

**REGULAR MEETING OF THE COMMON COUNCIL  
OF THE CITY OF EL MIRAGE  
EL MIRAGE CITY COUNCIL CHAMBERS  
14010 N. EL MIRAGE ROAD  
6:00 PM - TUESDAY, May 19, 2015**

**Minutes**

**I. ROLL CALL**

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

**II. CALL TO ORDER**

The meeting was called to order at 6:00 PM.  
Pledge of Allegiance, Moment of Silence  
Silence Cell Phones & Pagers

**III. PROCLAMATION**

- PR1.** Proclamation to declare the week of May 17 – 23, 2015 as Emergency Medical Services (EMS) week (Fire)

Firefighter Ed Cunningham reported the emergency medical services system consists of firefighters, paramedics, first responders, emergency medical technicians, emergency nurses and emergency physicians. Due to the tireless work of the emergency medical teams, residents who experience sudden illness, injury and other life threatening events, have access to quality emergency care which dramatically improves the survival and recovery rate. Emergency medical services are a vital public service; and the members of emergency medical services teams are ready to provide life-saving care to those in need 24 hours a day, seven days a week.

Mayor Mook stated “the City of El Mirage City Council proclaims and recognizes May 17-23, 2015 as Emergency Medical Services Week with the theme of ‘EMS Strong.’ I encourage the community to observe this week with appropriate programs, ceremonies and activities.”

**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.

No Public Comment Cards were received.

**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, May 5, 2015. (City Clerk)

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

**VI. REGULAR AGENDA**

- A. Consideration and action to give signature authority to the City Manager for amending the existing professional services contract with Dibble Engineering to provide post design, construction administration, and public relations services for the El Mirage Road and Thunderbird Road projects in the amount not to exceed \$688,842.00. (Development and Community Services)

Development and Community Services Director/City Engineer Jorge Gastelum provided a copy of the IGA approved on May 12, 2011 by Council showing the phases, cost estimate and the estimated ALCP reimbursement. He also presented the original Dibble Engineering contract approved on January 26, 2012, and Amendment No. 1 approved on March 18, 2014. This request before Council is for Amendment No. 2. Mr. Gastelum then presented Kevin Roberts from Dibble Engineering who presented an explanation of the original contract which covered El Mirage Road complete reconstruction (Thunderbird to Grand), Thunderbird Road complete reconstruction (127<sup>th</sup> Ave. to El Frio) and El Mirage Road repaving (Cactus to Thunderbird). Amendment No. 1 for El Mirage Road provided for construction administrative services and miscellaneous design revisions (Cinnabar to Cactus).

Mr. Roberts then explained this Contract Amendment #2 for the City Design Project which includes construction administration services, additional services and design revisions requested to refine the City of El Mirage plan. Changes to the City Design Project include construction administration, construction phase public relations, and late stage revisions of ROW acquisition, on-street parking, driveways, green bike lanes, pedestrian lighting, storm drain outfall design, and lighting revisions to convert to transit style. The City also requested raised landscaped medians with landscape and irrigation, on-street parking revisions, traffic circulation study, roadway design revisions, alley driveway elimination and traffic signal design revision. There will be a post design services allowance to cover any end of contract expenses to be approved for expenditure by the City of El Mirage.

Councilor Delgado asked when the project would begin and was advised by Mr. Gastelum that the bid opening will be June 4, 2015. Construction typically begins 6-8 weeks following the bid opening so late July or early August is anticipated. Councilor Delgado also asked if a button could be installed high enough on the pole at El Mirage and Peoria so horseback riders would not have to dismount to activate the light. Mr. Roberts reported that could be a minor field change.

**Vice Mayor Ramirez moved to give signature authority to the City Manager for amending the existing professional services contract with Dibble Engineering to provide post design, construction administration, and public relations services for the El Mirage Road and Thunderbird Road projects in the amount not to exceed \$688,842.00; seconded by Councilor Delgado. Motion carried unanimously (7/0).**

- B. Consideration and action to adjourn into Executive Session for legal consultation on the Thompson Ranch Partnership Settlement and Development Agreement pursuant to A.R.S. §38.431.03. Executive Sessions A.4. (Administration)

**Vice Mayor Ramirez moved to adjourn into Executive Session at 6:38 PM; seconded by Councilor Delgado. Motion approved unanimously (7/0).**

**Mayor Mook moved to reconvene into Regular Session at 7:05 PM; seconded by Councilor Delgado. Motion approved unanimously (7/0).**

- C. Consideration and action authorizing the City Manager to execute a negotiated Settlement and Development Agreement with Thompson Ranch Partnership for property located on the Northwest and Northeast corner of Grand Avenue and Thompson Ranch Road. (Administration)

City Attorney Robert Hall gave background history and briefly explained the negotiating process that has resulted in the proposed settlement agreement between the City of El Mirage and Thompson Ranch Partnership. He reported negotiations were very professional and Attorney Susan Demmitt represented her clients admirably. He thanked City Clerk Sharon Antes, Development and Community Services Director/City Engineer Jorge Gastelum and City Manager Dr. Spencer Isom for their contributions. Through give and take by both parties he believes the agreement is a win-win situation for both parties and he recommended Council accept the Settlement & Development agreement and to allow both parties to move forward.

Attorney Susan Demmitt, representing Thompson Ranch Partnership, stated Attorney Hall did an excellent job of summarizing the negotiations over the past year. It has been a very complex situation that will now allow both parties to move into the future. She also thanked Ms. Antes, Mr. Gastelum and Dr. Isom for their contributions.

**Vice Mayor Ramirez moved to authorize the City Manager to execute a negotiated Settlement and Development Agreement with Thompson Ranch**

**Partnership for property located on the Northwest and Northeast corner of Grand Avenue and Thompson Ranch Road; seconded by Councilor Delgado. Motion carried unanimously (7/0).**

- D. Public hearing, closure of public hearing, followed by Council's consideration and action to adopt Resolution R15-05-09 approving Case #GPA14-05-25, a major amendment to the 2010 General Plan, proposing to change Transit Oriented Development to Residential at the north east corner of Grand Avenue and Thompson Ranch Road (Development & Community Services)

Jorge Gastelum presented information regarding the next two items. He reviewed the General Plan Amendment process pursuant to A.R.S. § 9-461.06. This amendment is approximately 45 acres of vacant land in the vicinity of Thompson Ranch School, the mine pit and the railroad along Grand Avenue. Applicant has requested this area be changed from "Transit Oriented Development" to "The Neighborhoods."

Mayor Mook adjourned into Public Hearing. No public comments were received. Mayor Mook closed the Public Hearing to reconvene into Regular Session.

**Vice Mayor Ramirez moved to adopt Resolution R15-05-09 approving Case # GPA 14-05-25, a major amendment to the 2010 General Plan, proposing to change Transit Oriented Development to Residential at the north east corner of Grand Avenue and Thompson Ranch road; seconded by Councilor Shapera. Motion carried unanimously (7/0).**

- E. Public hearing, closure of public hearing, followed by Council's consideration and action to adopt Ordinance O15-05-05 amending the City's Code Section §154.050 Zoning Map at the north east corner of Grand Avenue and Thompson Ranch Road. (Development and Community Services)

Jorge Gastelum reported this item is relative to Agenda Item D and the information previously submitted applies.

Mayor Mook adjourned into Public Hearing. No public comments were received. Mayor Mook closed the Public Hearing to reconvene into Regular Session.

**Vice Mayor Ramirez moved to adopt Ordinance O15-05-05 amending the City's Code §154.050 Zoning Map at the north east corner of Grand Avenue and Thompson Ranch Road; seconded by Councilor Shapera. Motion carried unanimously (7/0).**

City Clerk Sharon Antes called for a five-minute recess for document signatures at 7:12 PM.

Mayor Mook re-opened the Regular Council Session at 7:17 PM.

- F. Public hearing, closure of public hearing, followed by Council's consideration and action to approve Resolution R15-05-10 setting fees for Pavement Restoration. (Development and Community Services)

Jorge Gastelum reported the Notice of Intent was adopted at the March 17<sup>th</sup> Council meeting allowing for the 60-day notification period.

Mayor Mook adjourned into Public Hearing. No public comments were received. Mayor Mook closed the Public Hearing to reconvene into Regular Session.

**Vice Mayor Ramirez moved to approve Resolution R15-05-10 setting fees for Pavement Restoration; seconded by Councilor Palladino. Motion carried unanimously (7/0).**

- G. Consideration and action to recommend to the Maricopa County Board of Supervisors the re-appointment of Councilor Roy Delgado (primary) and Councilor Jack Palladino (alternate) to the Community Development Advisory Committee (CDAC) for FY 2015-16. (Administration)

Mayor Mook proposed to re-appoint Councilor Delgado as "primary" and Councilor Palladino as "alternate" representatives to the CDAC Board for the FY 2015-16 year. They have served well in the past and agreed to continue in their respective positions representing the City.

**Vice Mayor Ramirez moved to recommend to the Maricopa County Board of Supervisors the re-appointment of Councilor Roy Delgado (primary) and Councilor Jack Palladino (alternate) to the Community Development Advisory Committee (CDAC) for FY 2015-16; seconded by Councilor Shapera. Motion carried unanimously (7/0).**

## 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. Spencer Isom introduced the new Assistant to the City Manager and Grants Coordinator Michael Powell. Mr. Powell reported he spent six years in the court system and 10 years with the City of Avondale. He has served on both non-profit and for-profit committees and is looking forward to serving the City of El Mirage and bringing more funds into the City.

Assistant Police Chief Terry McDonald introduced Michael Ashley as the Police Department's new Professional Standards Manager. Mr. Ashley retired from the City of Peoria in 2013. He has significant experience in audits, inspections, hiring, background, policy and the certification process. He graduated from Arizona State University with a Bachelor's Degree and Northern Arizona

University with a Master’s Degree. He is married with two children. Mr. Ashley is looking forward to working with the City of El Mirage.

Dr. Isom reported there is an excellent staff working at the City of El Mirage. He appreciates the support of the directors and the front line employees who show their dedication to their jobs with 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 properly noticed for legal action.

Councilor Delgado reported he attended the scholarship ceremony at Dysart School and he is amazed at the number of students receiving scholarships. He believes the future is in good hands with the quality of youth. He also reported he is excited about the upcoming street projects and likes the changes he has seen since he has moved to El Mirage. He represented the City at the Chamber of Commerce where APS presented information regarding APS and SRP rate policies.

Vice Mayor Ramirez reinforced the excitement about the road work. Council, as a unit, has determined the need and pressed forward to complete the projects. He appreciates the excellent staff.

Mayor Mook reported she, Dr. Isom, Robert Nilles and Christy Eusebio recently went to San Francisco to present before the bonding agencies for new bond ratings. When asked what has happened since the last review, they reported on the progress over the past three years and the rating agencies were very interested in PSPRS, the Foreign Trade Zone, Maricopa Association of Governments (MAG) and the League of Arizona Cities and Towns. Mayor Mook believes there is a good chance to receive an excellent rating and eagerly awaits the results of these meetings.

**IX. ADJOURNMENT**

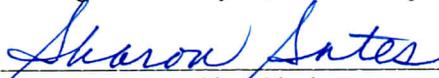
The meeting was adjourned at 7:30 PM.

  
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Lana Mook, Mayor

ATTEST:

  
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Sharon Antes, City Clerk

I hereby certify the aforementioned minutes are a true and accurate record of the Regular City of El Mirage City Council Meeting held on May 19, 2015 and a quorum was present.

  
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Sharon Antes, City Clerk