

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF EL MIRAGE
EL MIRAGE CITY COUNCIL CHAMBERS
14010 N. EL MIRAGE ROAD
TUESDAY, MAY 15, 2012**

Minutes

The Public Hearing on the Conditional Use Permit for Victory Outreach was not held tonight, it will be re-advertised for a later date.

I. CALL TO ORDER

The meeting was called to order by Mayor Lana Mook at 6:01 p.m.

II. ROLL CALL

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

III. PRESENTATIONS

Recognition/Presentation to employee Ms. Ruby Arvizu Employee-of-the-Quarter for January – March 2012 by Mayor Lana Mook.

Mayor Mook recognized Ruby Arvizu as Employee-of-the-Quarter and presented her with a framed certificate.

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 a matter, and (3) direct that a matter be put on a future agenda.

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 requesting the Mayor and council approve a license contract agreement with BNSF Railway Company setting forth the terms and conditions for the Santa Fe Sewer Line Extension Project. (Engineering)
2. Consideration and action requesting the Mayor and Council award a contract to Sunland Asphalt in an amount not to exceed \$32,760 to apply a rubberized asphalt

treatment and crack sealing to City streets as part of the pavement management plan. (Public Works)

3. Consideration and action approving an Intergovernmental Agreement with the Regional Public Transportation Authority (RPTA dba Valley Metro). (Administration)
4. Consideration and action approving an Intergovernmental Agreement (IGA) with the State of Arizona acting through the Department of Transportation (ADOT) to replace street ID signs throughout the City using Federal (HSIP) funds. (Public Works)
5. Consideration and action adopting Resolution R12-04-11, approving the Bool Cactus Crossing Subdivision at the Southwest Corner of Cactus Road and El Mirage Road. (Engineering)
6. Consideration and action requesting the Mayor and City Council authorization to sign an updated (2 year) Emergency Transportation Agreement with SW General Inc., dba Southwest Ambulance. (Fire Department)
7. Consideration and action to authorize the Finance Director to make a transfer of funds at fiscal year end from the Photo Enforcement Fund to the Court Operations Fund in an amount not to exceed \$200,000. (Finance)

At the request of staff, item 4 is removed from the agenda.

At the request of staff, item 3 is moved the regular agenda.

Vice Mayor Shapera made a motion to approve consent items 1 and 2 and 5 through 7 as presented; seconded by Councilor Delgado. Motion Carries, unanimously.

VI. REGULAR AGENDA

Consideration and action approving an Intergovernmental Agreement with the Regional Public Transportation Authority (RPTA dba Valley Metro). (Administration)

Vice Mayor Shapera made a motion to approve Intergovernmental Agreement with the Regional Public Transportation Authority (RPTA dba Valley Metro) as amended; seconded by Councilor Delgado. Motion Carries, unanimously.

A. Public Hearing – Montecito Estates - Site Plan Amendment

Mayor Mook opened the public hearing at 6:11 pm.

City Planner Mark Smith made a brief presentation regarding the request to amend the site plan for Montecito Estates.

There were no public comments offered.

The public hearing was closed at 6:21 pm.

- B. Consideration and action on a request from Lennar Homes for a site plan amendment for new home models on remaining vacant lots at Montecito Estates (Three J's Country Estates) at the northeast corner of El Mirage Road and Greenway Road/Thompson Ranch Road. (Development & Community Services)

Councilor McPhetres made a motion to approve the request from Lennar Homes for a site plan amendment for new home models on remaining vacant lots at Montecito Estates as presented; seconded by Councilor Ramirez. Motion Carries, unanimously.

- C. Consideration and action adopting Resolution 12-05-13, to establish a new fee to recover the cost of water recharge credits being lost by the City of El Mirage by providing water services to City of El Mirage customers not connected to the City sewer. (Finance)

Vice Mayor Shapera made a motion to hold a public hearing for items C & D, seconded by Councilor Palladino. Motion Carries, unanimously.

Mayor Mook opened the public hearing at 6:26.

There were no public comments offered.

Kevin Burnett of Red Oak presented a brief overview of the process.

Vice Mayor Shapera made a motion to continue the public hearing for items C & D to a future meeting, seconded by Councilor McPhetres. Motion Carries, unanimously.

Mayor Mook closed the public hearing at 6:43.

- D. Consideration and action to ratify approved fee to recover the cost of lost water recharge credits associated with the City of El Mirage providing water "only" service customers located in the Surprise Original Town Site (OTS) and setting an implementation date of July 1, 2012. (Finance)
- E. Consideration and action adopting Resolution 12-05-14, setting miscellaneous fees and service charges. (Finance)

Vice Mayor Shapera made a motion to adopt Resolution 12-05-14, setting miscellaneous fees and service charges as presented; seconded by Councilor Palladino. Motion Carries, unanimously.

- F. Consideration and action approving Resolution R12-05-17, adopting the estimated expenditures and revenues of the City of El Mirage for FY 2012-13. (Finance)

Vice Mayor Shapera made a motion to adopt Resolution R12-05-17, adopting the estimated expenditures and revenues of the City of El Mirage for FY 2012-13 as presented; seconded by Councilor Delgado. Motion Carries, 6-1 (McPhetres).

- G. Consideration and action to direct the City Clerk, to take all necessary actions and make all required submissions and initiatives, to ensure that the following permanent base adjustment question be submitted to the voters of the City of El Mirage, Arizona for the November 6, 2012 election. (Finance)

Mayor Mook granted a brief recess at 7:35

Mayor Mook reconvened the meeting at 7:37

Vice Mayor Shapera made a motion to direct the City Clerk, to take all necessary actions and make all required submissions and initiatives, to ensure that the permanent base adjustment question be submitted to the voters of the City of El Mirage, Arizona for the November 6, 2012 election as presented; seconded by Councilor Delgado. Motion Carries, unanimously.

- H. Consideration and action regarding the recommendation to the Maricopa County Board of Supervisors, the re-appointment of two representatives – Councilman Roy Delgado (primary) and Councilman Jack Palladino (alternate) – to the CDAC Committee for FY 2012-13. The recommendation of a primary and an alternate representative is required. (Administration)

Vice Mayor Shapera made a motion to recommend to the Maricopa County Board of Supervisors, the re-appointment of two representatives, Councilman Roy Delgado as the primary and Councilman Jack Palladino as the alternate to the CDAC Committee for FY 2012-13 as presented; seconded by Councilor Selby. Motion Carries, unanimously.

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

Councilor McPhetres reported that he recently toured the campus of Midwestern University and that he is working with a new committee with plans to host "health benefit fair" for health assessments.

Councilor Palladino provided a brief update on the Community Garden.

Councilor Delgado reported of the possible increase in funding through CDAC and recent activities at the Library.

Vice Mayor Shapera reported of his attendance the Benevolent and Protective Order of Elks scholarship awards ceremony.

VIII. 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 Isom reported that in compliance with City Code Section § 30.28 for Emergency Purchases, this will report on recent purchases necessary to complete two projects:

- Gentry Park Improvement – unanticipated additional utility work, irrigation and landscaping were necessary to complete the Gentry Park improvements for a difference of \$4,103.57 over the approved project amount. Time was of the essence in completing this work for public safety and keeping the project on schedule. Savings in other park fund activities are sufficient to cover this emergency expense.
- Access Barriers of Culvert Structures – an additional upstream access barrier at Dysart Road just south of Greenway Road was added to this project under a cost share with the City of Surprise. The additional cost of \$5,980.31 that also included a few other items was approved under the Emergency Purchase clause since time was of the essence in completing this work for public safety and keeping the project on schedule. Adequate funds were available in the Storm Water Improvements Capital Fund to cover the additional costs.

Dr Isom reported Police Chief Steve Campbell would like the Council to know that the El Mirage Police Department thanks the Community for its efforts to dispose of unwanted or expired drugs during the recent National Take Back event. This year's event, supported by the Drug Enforcement Administration, took in nearly 50 pounds of discarded items. Accompanying the El Mirage Police personnel was Ms. Jamie McCullough from the Public Works Department. Ms. McCullough distributed informational material for keeping our water sources clean. In addition, each person who dropped off items was provided a package of compact fluorescent light bulbs.

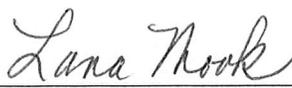
Dr. Isom reminded everyone that applications for the two (2) Planning & Zoning Commission openings are due by Wednesday, May 23rd. Anyone wishing to apply for a seat on the Planning & Zoning Commission should complete an application and submit it to the City Clerk.

The City Manager announced special Council meeting will be held next Tuesday, May 22, 2012 at 5:00 PM to take action on a number of time sensitive items that could not be included on tonight's calendar and which cannot wait until the June 5, 2012 meeting.

City Manager Isom announced the new Valero gas station and Corner Store on the southwest corner of Dysart and Thunderbird Roads is now open for business! An official ribbon cutting ceremony is scheduled for Friday, June 1, 2012 at 10 AM to welcome our newest business to El Mirage.

IX. ADJOURNMENT

Mayor Mook adjourned the meeting 7:59 p.m.

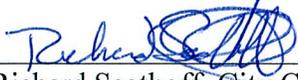


Lana Mook, Mayor

ATTEST:


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 May 15, 2012 and a quorum was present.


Richard Saathoff, City Clerk