**REGULAR MEETING OF THE COMMON COUNCIL**
**OF THE CITY OF EL MIRAGE**
**EL MIRAGE CITY COUNCIL CHAMBERS**
**14010 N. EL MIRAGE ROAD**
**THURSDAY, MARCH 10, 2011**

**Minutes**

## I. CALL TO ORDER

The meeting was called to order by Mayor Lana Mook at 6:00 p.m. The Council led the public in the Pledge of Allegiance and a Moment of Silence.

## II. ROLL CALL

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

Excused: Councilor Roy Delgado.

## III. CONSENT AGENDA

1. Consideration and action approving the Minutes of the Special Council Meeting held Thursday, February 3, 2011, the Regular Council Meeting held Thursday, February 10, 2011, the Special Council Meeting held Tuesday, February 22, 2011, the Work Session held Thursday, February 24, 2011 and the Regular Council Meeting held Thursday, February 24, 2011.

2. Consideration and action to authorize a budget transfer in the amount of $45,000 from Council Contingency to the Safety and Loss Department to cover the February 2011 Council approved settlement.

3. Consideration and action approving membership in the West Valley Partners and to pay the prorated dues for FY10/11 and the annual dues for FY11/12 in the amount of $3,258.00.

Vice Mayor Shapera made a motion to approve the consent agenda items 1 thru 3 as presented; seconded by Councilor McPhetres. Motion Carries.

## IV. REGULAR AGENDA

A. Consideration and action approving Ordinance O11-03-07, authorizing the creation of a Home Detention/Electronic Monitoring Program for the City of El Mirage Court.

Judge Mapp was in attendance to answer questions and stated the Court has no objections to the Ordinance.

Police Chief Campbell doesn't see a risk to public safety but hasn't studied the program in depth.

Councilor Palladino made a motion find the public necessity of officer time out of the area; the jail cost savings; and monitoring of prisoners and to approve Ordinance O11-03-07 as presented; seconded by Councilor Ramirez. Motion Carries.

The Mayor granted a brief recess at 7:05.
The meeting reconvened at 7:13.

B. Presentation, discussion and possible action regarding the results of independent assessment of utility services by Red Oak Consulting:

Finance Director Robert Nilles and Pat Walker of Red Oak Consulting made a presentation regarding the results/findings of their independent assessment of the City's utility services

1. Consideration and action of posting either water rate option 1 or water rate option 2 on the City website for a period of not less than 60 days per ARS 9-499.15, adopt a notice of intent to increase rates and set a public hearing on the proposed rate increase for May 26, 2011 per ARS 9-511.01.

   Vice Mayor Shapera made a motion to approve the posting of water rate option #1(across the board increase) as presented for a two (2) year and to direct staff to contact and work with the Citizens of the Dysart Ranchettes to find alternatives for the Ranchettes and to revisit in one (1) year; seconded by Councilor Selby. Motion Carries.

2. Consideration and action of posting either sewer rate option 1 or sewer rate option 2 on the City website for a period of not less than 60 days per ARS 9-499.15, adopt a notice of intent to increase rates and set a public hearing on the proposed rate increase for May 26, 2011 per ARS 9-511.01.

   Vice Mayor Shapera made a motion to approve the posting of sewer rate option #1(across the board increase) as presented for a two (2) year and to direct staff to contact and work with the Citizens of the Dysart Ranchettes to find alternatives for the Ranchettes and to revisit in one (1) year ; seconded by Councilor Selby. Motion Carries.

3. Consideration and action of posting either sanitation rate option 1 or sanitation rate option 2 on the City website for a period of not less than 60 days per ARS 9-499.15, adopt a notice of intent to increase rates and set a

public hearing on the proposed rate increase for May 26, 2011 per ARS 9-511.01.

Vice Mayor Shapera made a motion to approve the posting of sanitation rate option #2 (including curbside recycling) as presented; seconded by Councilor Selby. Motion Carries.

4. Consideration and action of posting miscellaneous water and wastewater fee increases and/or service charges as presented on the City website for a period of not less than 60 days per ARS 9-499.15, adopt a notice of intent to increase fees and/or service charges and set a public hearing on the proposed increases for May 26, 2011 per ARS 9-511.01.

   Vice Mayor Shapera made a motion to approve the of posting miscellaneous water and wastewater fee increases and/or service charges as presented on the City website for a period of not less than 60 days per ARS 9-499.15, adopt a notice of intent to increase fees and/or service charges and set a public hearing on the proposed increases for May 26, 2011 per ARS 9-511.01; seconded by Councilor McPhetres. Motion Carries.

C. Consideration and action of the Mayor and City Council on current capital projects:

Special Assistant to the City Manager Bill Pupo made a brief presentation regarding the capital improvement projects.

| | Project | Yes | No |
|---|---|---|---|
| 1 | Grand Ave Improvements – Irrigation & Landscaping<br>City Manager recommends – continue to completion | x | |
| 2 | Concession Building at Gateway Park<br>City Manager recommends – continue to completion | x | |
| 3 | Solar Power Parking Shade Canopies<br>City Manager recommends – continue to completion | x | |
| 4 | Rancho El Mirage Multi-Use Trail<br>City Manager recommends - discontinue | x | |
| 5 | El Mirage Road Improvements<br>City Manager recommends – continue to completion | x | |
| 6 | Cactus Road Improvements<br>City Manager recommends – design only | x | |
| 7 | Dysart Ranchettes Paving<br>City Manager recommends – continue to completion | x | |
| 8 | Downtown Alley Paving – East & West of El Mirage Road<br>City Manager recommends – continue to completion | x | |
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| 9 | Northern Road Improvements<br>City Manager recommends – continue | x | |
| 10 | El Mirage Road Micro-surfacing – Olive to Cactus<br>City Manager recommends – continue | x | |
| 11 | Dysart/Peoria Traffic Signal Improvements<br>City Manager recommends - discontinue | x | |
| 12 | Citywide Traffic Signal Improvements<br>City Manager recommends - discontinue | x | |
| 13 | Lower El Mirage Drainage Improvements (limited to drainage)<br>City Manager recommends – continue | x | |
| 14 | Downtown Waterline Replacement<br>City Manager recommends – continue to completion | x | |
| 15 | Brisas Well Site #9<br>City Manager recommends – continue to completion | x | |
| 16 | Wastewater Treatment Plan Improvements<br>City Manager recommends – continue | x | |
| 17 | Water and Sewer Rate Study<br>City Manager recommends – continue | x | |
| 18 | Water Meter Replacement Program<br>City Manager recommends – continue | x | |
| 19 | Thunderbird/Dysart Wayside Horns<br>City Manager recommends - discontinue | x | |
| 20 | Security Improvements at the Wastewater Treatment Plant<br>City Manager recommends – continue | x | |

The Mayor and City Councilor voted to approve the continuation or the discontinuation of the Capital Improvement Projects as per the City Manager's recommendations. (As per the above table)

D. Consideration and action requesting that the Mayor and City Council give signature authority to the City Manager to enter into a professional services contract with Stanley Consultants, Inc. for the Downtown Alley Paving Project.

Vice Mayor Shapera made a motion to approve granted signature authority to the City Manager to enter into a professional services contract with Stanley Consultants; seconded by Councilor Selby. Motion Carries.

E. Consideration and action requesting that the Mayor and City Council give signature authority to the City Manager to enter into a professional services contract with Wilson Engineers for the Brisas Water Production Facility Project.

Vice Mayor Shapera made a motion to approve granted signature authority to the City Manager to enter into a professional services contract with Wilson Engineers; seconded by Councilor Palladino. Motion Carries.

F. Consideration and action requesting that the Mayor and City Council give signature authority to the City Manager to enter into a professional services contract with Wood, Patel & Associates to prepare construction documents for the Access Barriers of Culvert Structures project.

Councilor Palladino made a motion to approve granted signature authority to the City Manager to enter into a professional services contract with Wood, Patel & Associates; seconded by Vice Mayor Shapera. Motion Carries.

G. Consideration and action requesting that the Mayor and Council accept a proposal from Good News Construction, in the amount of $33,566.25 for General Construction on the Gateway Park Concession Building to prepare it for Vendor use; waive the sealed bid and newspaper advertisement requirement as it is in the best interest of the City and authorize a transfer from Council Contingency to Facilities in the of amount $80,000.00 for the construction project.

Councilor Ramirez made a motion to accept the proposal from Good News Construction(the low bid) for the general construction of the Gateway Park Concession Building and waive the publication requirement and the sealed bid process as per City Code section 30.23; seconded by Councilor McPhetres. Motion Carries.

## V. CITY MANAGER SUMMARY OF CURRENT EVENTS

City Manager Isom introduced Steve Campbell, the City's new Police Chief.

The City Manager reported that the official census figures for 2010 were released today to the State Governor's Office and the official census count in the City of El Mirage is 31,797.

The Firefighters participated in the National Read Across America Day by reading a water safety book, "Stewie the Duck Learns to Swim" to the kindergarten classes at Riverview Elementary and they participated in a Mass Casualty Exercise with Luke AFB on March 9th.

The CDAC Committee met last evening to determine their recommendations for disbursements of available CDBG and HOME funds. The City submitted applications for a water line and fire hydrant project, housing rehabilitation, and home buyer assistance and the expected funding is $586,309.

A report has been prepared and distributed regarding the emergency WWTP pump repairs and purchases as per City Code Section 30.23.

The Mayor and City Council were reminded of the Peoria Avenue Improvements Open House – MCDOT is holding their third public open house meeting on the Peoria Avenue potential improvements between Jackrabbit Trail Parkway and Dysart Road. The Open House will be Tuesday, March 22, 2011 from 5 – 7 pm at the Shadow Ridge High School in Surprise.

City Manager Isom reported on some of the upcoming events: Bulk Trash Event – will be held Saturday, March 19th, at the Glendale Landfill at 11480 W. Glendale Avenue from 7 am – 3 pm; the Third Thursday event is March 17th from 5-9 PM at the El Mirage Civic and Cultural Center. Beginning in April the monthly art event will become "Fourth Friday." ; "Tip-A-Cop" – El Mirage police officers and department personnel will volunteer as "Celebrity Waiters" and collect tips at the Red Robin Restaurant to raise funds in support of Special Olympics. The event will be held on Saturday, March 26th, from 11 am – 3 pm and 4 pm – 8 pm at the Red Robin Restaurant in Surprise on Bell Road. Enjoy the fun and help support Special Olympics.; and LUKE DAYS – Luke Air Force will be conducting their two-day air show at the base on Saturday and Sunday, March 19th and 20th from 10 am to 4 pm each day. Gates open at 9 am and scheduled flying acts begin at 11 am. The 2011 Luke Days "70 Years of Thunder" open house will feature aerial demonstrations, military aircraft ground displays, exhibits and other attractions.

The City Manager introduced the new Executive Director of the Dysart Community Center, Jessie Singer.

Jessie Singer reported on the current programs at the Dysart Community Center. She also reported of some the possible new programs that the Board is considering.

## VI. MAYOR'S COMMENTS and COUNCIL SUMMARY OF CURRENT EVENTS

Vice Mayor Shapera reported of his attendance at the Dysart School Wrestling Team Dinner.

Councilor Palladino reported of the CDAC Committee meeting and the efforts of Leonard Rivera to obtain additional HOME funds.

Councilor McPhetres reported of his attendance at a water/energy committee meeting and a meeting on water futures.

Councilor Selby reported of his attendance at an Operation Life Saver clinic and his desire to have a presentation before Council.

Mayor Mook reported of her attendance with Councilor Palladino at a luncheon at which she presented the City's second commemorative coin to the Governor.

## VII. CALL TO THE PUBLIC

Dan Reilly wished everyone "Happy Irish Heritage Month". He also reported the City of El Mirage is improving.

## VIII. EXECUTIVE SESSION

Consideration and action to consider convening in executive session to discuss development non-compliance issues and to receive legal advice from the City's attorneys regarding such matters, in accordance with A.R.S. §38-431.01(A)(3).

Councilor Selby made a motion to adjourn into executive session; seconded by Councilor Palladino. Motion Carries.

The Council meeting adjourned at 8:35
The Council meeting reconvened at 9:11

The City Attorneys and the City Manager were provided with direction regarding the pending legal issue.

## IX. ADJOURNMENT

Mayor Mook adjourned the meeting at 9:11 P.M.

Lana Mook
Lana Mook, Mayor
DMS

ATTEST:

Richard Saathoff
Richard Saathoff, City Clerk

I hereby certify the foregoing minutes are a true and accurate record of the City of El Mirage Regular Council Meeting held March 10, 2011 and a quorum was present.

Richard Saathoff
Richard Saathoff, City Clerk