

**REGULAR MEETING OF THE COMMON COUNCIL  
OF THE CITY OF EL MIRAGE  
EL MIRAGE CITY COUNCIL CHAMBERS  
14010 N. EL MIRAGE ROAD  
6:00 P.M., TUESDAY, SEPTEMBER 16, 2014**

**Minutes**

**I. ROLL CALL**

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

**II. CALL TO ORDER 6:02 PM**

Pledge of Allegiance  
Moment of Silence

**III. PROCLAMATION**

**P1.** Proclamation identifying October 5 – 11, 2014 as Fire Prevention Week (Fire Department)

Fire Chief Jim Wise reported the City of El Mirage and the El Mirage Fire Department are committed to ensuring the safety and security of all those living and visiting El Mirage. Working smoke alarms cut the risk of being overcome by smoke and fire in home fires by half. The 2014 Fire Prevention Week theme for October 5-11, 2014 is “Working Smoke Alarms Save Lives: Test Yours Every Month.”

**NOW, THEREFORE, I, Lana Mook, Mayor of El Mirage do hereby proclaim October 5-11, 2014 as Fire Prevention Week throughout this City, and I urge all the people of El Mirage to test their smoke alarms at least every month by pushing the test button, and to support the many public safety activities and efforts of our City’s fire and emergency services during Fire Prevention Week 2014.**

**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/or (3) direct that the matter be put on a future agenda.

Resident Molly Van Tienderen (accompanied by her mother, Susan Van Tienderen) presented an idea to make the City more beautiful by painting trash cans and chaining them to light posts along the washes. If the City will buy the trash cans and paint, she would get volunteers to paint them. Mayor Mook said she thought it was a great idea and she would ask staff to look into the idea and get back to her.

## 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 to approve minutes of the Regular Council Meeting held Tuesday, September 2, 2014 and minutes of the Special Council Meeting held Thursday, September 11, 2014. (City Clerk)
2. Consideration and action to authorize the City Manager to enter into a contract with First Light Technologies Ltd. for the purchase of solar powered LED lights to be installed at Basin Park and other pocket parks throughout the City. (Public Works)
3. Consideration and action to approve a contract with Sunland Asphalt, in the amount of \$195,586.22, for street maintenance (chip seal) services consistent with the FY 14/15 Pavement Maintenance Plan. (Public Works)

**Vice Mayor Ramirez moved to approve all items as listed on the Consent Agenda; seconded by Councilor Delgado. Motion carried unanimously (7/0).**

## VI. REGULAR AGENDA

- A. Consideration and action to give signature authority to the City Manager to enter into a professional services contract with AZTEC Engineering Group, Inc. to design the secured parking area at the City Court building. (Development & Community Services).

Development and Community Services Director Jorge Gastelum presented the request for a Professional Services Contract for the design of the parking area at the Court and Library. He explained the preliminary site plan to include 18-20 parking spaces. This contract will include design of the parking area, survey, drainage elevation, access gates, landscaping, and construction management. Mayor Mook asked if this included access to and from and providing safety precautions for prisoners entering at the back of the Court and was assured all those issues will be addressed. Councilor Delgado questioned the amount of lighting and Mr. Gastelum reported he will review that issue with AZTEC. Mayor Mook discussed this issue with the Judge and he reported lighting and cameras would be included. Vice Mayor Ramirez commented he had noted when working on the Ramada that there was little lighting in the area and fully supported increasing night time visibility.

**Councilor Shapera moved to approve signature authority to the City Manager to enter into a professional services contract with AZTEC Engineering, Inc. to design the secured parking area at the City Court Building; seconded by Councilor Delgado. Motion carried unanimously. (7/0)**

- B. Consideration and action to authorize the City Manager to enter into a five (5) year contract with Greenstone Resource Group, LLC for the purchase of 5,054.63 acre feet of Water Extinguishment credits. (Public Works).

Deputy City Manager/Public Works Director Larry Dobrosky gave a presentation referring to both Agenda Items B and C stating this is one of the most important issues in the City.

The City of El Mirage water system services approximately 11,500 households including 1,000-1,500 in Old Town Surprise. There are two main sources of water - surface water and groundwater. The City of El Mirage is 100% reliant on groundwater. State law requires annual usage to be replenished with a renewable source of water. Past decisions were short sighted and he explained the steps taken by Council over the past few years to overcome some of the deficiencies and provide a measure of protection for the future. Available sources of replenishment include effluent which is a top renewable resource, Central Arizona Project (CAP) water, long term storage credits, extinguishing credits, and Central Arizona Groundwater Replenishment District (CAGR) purchase.

Mr. Dobrosky gave a history of water planning that affects the City today and discussed the various sources of replenishment. In 1983 the State of Arizona and the Federal Department of Interior developed a Water Strategic Plan allowing Arizona cities to obtain an allocation of CAP water which comes from Lake Havasu. All cities in the west valley participated in this program except El Mirage. In 1999, a second allocation of CAP water became available and El Mirage purchased 508 acre feet, however it was an insufficient amount for upcoming growth. ADWR (Arizona Department of Water Resources) is now offering another CAP allocation in which El Mirage requested 4,300 acre feet. The allocation process is highly competitive among cities and it appears El Mirage will be approved for 1,318 acre feet. Partnering with other cities to purchase some of their unused credits has added to available storage credits in the short term at a reasonable cost but in a highly competitive and limited resource market, other cities are reserving their own credits and this source is quickly becoming an option no longer available.

Mr. Dobrosky explained that of the replenishment resources available, effluent production is not anticipated to increase, excess and free market water is gone, purchase of long term storage credits is no longer an option and CAGR rates are extremely expensive, thus, he believes the purchase of the proposed extinguishment credits at a very reasonable price of \$150 per acre foot over a 5 year period is the best option for the City at this time. He further advised that ADWR had reviewed the proposed purchase of extinguishment credits and validated all certificates to be purchased.

Finance Director Robert Nilles gave a 30-year overview showing the variance in customer surcharges if purchasing the proposed extinguishment credits versus CAP rates (which may not be available in the future) and CAGR rates which are substantially higher. This proposed purchase is over a 5-year period and equates to an approximate overall savings of \$10,000,000. The 5-year agreement is within current funding.

Mayor Mook pointed out that the water situation is one of the highest priorities for the City and commended staff for their diligence in coming up with a long term solution.

Councilor McPhetres stated that the water situation is at a crisis point in the State of Arizona and he thanked Mr. Dobrosky for his effort, however, felt that this solution does not address the long term re-use of water. He suggested looking at capturing water in the local waterways similar to Cottonwood. Mr. Dobrosky responded that at this time it is much

more cost effective to recharge rather re-tool for a whole new system. That said WestCaps is a regional group of West Valley cities developing a West Valley Strategic Plan to address both short term and long term solutions for all cities. Councilor Selby inquired whether growth was used in the assumptions presented and was advised growth was considered in the assumptions which would increase the effluent with growth. Mr. Nilles reaffirmed his calculations stating cost effectiveness is still the same. Councilor Delgado said rates are expected to remain the same for the next 5 years and asked if this proposal will alter that projection. Mr. Nilles reported that an increase is not required because they are buying at a lower rate. Vice Mayor Ramirez expressed kudos to staff and would like to convey the importance to the citizens on this major step for securing the City's water future.

Dr. Isom reported he deals on a day-to-day basis with the micro management of the water situation, attending water conferences with Mr. Dobrosky, balancing the books each year, and finding ways to get the lowest cost for water today and in the future. This out-of-the-box thinking is a way to envision a future supply of water at a much lower cost. Water resources are very competitive and previous sources are not available. Council provided the opportunity for staff to move forward and get the allocations necessary for now and the future. He made a pledge to hold water rates for the residents. Mr. Dobrosky came up with this method of ensuring the water supply and he commended his staff for all the effort that went into this agreement with Greenstone.

**Vice Mayor Ramirez moved to authorize the City Manager to enter into a five year contract with Greenstone Resource Group, LLC for the purchase of 5,054.63 acre feet of Water Extinguishment credits; seconded by Councilor Delgado. Motion carried unanimously (7/0).**

- C.** Consideration and action to authorize the City Manager to enter into a five (5) year contract with GRP Interests, LLC for the purchase of 24,225.37 acre feet of Water Extinguishment credits. (Public Works)

**Vice Mayor Ramirez moved to authorize the City Manager to enter into a five-year contract with GRP Interests, LLC for the purchase of 24,225.37 acre feet of Water Extinguishment credits; seconded by Councilor Delgado. Motion carried unanimously (7/0).**

Dr. Isom thanked Council for their support and stated this is a big deal for this community; he estimates it will save the City \$10M to \$25M over the next 30-year period. Congratulations. Mayor Mook suggested staff put this information in the newsletter and water bill inserts to educate the residents regarding water in the City of El Mirage.

***AGENDA REVISION 1:*** For the convenience of the presenter of Agenda Item F, Mayor Mook moved Agenda Item F to Agenda Item D.

- D.** Consideration and action approving the City of El Mirage to co-sponsor the American Cancer Society's Relay for Life event to be held in El Mirage on October 4, 2014 at Dysart High School and allowing public notices to be placed within the City's no advertisement avenues subject to the approval of the City Manager. (Council)

Relay for Life representative Jeff Kagan thanked Council and Staff for their support. This year's event is a Masquerade Ball rather than the usual Relay Race and will be held on October 4, 2014 at Dysart High School.

**Vice Mayor Ramirez moved to approve the City of El Mirage to co-sponsor the American Cancer Society's Relay for Life event to be held in El Mirage on October 4, 2014 at Dysart High School and allowing public notices to be placed within the city's no cost advertisement avenues subject to the approval of the City Manager; seconded by Councilor Palladino. Motion carried unanimously (7/0).**

***AGENDA REVISION 2:** For the convenience of the Public, Mayor Mook requested the City Manager's Report become Agenda Item VII and the Mayor's Comments and Council Summary of Current Events become Agenda Item VIII, respectively.*

## **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.

Dr. Isom reported on the following:

The **Fourth Annual Hispanic Heritage Fiesta** is scheduled for Friday, September 26<sup>th</sup>, from 5:00 – 9:00 P.M. at Gentry Park. There will be music and dance performances, a car show with prizes, a variety of food, children's activities, arts, crafts, and raffle prizes.

The City continues to accept vendor applications for the first-ever **Farmer's Market** to be held Thursday, October 9<sup>th</sup> at Gateway Park from 7:00 am – 1:00 pm. The Vendor Application Packet is available on the City's homepage at [www.cityofelmirage.org](http://www.cityofelmirage.org).

The next **Bulk Trash** event will begin on October 27<sup>th</sup> through November 17. It is important that residents DO NOT place items against their fences, cars or other structures as they may cause delays or damage. For more information and scheduling details, please visit the City's website.

In following the City's theme of "Innovation and Efficiencies," staff proposed installing 75 solar lights to be placed in Basin Park and various pocket parks that will save approximately \$179,000 on material and labor. Kudos to Engineering and Public Works for the team effort in working together to come up with a creative, new, and cost efficient approach.

The "STORM OF THE CENTURY" recently experienced tested the recently completed Basin Park which efficiently handled and drained the abundance of waterfall for which it was specifically designed. Councilor Selby reported that Basin Park is working exactly as it was supposed to and he was very pleased; slides were shown of various areas of the City.

**VIII. 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 property noticed for legal action.

Councilor Shapera reported on his attendance at the Dakota Fabricating groundbreaking and stated it is a pleasure to have them doing business in the City. Councilor Delgado thanked staff for the security plans at the library to make it a safer area. Mayor Mook experienced a test of the new water meters recently installed. The system showed high usage twice a week which turned out to be a break in the water line in her backyard. The break has now been repaired and she expressed appreciation for the new meter system.

**IX. EXECUTIVE SESSION (convened 7:27 PM)**

- E.** Executive Session to discuss the City Manager position pursuant to A.R.S. § 38-431.03. (Council)

**Vice Mayor Ramirez made a motion to convene into Executive Session to discuss the City Manager position pursuant to A.R.S. § 38-431.03; seconded by Councilor Shapera. Motion carried unanimously (7/0).**

**X. REGULAR AGENDA (resumed 7:56 PM)**

- F.** Consideration and action regarding the approval of a proposed addendum to the City Manager’s contract. (Council)

**Mayor Mook moved to approve the addendum to Dr. Isom’s contract as per discussion in Executive Session effective immediately and give the Mayor authority to execute the same; seconded by Councilor Shapera. Motion carried unanimously (7/0).**

**XI. ADJOURNMENT - The meeting was adjourned at 7:58 P.M.**

By: *Lana Mook*  
Lana Mook, Mayor

ATTEST:

*Sharon Antes*  
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 on September 16, 2014 and a quorum was present.

*Sharon Antes*  
Sharon Antes, City Clerk