CALL

Present: Mayor Lana Mook, Vice Mayor Joe Ramirez, Councilor Roy Delgado, Councilor David Shapera Councilor Jim McPhetres, Councilor Jack Palladino, Councilor Lynn Selby.

II. CALL TO ORDER

The meeting was called to order by Mayor Lana Mook at 6:00 p.m.

III. PRESENTATIONS

P1 Proclamation from Mayor and Council of the City of El Mirage proclaiming the week of October 6 – 12, 2013 as FIRE PREVENTION WEEK (Fire Department)

Fire Chief Howard Munding explained the background and beginnings of the Fire Prevention Week proclamation with this year's emphasis on preventing kitchen fires.

Mayor Mook proclaimed the week of October 6 – 12, 2013 as Fire Prevention Week.

P2 Proclamation from Mayor and Council of the City of El Mirage proclaiming the month of October, 2013 as DOMESTIC VIOLENCE AWARENESS MONTH (Police Department)

Police Chief Steve Campbell explained the background and purpose of drawing attention and awareness to the impact domestic violence has on victims and communities. Each Councilor was provided with a fact sheet and lavender lapel ribbon.

Mayor Mook proclaimed the month of October, 2013 as Domestic Violence Awareness Month.

IV. CALL TO THE PUBLIC

Citizens desiring to speak on a matter that IS NOT on this agenda 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 respond to the matter; and (3) direct that the matter be put on a future agenda.

Ab Jackson, Chairman of the Surprise Regional Chamber of Commerce advised and invited Council to attend two upcoming events:

1. On Tuesday, October 8, 2013 the Chamber of Commerce Networking Breakfast will be held at the Colonnade in Surprise at 7:00 a.m. and feature House of Representatives Speaker Andy Tobin as the keynote speaker.
2. On Friday, October 11, 2013 the Chamber of Commerce Newsmaker Luncheon will be held at Anapapa Restaurant in Sun City West at 11:30 a.m. and feature City of El Mirage Mayor Lana Mook as the keynote speaker.

Dysart Unified School District (DUSD) Governing Board President Traci Sawyer-Sinkbiel read from a statement to clarify and inform Council regarding the portion of control DUSD has over the tax dollars collected. The bond initiative is for items the State does not cover such as music and art courses, full day Kindergarten, fields and tracks for after-school activities, gymnasiums, carpet on the floors and other items. Using a recent example of a \$100K home, the \$739 annual district property tax cited is mostly set by the State; only \$273 of the \$739 is being requested in the bond override to pay for those items the District wants to offer but are not covered by the tax dollars collected by the State. She stated DUSD is proud of its community service and support of education and cited their mission is "Power and Preparation, Excellence and Journey, and Success for a Lifetime."

V. 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 approving the minutes of the Regular Council Meeting held Tuesday, September 17, 2013. (City Clerk)
2. Consideration and action to accept the award of the FEMA Assistance to Firefighters Grant (AFG) in the amount of \$26,028 for the purchase of four (4) dual band portable radios and authorization to spend those funds plus the required 10% matching contribution of \$2,892 and authorize the Finance Director to make the appropriate budget transfers. (Fire Department)
3. Consideration and action to approve an Intergovernmental Agreement (IGA) between the Dysart Unified School District and the City of El Mirage to allow the placement of one School Resource Office (SRO) in the Dysart schools. (Police Department)

Vice Mayor Ramirez moved to approve the consent agenda items 1 through 3 as presented; seconded by Councilor Delgado. Motion carried unanimously.

VI. REGULAR AGENDA

- A. Consideration and action to enter into a Purchase Agreement between the City of El Mirage and the City of Goodyear for Long Term Storage Credits. (Public Works)

DCM/Public Works Director Larry Dobrosky gave a short PowerPoint presentation relative to the background of water credits and payments required for water replenishment through CAGR. All water used needs to be recovered in one form or another and El Mirage did not purchase CAP water credits when made available in 1983. El Mirage later purchased a small amount of CAP credits in 1999 but not enough for the amount needed today. To offset the ever increasing cost per acre foot of CAGR water, all efforts are being made to purchase long term storage credits to bank for the future at much lower rates than CAGR will cost. Negotiations with the City of Goodyear resulted in their willingness to sell some of their CAP credits at a favorable rate.

Councilor McPhetres questioned whether the City was aware of proposed EPA restrictions on the Navaho Generating Station and what impact they might have on CAP water availability/costs. Dr. Isom advised that he is the current Chair of the MAG Management Committee and the proposed EPA restrictions on the NGS were high on the list of items being addressed regionally. He also informed Council that Mr. Dobrosky had just recently been named Chair of the WESTCAPS Management Committee and the City was well represented in addressing future water needs and replenishment costs.

Vice Mayor Ramirez moved to approve entering into a Purchase Agreement between the City of El Mirage and the City of Goodyear for Long Term Storage Credits; seconded by Councilor Shapera. Motion carried unanimously.

- B. Consideration and action to give signature authority to the City Manager to approve a contract modification to the construction services contract with Reliance Build, Inc. for the Recreation Facility with Pool, pursuant to Section 30.26 of the City Code, and directing the Finance Director to transfer funds and budget in the amount of \$82,500 from Council Contingency to the proper fund. (Development and Community Services)

DCM/City Engineer Sue McDermott presented a short PowerPoint presentation and identified two reasons for the requested contract modification; 1) an unforeseen shortfall on the estimated cost of the performance bond for RBI, Inc., and 2) installation of water lines to the north of Gateway Park connecting into the existing system.

Councilor McPhetres stated he believed this was a serious problem and that these items should have been handled initially. Councilors Selby and Palladino asked questions about why this line was not installed when the Park was constructed and would the line accommodate future growth in this area. Mayor Mook inquired on the park opening date (approximately 2009) and indicated that the philanthropy of the Long Foundation in donating the land was a huge savings to the City. She further stated that the police station and recreation facility were not anticipated when the park was built. Councilor Delgado commented that taking this action was a break from past non-responsive council actions and a prudent move to save money in the future. Vice Mayor Ramirez stated it is quite normal for a performance bond cost to increase when there are contract changes. He further commented that this matter should not be a surprise because the minutes will show that the water line improvement at Gateway Park was already discussed and approved during the FY 2013/14 budget process.

Dr. Isom explained that the performance bond initially presented by RBI, Inc. was done in good faith based on estimated costs at the time and the increase could not have been anticipated. The cost for the additional amount of performance bond was offset by nearly equivalent funds placed in Council Contingency from one extra budgeted police department position. The water line installation is a completely separate project discussed and approved in the FY 2013/14 budget at an estimated cost of \$200,000. By approving the proposed change order and allowing RBI to install the water lines at a cost of \$112,681, the City realizes an estimated savings of \$87,319. The net result of approving this action is zero change to the Council Contingency fund and a savings of \$87K for the water line installation.

Councilor Shapera moved to authorize the contract modification as presented and to transfer funds as required; seconded by Vice Mayor Ramirez. Motion carried unanimously.

- C. Consideration and action to give signature authority to the City Manager to enter into a professional services contract with Tierra Right of Way to provide land acquisition and relocation services (Phase I) for the El Mirage Road project including Thunderbird Road between 127th Avenue and El Frio Street. (Development and Community Services)

DCM/City Engineer Sue McDermott presented PowerPoint presentation to explain background and need for this contract in moving forward with the expansion of El Mirage Road.

Councilor McPhetres asked 1) whether entire parcels or portions of parcels were to be taken and was advised portion of parcels, 2) if the school would be impacted and was advised that yes, a portion of the elementary school at El Mirage and Thunderbird would be impacted and the City had already met with the school to discuss, 3) why takings are necessary and was advised it was needed to widen El Mirage Road at certain sections, and 4) were the parcels being sold or taken by eminent domain and was advised that selling was the first preference and eminent domain would be a last resort effort.

Vice Mayor Ramirez moved to approve Item C as presented; seconded by Councilor Delgado. Motion carried unanimously.

VII. CITY MANAGER SUMMARY OF CURRENT EVENTS

The City Council may not discuss or act upon any matter in the City Manager's summary unless the specific matter is properly noticed for legal action.

City Manager Dr. Isom introduced RBI, Inc. President/Owner Steve Stoakes who was present in the audience; Mr. Stoakes addressed the Council and advised he was very happy to be working with the City on the recreation facility and looked forward to a successful completion of the project.

Dr. Isom then asked Police Chief Steve Campbell to introduce two new recent promotions in the Police Department. Chief Campbell introduced Sergeant Andrew (AJ)

Vanderwerf and Sergeant Robert Peoples who were present at the meeting and provided a brief history on each of their backgrounds and career advancement.

Dr. Isom further reported that the second curbside bulk trash event began Monday, September 30th and will run through October 21st - information has been distributed on the details of collection areas and acceptable items for pick up. The bus bay cut-outs along Thunderbird Road are complete; the new bus shelters have been ordered and installation is anticipated by the end of October. New street identification signs to be supplied through a grant by ADOT are anticipated for installation as soon as a contract award protest has been resolved by ADOT. The second annual Citizens' Fire Academy will be held over four consecutive Saturdays (October 12, 19, 26 and November 2) from 9:00 AM - 12:00 Noon at the El Mirage Fire Station on El Mirage Road. DCM/Public Works Director Larry Dobrosky was named Chair of the newly formed Management Committee for WESTCAPS, a regional group of water providers in the West Valley to develop strategies for long-term water resources.

VIII. MAYOR'S COMMENTS and COUNCIL SUMMARY OF CURRENT EVENTS

Mayor Mook acknowledged the promotions of Sergeants Vanderwerf and Peoples and stated how proud the Council is to have them on the El Mirage Police force. She also announced that the Maricopa County Board of Supervisors has re-appointed Councilor Roy Delgado as Chair of the CDAC Committee and Councilor Jack Palladino as the alternate CDAC representative from El Mirage.

Councilor Lynn Selby reported he had recently attended a luncheon with Assistant Fire Chief Jim Wise and heard a very interesting presentation on 9-1-1 calls. He requested that an article be placed in the El Mirage Newsletter on "How to Place a 9-1-1 Call" to prevent rambling and life saving time from being lost in an emergency.

Councilor Roy Delgado stated the recent Dysart Education Foundation 2nd Annual Fundraising Golf Tournament was a huge success with 15 golfers from the City participating; the 3rd Annual Fundraising tournament is already being planned. He also announced that book sales at the tournament by the Friends of the Library contributed over \$146 and he thanked Freddie's restaurant for donating a gift certificate.

Vice Mayor Ramirez gave thanks to all who contributed toward the success of the first American Cancer Society Relay for Life event in El Mirage held over the past weekend. He commended Mr. Dobrosky on the pristine condition of Gateway Park for the event stating outsiders were most impressed. He also singled out employees Angela Serda and Nick Russo and thanked them for their enormous assistance to the committees in this event. VM Ramirez stated representatives from the American Cancer Society commented they had never before seen such community support as was displayed at the El Mirage Relay for Life.

Dr. Isom added that staff member Amber Wakeman was to be commended as well as she supervises Ms. Serda and all of the City's Special Events.

IX. ADJOURNMENT

Mayor Mook adjourned the meeting at 7:13 p.m.



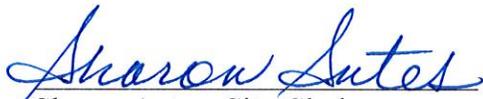
Lana Mook, Mayor

ATTEST:



Sharon Antes, City Clerk

I hereby certify the foregoing minutes are a true and accurate record of the City of El Mirage Regular Council Meeting held October 1, 2013 and a quorum was present.



Sharon Antes, City Clerk